

Seller's Property Disclosure – Residential



Notice to Licensee and seller: Only the Seller should fill out this form.

Notice to Seller: Florida law¹ requires a Seller of a home to disclose to the Buyer all known facts that materially affect the value of the property being sold and that are not readily observable or known by the Buyer. This disclosure form is designed to help you comply with the law. However, this disclosure form may not address every significant issue that is unique to the Property. You should think about what you would want to know if you were buying the Property today; and if you need more space for additional information, comments, or explanations, check the Paragraph 12 checkbox and attach an addendum.

Notice to Buyer: The following representations are made by Seller and not by any real estate licensee. This disclosure is not a guaranty or warranty of any kind. It is not a substitute for any inspections, warranties, or professional advice you may wish to obtain. It is not a substitute for your own personal judgment and common sense. The following information is based only upon Seller's actual knowledge of the Property's condition. Sellers can disclose only what they actually know. Seller may not know about all material or significant items. You should have an independent, professional home inspection to verify the condition of the Property and determine the cost of repairs, if any. This disclosure is not a contract and is not intended to be a part of any contract for sale and purchase.

Seller makes the following disclosure regarding the property described as: 3901 48TH AVE S.
ST. PETERSBURG, FL 33711 (the "Property")

The Property is owner occupied tenant occupied unoccupied (If unoccupied, how long has it been since Seller occupied the Property? 2 mos.)

	<u>Yes</u>	<u>No</u>	<u>Don't Know</u>
1. Structures; Systems; Appliances			
(a) Are the structures including ceilings; walls; doors; windows; foundation; and pool, hot tub, and spa, if any, structurally sound and free of leaks?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(b) Is seawall, if any, and dockage, if any, structurally sound?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(c) Are existing major appliances and heating, cooling, mechanical, electrical, security, and sprinkler systems, in working condition, i.e., operating in the manner in which the item was designed to operate?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(d) Does the Property have aluminum wiring other than the primary service line?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(e) Are any of the appliances leased? If yes, which ones: _____	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(f) If any answer to questions 1(a) - 1(c) is no, please explain: _____			
2. Termites; Other Wood-Destroying Organisms; Pests			
(a) Are termites; other wood-destroying organisms, including fungi; or pests present on the Property or has the Property had any structural damage by them?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
(b) Has the Property been treated for termites; other wood-destroying organisms, including fungi; or pests?	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(c) If any answer to questions 2(a) - 2(b) is yes, please explain: _____ <u>STANDARD PEST/BUG SPRAYING</u>			
3. Water Intrusion; Drainage; Flooding			
(a) Has <u>past</u> or present water intrusion affected the Property? <u>PREVIOUS OWNERS?</u>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
(b) Have <u>past</u> or present drainage or flooding problems affected the Property?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
(c) Is any of the Property located in a special flood hazard area?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(d) Is any of the Property located seaward of the coastal construction control line?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(e) Does your lender require flood insurance?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(f) Do you have an elevation certificate? If yes, please attach a copy.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(g) If any answer to questions 3(a) - 3(d) is yes, please explain: _____ <u>ZONE A</u>			

¹ Johnson v. Davis, 480 So.2d 625 (Fla. 1985).

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 SPDR-2 Rev 9/16

Serial#: 078788-400150-6699376

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	Yes	No	Don't Know
4. Plumbing			
(a) What is your drinking water source? <input checked="" type="checkbox"/> public <input type="checkbox"/> private <input type="checkbox"/> well <input type="checkbox"/> other			
(b) Have you ever had a problem with the quality, supply, or flow of potable water?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(c) Do you have a water treatment system? If yes, is it <input type="checkbox"/> owned <input type="checkbox"/> leased?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(d) Do you have a <input checked="" type="checkbox"/> sewer or <input type="checkbox"/> septic system? If septic system, describe the location of each system: _____			
(e) Are any septic tanks, drain fields, or wells that are not currently being used located on the Property?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(f) Have there been any plumbing leaks since you have owned the Property?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(g) Are any polybutylene pipes on the Property?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(h) If any answer to questions 4(b), 4(c), and 4(e) - 4(g) is yes, please explain: <u>MSTR BATH SINK LEAK - REPAIRED</u>			

5. Roof and Roof-Related Items			
(a) To your knowledge, is the roof structurally sound and free of leaks?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(b) The age of the roof is <u>NEW</u> years OR date installed <u>10-22-17</u>			
(c) Has the roof ever leaked during your ownership? <u>NA</u>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(d) To your knowledge, has there been any repair, restoration, replacement (indicate full or partial) or other work undertaken on the roof? If yes, please explain: <u>FULL REPLACEMENT 10-22-17</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(e) Are you aware of any defects to the roof, fascia, soffits, flashings or any other component of the roof system? If yes, please explain: _____	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

6. Pools; Hot Tubs; Spas			
Note: Florida law requires swimming pools, hot tubs, and spas that received a certificate of completion on or after October 1, 2000, to have at least one safety feature as specified by Section 515.27, Florida Statutes.			
(a) If the Property has a swimming pool, hot tub, or spa that received a certificate of completion on or after October 1, 2000, indicate the existing safety feature(s): <input type="checkbox"/> enclosure that meets the pool barrier requirements <input type="checkbox"/> approved safety pool cover <input type="checkbox"/> required door and window exit alarms <input type="checkbox"/> required door locks <input type="checkbox"/> none			
(b) Has an in-ground pool on the Property been demolished and/or filled?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

7. Sinkholes			
Note: When an insurance claim for sinkhole damage has been made by the Seller and paid by the insurer, Section 627.7073(2)(c), Florida Statutes, requires the Seller to disclose to the Buyer that a claim was paid and whether or not the full amount paid was used to repair the sinkhole damage.			
(a) Does past or present settling, soil movement, or sinkhole(s) affect the Property or adjacent properties?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(b) Has any insurance claim for sinkhole damage been made? If yes, was the claim paid? <input type="checkbox"/> yes <input type="checkbox"/> no If the claim was paid, were all the proceeds used to repair the damage? <input type="checkbox"/> yes <input type="checkbox"/> no	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(c) If any answer to questions 7(a) - 7(b) is yes, please explain: _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Buyer (____) (____) and Seller (____) (____) acknowledge receipt of a copy of this page, which is Page 2 of 5.
SPDR-2 Rev 9/16

Serial#: 078788-400150-6699376

8. Homeowners' Association Restrictions; Boundaries; Access Roads

Yes No Don't Know

(a) Is membership in a homeowner's association mandatory or do any covenants, conditions or restrictions (CCRs) affect the Property? (CCRs include deed restrictions, restrictive covenants and declaration of covenants.)

Notice to Buyer: If yes, you should read the association's official records and/or the CCRs before making an offer to purchase. These documents contain information on significant matters, such as recurring dues or fees; special assessments; capital contributions, penalties; and architectural, building, landscaping, leasing, parking, pet, resale, vehicle and other types of restrictions.

(b) Are there any proposed changes to any of the restrictions?

(c) Are any driveways, walls, fences, or other features shared with adjoining landowners?

(d) Are there any encroachments on the Property or any encroachments by the Property's improvements on other lands?

(e) Are there boundary line disputes or easements affecting the Property?

(f) Are you aware of any existing, pending or proposed legal or administrative action affecting homeowner's association common areas (such as clubhouse, pools, tennis courts or other areas)?

(g) Have any subsurface rights, as defined by Section 689.29(3)(b), Florida Statutes, been severed from the Property?

If yes, is there a right of entry? yes no

(h) Are access roads private public? If private, describe the terms and conditions of the maintenance agreement: _____

(i) If any answer to questions 8(a) - 8(g) is yes, please explain: _____

9. Environmental

(a) Was the Property built before 1978?

If yes, please see Lead-Based Paint Disclosure.

(b) Does anything exist on the Property that may be considered an environmental hazard, including but not limited to, lead-based paint; asbestos; mold; urea formaldehyde; radon gas; methamphetamine contamination; defective drywall; fuel, propane, or chemical storage tanks (active or abandoned); or contaminated soil or water?

(c) Has there been any damage, clean up, or repair to the Property due to any of the substances or materials listed in subsection (b) above?

(d) Are any mangroves, archeological sites, or other environmentally sensitive areas located on the Property?

(e) If any answer to questions 9(b) - 9(d) is yes, please explain: _____

10. Governmental, Claims and Litigation

(a) Are there any existing, pending or proposed legal or administrative claims affecting the Property?

(b) Are you aware of any existing or proposed municipal or county special assessments affecting the Property?

(c) Are you aware of the Property ever having been, or is it currently, subject to litigation or claim, including but not limited to, defective building products, construction defects and/or title problems?

(d) Have you ever had any claims filed against your homeowner's Insurance policy?

(e) Are there any zoning violations or nonconforming uses?

Buyer (_____) (_____) and Seller (_____) (_____) acknowledge receipt of a copy of this page, which is Page 3 of 5.

SPDR-2 Rev 9/16

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- (f) Are there any zoning restrictions affecting improvements or replacement of the Property?
- (g) Do any zoning, land use or administrative regulations conflict with the existing use of the Property?
- (h) Do any restrictions other than association or flood area requirements, affect improvements or replacement of the Property?
- (i) Are any improvements, located below the base flood elevation?
- (j) Have any improvements been constructed in violation of applicable local flood guidelines?
- (k) Have any improvements to the Property, whether by you or by others, been constructed in violation of building codes or without necessary permits?
- (l) Are there any active permits on the Property that have not been closed by a final inspection?
- (m) Is there any violation or non-compliance regarding any unrecorded liens; code enforcement violations; or governmental, building, environmental and safety codes, restrictions or requirements?
- (n) If any answer to questions 10(a) - 10(m) is yes, please explain: _____
MASTER BATH SINK LEAK - REPAIRED

11. Foreign Investment in Real Property Tax Act ("FIRPTA")

- (a) Is the Seller subject to FIRPTA withholding per Section 1445 of the Internal Revenue Code?
If yes, Buyer and Seller should seek legal and tax advice regarding compliance.

12. (If checked) **Other Matters; Additional Comments** The attached addendum contains additional information, explanation, or comments.

Seller represents that the information provided on this form and any attachments is accurate and complete to the best of Seller's knowledge on the date signed by Seller. Seller authorizes listing broker to provide this disclosure statement to real estate licensees and prospective buyers of the Property. Seller understands and agrees that Seller will promptly notify Buyer in writing if any information set forth in this disclosure statement becomes inaccurate or incorrect.

Seller: [Signature] / KEN FOWLER Date: 11-5-17
 (signature) (print)
 Seller: [Signature] / FUSUN FOWLER Date: 4/5/17
 (signature) (print)

Buyer acknowledges that Buyer has read, understands, and has received a copy of this disclosure statement.

Buyer: _____ / _____ Date: _____
 (signature) (print)
 Buyer: _____ / _____ Date: _____
 (signature) (print)

Buyer (____) (____) and Seller [Signature] (797) ([Signature]) acknowledge receipt of a copy of this page, which is Page 4 of 5.

Seller's Update

Instructions to Seller: If the information set forth in this disclosure statement becomes inaccurate or incorrect, you must promptly notify Buyer. Please review the questions and your answers. Use the space below to make corrections and provide additional information, if necessary. Then acknowledge that the information is accurate as of date signed below.

Master bathroom pocket door closes but does not latch/lock.

A marine engineer has recommended that the seawall cap be replaced.

[Handwritten signatures]

Seller represents that the information provided on this form and any attachments is accurate and complete to the best of Seller's knowledge on the date signed by Seller.

Seller: *[Signature]* / 11-5-17 (print)

Date: *[Signature]*

Seller: *[Signature]* / 11/5/17 (print)

Date: *[Signature]*

Buyer acknowledges that Buyer has read, understands, and has received a copy of this revised disclosure statement.

Buyer: _____ / _____ (signature) (print)

Date: _____

Buyer: _____ / _____ (signature) (print)

Date: _____

Buyer () () and Seller *[Signature]* *[Signature]* acknowledge receipt of a copy of this page, which is Page 5 of 5.


Addendum to Seller's Disclosure

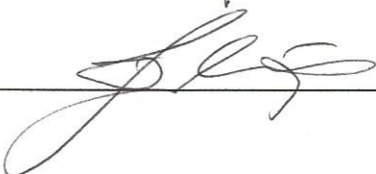
A home inspection was performed on 2/5/18. The Report notes that all components and systems of the property (exterior, electrical, HVAC, mechanical, plumbing, pool, driveway, roof, doors, windows, insulation, garage, appliances, structural, and finishes) are in acceptable and good working order with the following minor exceptions:

- * Master bathroom pocket door closes but does not latch.
- * Doorbell is not working.
- * Windows in the garage, living room and 2nd bedroom are not functioning properly.
- * Kitchen garbage disposal is not functioning properly.
- * Master bath shower faucet is not functioning properly.
- * Master bath toilet handle sticks and causes toilet to run if not adjusted manually.
- * Light kit on 3rd bedroom ceiling fan is not operating.
- * Drain stopper is missing from 2nd bathtub.

A marine engineer has recommended that the seawall cap be replaced.

Note: The swimming pool's salt water filtration system is currently disengaged as pool is being treated with chlorine. The salt water system may be re-engaged if desired.

Seller:  2-27-18

Seller:  2/27/18