

THIS FORM HAS IMPORTANT LEGAL CONSEQUENCES AND THE PARTIES SHOULD CONSULT LEGAL AND TAX OR OTHER COUNSEL BEFORE SIGNING.

**SELLER'S PROPERTY DISCLOSURE  
(ALL TYPES OF PROPERTIES)**

THIS DISCLOSURE SHOULD BE COMPLETED BY SELLER, NOT BY BROKER.

*EAGLES NEST*

Seller states that the information contained in this Disclosure is correct to the best of Seller's CURRENT ACTUAL KNOWLEDGE as of this Date. Broker may deliver a copy of this Disclosure to prospective buyers.

Date: *8/26/07*  
 Property Address: *1036 PLEASANT VIEW VISTA, RIDGEWAY, CO*  
 Seller: *VINCE KOTHY*

**I. IMPROVEMENTS**

If this box is checked, there are no structures or improvements on the Property; do not complete Sections A-G.

A.	STRUCTURAL CONDITIONS	Yes	No	Do Not Know	COMMENTS
	To Seller's current actual knowledge, do any of the following conditions now exist or have they ever existed:				
1	Structural problems		✓		
2	Moisture and/or water problems		✓		
3	Damage due to termites, other insects or rodents		✓		
4	Damage due to hail, wind, fire or flood		✓		
5	Cracks, heaving or settling problems		✓		
6	Exterior wall or window problems		✓		
7	Exterior Artificial Stucco (EIFS)		✓		
8	Any additions or alterations made without a required building permit		✓		
9	Building code violations		✓		

B.	ROOF	Yes	No	Do Not Know	COMMENTS
1	Roof problems		✓		
2	Roof material <i>METAL</i> Age <i>3 YRS</i>				
3	Roof leak: Past		✓		
4	Roof leak: Present		✓		
5	Damage to roof: Past		✓		
6	Damage to roof: Present		✓		
7	Roof under warranty until <i>Transferable</i>			✓	
8	Roof work done while under current roof warranty		✓		
9	Skylight problems		✓		
10	Gutter or downspout problems		✓		

**IN WORKING CONDITION**

C.	APPLIANCES	Yes	No	Do Not Know	Age If Known	COMMENTS
1	Built-in vacuum system & accessories					<i>NONE</i>
2	Clothes dryer	✓				
3	Clothes washer	✓				
4	Dishwasher	✓				
5	Disposal	✓				
6	Freezer					<i>NONE</i>
7	Gas grill					<i>"</i>
8	Hood	✓				
9	Microwave oven	✓				
10	Oven	✓				
11	Range	✓				
12	Refrigerator	✓				
13	T.V. antenna <input type="checkbox"/> Owned <input checked="" type="checkbox"/> Leased					
14	Satellite system or DSS dish <input type="checkbox"/> Owned <input checked="" type="checkbox"/> Leased					
15	Trash compactor					<i>NONE</i>

D.	ELECTRICAL & TELECOMMUNICATIONS	IN WORKING CONDITION			Age If Known	COMMENTS
		Yes	No	Do Not Know		
1	Security system: <input type="checkbox"/> Owned <input type="checkbox"/> Leased					NONE
2	Smoke/fire detectors: <input type="checkbox"/> Battery <input type="checkbox"/> Hardwire			✓		
3	Light fixtures	✓				
4	Switches & outlets	✓				
5	Aluminum wiring			✓		
6	Electrical: Phase Voltage			✓		
7	Telecommunications (T1, fiber, cable, satellite)	✓				
8	Inside telephone wiring & blocks/jacks	✓				
9	Abandoned communication cables <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No					
10	Ceiling fans					NONE
11	Garage door opener			✓		
12	Garage door control(s) #			✓		
13	Intercom/doorbell	✓				
14	In-wall speakers					NONE
15	220 volt service	✓				
16	Landscape lighting	✓				

E.	MECHANICAL	IN WORKING CONDITION			Age If Known	COMMENTS
		Yes	No	Do Not Know		
1	Air conditioning:					
	Evaporative cooler					NONE
	Window units					"
	Central					"
	Computer room					"
2	Attic/whole house fan					"
3	Vent fans	✓				
4	Humidifier					"
5	Air purifier					"
6	Sauna					"
7	Hot tub or spa					"
8	Steam room/shower	✓				
9	Pool					"
10	Heating system:					
	Type <u>IN FLOOR</u> Fuel <u>PROPANE</u>					
	Type <u>FIREPLACE</u> Fuel <u>WOOD</u>	✓				
11	Water heater: Number of <u>1</u>					
	Fuel type <u>PROPANE</u> Capacity <u>!</u>			✓		
12	Fireplace: Type _____ Fuel <u>WOOD</u>	✓				
13	Fireplace insert			✓		
14	Stove: Type _____ Fuel <u>PROPANE</u>	✓				
15	When was fireplace/wood stove, chimney/flue last cleaned: Date: _____ <input type="checkbox"/> Do not know					NEW - NOT CLEANED
16	Fuel tanks: <input type="checkbox"/> Owned <input type="checkbox"/> Leased					
17	Radiant heating system <input type="checkbox"/> Interior <input type="checkbox"/> Exterior					
	Hose Type _____					NONE
18	Overhead door	✓				
19	Entry gate system					NONE
20	Elevator/escalators					"
21	Lift/hoist/crane					"

F.	WATER, SEWER & OTHER UTILITIES	IN WORKING CONDITION			Age If Known	COMMENTS
		Yes	No	Do Not Know		
1	Water filter system <input type="checkbox"/> Owned <input type="checkbox"/> Leased					NONE
2	Water softener <input type="checkbox"/> Owned <input type="checkbox"/> Leased					"
3	Sewage problems <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Do not know					
4	Lift station (sewage ejector pump)					"
5	Drainage, storm sewers, retention ponds					"
6	Grey water storage/use					"
7	Plumbing problems <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Do not know					
8	Sump pump					NONE
9	Underground sprinkler system					"

**IN WORKING CONDITION**

F.	WATER, SEWER & OTHER UTILITIES (Continued)	IN WORKING CONDITION			Age If Known	COMMENTS
		Yes	No	Do Not Know		
10	Fire sprinkler system					NONE
11	Polybutylene pipe <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Do not know					
12	Galvanized pipe <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Do not know					
13	Backflow prevention device <input type="checkbox"/> Domestic <input type="checkbox"/> Irrigation <input type="checkbox"/> Fire <input type="checkbox"/> Sewage					NONE
14	Irrigation pump					"
15	Well pump					"

G.	OTHER DISCLOSURES—IMPROVEMENTS	Yes	No	Do Not Know	COMMENTS
1	Included fixtures and equipment in working condition	✓			
2					
3					
4					

**II. GENERAL**

H.	USE, ZONING & LEGAL ISSUES	Yes	No	Do Not Know	COMMENTS
1	Current use of the Property				
2	Zoning violation, variance, conditional use, enforceable PUD or non-conforming use		✓		
3	Notice or threat of condemnation proceedings		✓		
4	Notice of any adverse conditions from any governmental or quasi-governmental agency that have not been resolved		✓		
5	Violation of restrictive covenants or owners' association rules or regulations		✓		
6	Notice of zoning action related to the Property		✓		
7	Notice of ADA complaint or report		✓		
8	Other legal action		✓		

I.	ACCESS, PARKING, DRAINAGE & SIGNAGE	Yes	No	Do Not Know	COMMENTS
1	Any access problems		✓		
2	Roads, driveways, trails or paths through the Property used by others		✓		
3	Public highway or county road bordering the Property		✓		
4	Encroachments, boundary disputes or unrecorded easements		✓		
5	Shared or common areas with adjoining properties		✓		
6	Cross-parking agreement, covenants, easements		✓		
7	Requirements for curb, gravel/paving, landscaping		✓		
8	Flooding or drainage problems: Past		✓		
9	Flooding or drainage problems: Present		✓		
10	Signs: <input type="checkbox"/> Owned <input type="checkbox"/> Leased				NONE
11	Signs: Government or private restriction problems				"

J.	WATER & SEWER SUPPLY	Yes	No	Do Not Know	COMMENTS
1	Water Rights Type <u>COUNTY WATER</u>				
2	Water tap fees paid in full	✓			
3	Sewer tap fees paid in full	NA			NONE
4	Subject to augmentation plan		✓		
5	Well required to be metered	✓			
6	Type of water supply: <input checked="" type="checkbox"/> Public <input type="checkbox"/> Community <input type="checkbox"/> Well <input type="checkbox"/> Shared Well <input type="checkbox"/> Cistern <input type="checkbox"/> None <input type="checkbox"/> Other If the Property is served by a well, supply to Buyer a copy of the well permit. Well Permit #: _____ Water Company Name: <u>NA</u>				
7	Type of sanitary sewer service: <input type="checkbox"/> Public <input type="checkbox"/> Community <input checked="" type="checkbox"/> Septic System <input type="checkbox"/> None <input type="checkbox"/> Other If the Property is served by an on-site septic system, supply to buyer a copy of the permit and drilling records. Type of septic system: <input checked="" type="checkbox"/> Tank <input checked="" type="checkbox"/> Leach <input type="checkbox"/> Lagoon				NA

K. ENVIRONMENTAL CONDITIONS					
To Seller's current actual knowledge, do any of the following conditions now exist or have they existed:					
	Yes	No	Do Not Know	COMMENTS	
1		✓			
2		✓			
3	✓			PROPANE	
4	✓				
5		✓			
6		✓			
7		✓			
8		✓			
9		✓			
10		✓			
11		✓			
12		✓			
13		✓			
14		✓			
15		✓			
16		✓			
17		✓			
18		✓			

L. ASSESSMENTS & LIENS					
	Yes	No	Do Not Know	COMMENTS	
1	✓				
2		✓			
3		✓			

M. OTHER DISCLOSURES — GENERAL					
	Yes	No	Do Not Know	COMMENTS	
1		✓			
2		✓			
3		✓			
4		✓			
5					
6					
7					

III. LAND					
N. CROPS, LIVESTOCK & LEASES					
	Yes	No	Do Not Know	COMMENTS	
1		✓			
2				NONE	
3					
4		✓			
<input type="checkbox"/> State <input type="checkbox"/> BLM <input type="checkbox"/> Federal <input type="checkbox"/> Private <input type="checkbox"/> Other					

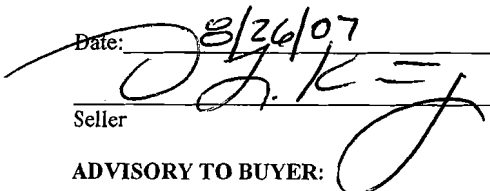
O. NOXIOUS WEEDS					
The Colorado Weed Management Act became law on January 1, 1992. The law requires that every county or municipality in Colorado adopt a weed management plan outlining the rules governing identification and method of eradication. The State of Colorado has identified PURPLE LOOSESTRIFE, SPOTTED KNAPWEED, MUSK THISTLE, LEAFY SPURGE, CANADIAN THISTLE, DIFFUSE KNAPWEED, RUSSIAN KNAPWEED, DALMATION TOADFLAX and YELLOW TOADFLAX, among others, as noxious weeds.					
To Seller's current actual knowledge, have any of the following occurred to the Property within the last 3 years:		Yes	No	Do Not Know	COMMENTS
1	Identification of noxious weeds		✓		
2	Subject to written weed control plan		✓		
3	Herbicides applied		✓		
4	Biological agents or insects released on any of the noxious weeds		✓		
P. OTHER DISCLOSURES — Land					
		Yes	No	Do Not Know	COMMENTS
1	Any part of the Property enrolled in any governmental programs such as Conservation Reserve Program (CRP), Wetlands Reserve Program (WRP), etc.		✓		
2	Conservation easement		✓		
3					
4					
5					

Seller and Buyer understand that the real estate brokers do not warrant or guarantee the above information on the Property. Property inspection services may be purchased. This form is **not** intended as a substitute for an inspection of the Property.

**ADVISORY TO SELLER:**

**Failure to disclose a known material defect may result in legal liability.**

The information contained in this Disclosure has been furnished by Seller, who certifies to the truth thereof based on Seller's **CURRENT ACTUAL KNOWLEDGE**. Any changes will be disclosed by Seller to Buyer promptly after discovery. Seller hereby receipts for a copy of this Disclosure.

Date: 8/26/07  
  
 Seller

Date: \_\_\_\_\_  
 Seller

**ADVISORY TO BUYER:**

Even though Seller has answered the above questions to the best of Seller's current actual knowledge, Buyer should obtain expert assistance to accurately and fully evaluate the Property regarding use and access, water, sewer, utilities, environmental and geological conditions, noxious weeds and other matters that may affect Buyer's use of the Property. Valuable information may be obtained from various local/state/federal agencies, and other experts may perform more specific evaluations of the Property.

**Boundaries, location and ownership of fences, driveways, hedges, and similar items may become matters of dispute. A survey may be used to determine such matters.**

**The contract between Seller and Buyer controls if any item is included or excluded.**

Buyer acknowledges that Seller does not warrant that the Property is fit for Buyer's intended purposes or use of the Property. Buyer acknowledges that Seller's indication that an item is "working" is not to be construed as a warranty of its continued operability or as a representation or warranty that such item is fit for Buyer's intended purposes. Buyer hereby receipts for a copy of this Disclosure.

Date: \_\_\_\_\_  
 Buyer

Date: \_\_\_\_\_  
 Buyer