



SELLER DISCLOSURE OF PROPERTY CONDITION
(To be delivered prior to buyer making Offer to Buy Real Estate)



Property Owner(s) & Address: James W Fouts, Executor for Joseph R *Fouts Estate*

25990 Filbert Ave *Furner Onawa* IA 51040

Purpose of Disclosure: Completion of Section I this form is required under Chapter 558A of the Iowa code which mandates the Seller(s) disclose condition and information about the property, unless exempt:

Exempt Properties: Properties exempted from the Seller's disclosure requirement include (IA Code 558A): Bare ground; property containing 5 or more dwellings units; court ordered transfers; transfers by a power of attorney; foreclosures; lenders selling foreclosed properties; fiduciaries in the course of an administration of an decedent's estate, guardianship, conservatorship, or trust; between joint tenants, or tenants in common; to or from any governmental division; quit claim deeds; intra family transfers; between divorcing spouses; commercial or agricultural property which has no dwellings.

Property is exempt because one or more of the above exemptions apply. *Estate*

If Exempt – STOP HERE and SKIP TO LAST PAGE. SIGN AND DATE.

Instructions to the Seller: (1) Complete this form yourself. (2) Report known conditions materially affecting the property and utilize ordinary care in obtaining the information. (3) Provide information in good faith and make a reasonable effort to ascertain the required information. (4) Additional pages or reports may be attached. (5) If some items do not apply to your property, write "NA" (not applicable). (6) All approximations must be identified "AP". If you do not know the facts, write or check UNKNOWN. (7) Keep a copy of this statement.

Seller's Disclosure Statement: Seller discloses the following information regarding the property and certifies this information is true and accurate to the best of my/our knowledge as of the date signed. Seller authorizes Agent to provide a copy of this statement to any person or entity in connection with actual or anticipated sale of the property or as otherwise provided by law. This statement shall not be a warranty of any kind by Seller or Seller's Agent and shall not be intended as a substitute for any inspection or warranty the purchaser may wish to obtain. The following are representations made by Seller and are not by any Agent acting on behalf of the Seller. **The Agent has no independent knowledge of the condition of the property except that which is written on this form. Seller advises Buyer to obtain independent inspections relevant to Buyer.**

I. Property Conditions, Improvements and Additional Information: (Section I is Mandatory)

- Basement/Foundation:** Has there been known water or other problems? Yes [] No [] Unknown [] If yes, please explain: _____
- Roof:** Any known problems? Yes [] No [] Unknown [] Type _____
Unknown [] Date of repairs/replacement _____ Unknown []
Describe: _____
- Well and pump:** Any known problems? Yes [] No [] Unknown [] Type of well (depth/diameter), age and date of repair: _____ Has the water been tested? Yes [] No [] Unknown []
If yes, date of last report/results: _____
- Septic tanks/drain fields:** Any known problems? Yes [] no [] Unknown [] Location of tank _____
Unknown [] Age _____ Unknown []
Has the system been inspected within 2 years or pumped/cleaned within 3 years?
Yes [] No [] UNK [] Date of inspection _____ UNK [] Date tank last cleaned/pumped _____ UNK []
- Sewer:** Any known problems? Yes [] No [] Any known repairs/replacement? Yes [] No []
Date of repairs _____

Buyer Initials _____ Sellers Initials *JWF*

- 6. **Heating system(s):** Any known problems? Yes No Any known repairs/replacement? Yes No
Date of repairs _____
- 7. **Central Cooling system(s):** Any known problems? Yes No Any known repairs/replacement? Yes No
Date of repairs _____
- 8. **Plumbing system(s):** Any known problems? Yes No Any known repairs/replacement? Yes No
Date of repairs _____
- 9. **Electrical system(s):** Any known problems? Yes No Any known repairs/replacement? Yes No
Date of repairs _____
- 10. **Pest Infestation:** (wood-destroying insects, bats, snakes, rodents, destructive/troublesome animals, etc.)
Any known problems? Yes No Unknown Date of treatment _____
Previous Infestation/Structural Damage? Yes No Date of repairs _____
- 11. **Asbestos:** Is asbestos present in any form in the property? Yes No Unknown If yes, explain: _____

- 12. **Radon:** Any known tests for the presence of radon gas? Yes No If yes, test results? _____
Date of last report _____
Seller Agrees to release any testing results. **If not, Check here**
- 13. **Lead Based Paint:** Known to be present or has the property been tested for the presence of lead based paint?
Yes No Unknown If yes, what were the test results?

Has the lead disclosure form and pamphlet been provided? Yes No
- 14. **Any known encroachments, easements, "common areas"** (facilities like pools, tennis courts, walkways or other areas co-owned with others), zoning matters, nonconforming uses, or a Homeowners Association which has any authority over the property? Yes No Unknown
- 15. **Features of the property known to be shared in common with adjoining landowners, such as walls, fences, roads and driveways** whose use or maintenance responsibility may have an effect on the property?
Yes No Unknown
- 16. **Structural Damage:** Any known structural damage? Yes No Unknown
- 17. **Physical Problems:** Any known settling, flooding, drainage or grading problems? Yes No Unknown
- 18. **Is the property located in a flood plain?** Yes No Unknown If yes, flood plain designation

- 19. **Do you know the zoning classification of this property?** Yes No Unknown
What is the zoning? _____
- 20. **Covenants:** Is the property subject to restrictive covenants? Yes No Unknown
If yes, attach a copy OR state where a true, current copy of the covenants can be obtained:
 On file at County Recorder's office or:

You **MUST** explain any "Yes" responses above (Attach additional sheets if necessary):

Buyer Initials _____

Seller Initials ATWF _____

II. Appliances/Systems/Services (Note: Section II is for the convenience of Buyer/Seller and is not mandatory):

Notice: Items marked "included" are intended to remain with the property after sale. However, included items may be negotiable between Buyer and Seller, and requested items should be in writing as either included or excluded in any Offer to Buy/Purchase Agreement. The Offer to Buy/Purchase Agreement shall be the final terms of any agreement.

	Included	Working?			Rented?		Included	Working?		
		Yes	No	OR N/A	Yes	No		Yes	No	OR N/A
Range/Oven	()	()	()	()				()	()	()
Dishwasher	()	()	()	()			()	()	()	()
Refrigerator	()	()	()	()				()	()	()
Hood/Fan	()	()	()	()				()	()	()
Disposal	()	()	()	()				()	()	()
TV receiving Equipment	()	()	()	()				()	()	()
Sump Pump	()	()	()	()				()	()	()
Alarm System	()	()	()	()				()	()	()
Central AC	()	()	()	()				()	()	()
Window AC	()	()	()	()				()	()	()
Central Vacuum		()	()	()				()	()	()
Gas Grill	()	()	()	()				()	()	()
Attic Fan	()	()	()	()				()	()	()
Intercom		()	()	()				()	()	()
Microwave	()	()	()	()				()	()	()
Trash Compactor	()	()	()	()				()	()	()
Ceiling Fan	()	()	()	()				()	()	()
Water Softener/Conditioner	()	()	()	()	()	()		()	()	()
LP Tanks	()	()	()	()	()	()		()	()	()
Keys & Locks	()	()	()	()				()	()	()
Swing Set	()	()	()	()				()	()	()
Basketball Hoop	()	()	()	()				()	()	()
"Pet fence"	()	()	()	()				()	()	()
Pet Collars	()	()	()	()	# of collars	_____		()	()	()
Garage door opener	()	()	()	()	# of remotes	_____				
Lawn Sprinkler System								()	()	()
Solar Heating System							()	()	()	()
Pool Heater, Wall liner & equipment							()	()	()	()
Well & Pump								()	()	()
Smoke Alarm							()	()	()	()
Septic Tank & Drain field								()	()	()
City Water System								()	()	()
City Sewer System								()	()	()
Plumbing System								()	()	()
Central Heating System								()	()	()
Water Heater								()	()	()
Windows								()	()	()
Fireplace/Chimney								()	()	()
Wood Burning System							()	()	()	()
Furnace Humidifier							()	()	()	()
Sauna/Hot tub							()	()	()	()
Locks and Keys							()	()	()	()
Dryer							()	()	()	()
Washer							()	()	()	()
Storage Shed							()	()	()	()
Underground										
Boat Dock							()	()	()	()
Boat Hoist							()	()	()	()

Exceptions/Explanations for "NO" responses above:

ALL HOUSEHOLD APPLIANCES, IF INCLUDED, ARE NOT UNDER WARRANTY BEYOND DATE OF CLOSING. Warranties may be available for purchase from independent warranty companies.

Buyer Initials _____ Seller Initials XTWF

III. Additional Non-Mandatory Requested Items: Are you as the Seller aware of any of the following:

- Any significant structural modification or alteration to property? Yes [] No [] Unknown [] Please explain: _____
- Has there been a property/casualty loss over \$5,000, an insurance claim over \$5,000, OR major damage to the property from fire, wind, hail, flood(s) or other conditions? Yes [] No [] Unknown [] If yes, has the damage been repaired/replaced? Yes [] No []

Buyer Initials _____ Seller Initials XTWF

- 3. Are there any known current, preliminary, proposed or future assessments by any governing body or owner's association of which you have knowledge? Yes No Unknown
- 4. Mold: Does property contain toxic mold that adversely affects the property or occupants? Yes No Unknown
- 5. Private burial grounds: Does property contain any private burial ground? Yes No Unknown
- 6. Neighborhood or Stigmatizing conditions or problems affecting this property? Yes No Unknown
- 7. Energy Efficiency Testing: Has the property been tested for energy efficiency? Yes No Unknown
If yes, what were the test results? _____
- 8. Attic Insulation: Type _____ Unknown Amount _____ Unknown
- 9. Are you aware of any area environmental concerns? Yes No Unknown If yes, please explain: _____

- 10. Are you related to the listing agent? Yes No If yes, how? _____
- 11. Where survey of property may be found: _____

If the answer to any item is yes, please explain. Attach additional sheets, if necessary:

12. Repairs: Any repair(s) to property not so noted: (Date of repairs, Name of repair company if utilized.) (Note: Repairs are not normal maintenance items) (Attach additional sheets, if necessary)

Seller has owned the property since _____ (date). Seller has indicated above the history and condition of all the items based solely on the information known or reasonably available to the Seller(s). If any changes occur in the structural/mechanical/appliance systems of this property from the date of this form to the date of closing, Seller will immediately disclose the changes to Buyer. In no event shall the parties hold Broker liable for any representations not directly made by Broker or Broker's affiliated licensees (brokers and salespersons). **Seller hereby acknowledges Seller has retained a copy of this statement.**

Seller acknowledges requirement that Buyer be provided with the "Iowa Radon Home-Buyers and Sellers Fact Sheet", prepared by the Iowa Department of Public Health.

3/31/2021 | 21:54

Seller X James W. Fouts Seller _____ Date ~~XX/XX/XX~~ 3/31/2021
James W. Fouts, Executor for Joseph R Fouts Estate

Buyer hereby acknowledges receipt of a copy of this statement. This statement is not intended to be a warranty or to substitute for any inspection the buyer(s) may wish to obtain.

Buyer acknowledges receipt of the "Iowa Radon Home-Buyers and Sellers Fact Sheet" prepared by the Iowa Department of Public Health.

Buyer _____ Buyer _____ Date _____