



**RE/MAX<sup>®</sup>**  
**Professionals, Inc.**  
 Littleton, Colorado  
 (303) 932-3306

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.**

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.

Note: If an item is not present at the Property insert "N/A" in the Comments column. The Contract to Buy and Sell Real Estate, not this Disclosure form, determines whether an item is included or excluded.

Date: September 19, 2007

Property Address:

5583 WEST PRENTICE CIRCLE

DENVER

COLORADO

80123

(Street Address

City

State

Zip)

Seller:

RICHARD C. FRESKE AND MARJORIE A. FRESKE

**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		X		
2 Moisture and/or water problems		X		
3 Damage due to termites, other insects or rodents		X		
4 Damage due to hail, wind, fire or flood		X		
5 Cracks, heaving or settling problems		X		
6 Exterior wall or window problems		X		
7 Exterior Artificial Stucco (EIFS)		X		
8 Any additions or alterations made without a required building permit		X		
9 Building code violations		X		

B. ROOF	Yes	No	Do Not Know	COMMENTS
1 Roof problems		X		
2 Roof material <u>Asphalt Comp</u> Age <u>8</u>				
Roof material _____ Age _____				
3 Roof leak: Past	X			
4 Roof leak: Present		X		<u>Repair - Snow/Deer - Over Garage</u>
5 Damage to roof: Past		X		
6 Damage to roof: Present		X		
7 Roof under warranty until _____ Transferable _____			X	
8 Roof work done while under current roof warranty		X		
9 Skylight problems		X		
10 Gutter or down spout problems		X		

IN WORKING CONDITION

C. APPLIANCES	Yes	No	Do Not Know	Age If Known	COMMENTS
1 Built-in vacuum system & accessories					<u>N/A</u>
2 Clothes dryer					<u>N/A</u>
3 Clothes washer					<u>N/A</u>
4 Dishwasher	X				
5 Disposal	X				
6 Freezer					<u>N/A</u>
7 Gas Grill					<u>N/A</u>
8 Hood	X				
9 Microwave oven	X				
10 Oven	X				<u>Light does not work</u>
11 Range	X				

The printed portions of this form, except *differentiated* additions, have been approved by the Colorado Real Estate Commission. (SPD 19-10-06)

(Mandatory 1-07)

RE/MAX Professionals, Inc.

Buyer's Initials: \_\_\_\_\_

Seller's Initials: RF

10:51 AM 9/18/2007

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		IN WORKING CONDITION				
C. APPLIANCES (Continued)		Yes	No	Do Not Know	Age If Known	COMMENTS
12	Refrigerator		<del>X</del>			
13	T.V. antenna: <input type="checkbox"/> Owned <input type="checkbox"/> Leased					
14	Satellite system or DSS dish: <input type="checkbox"/> Owned <input type="checkbox"/> Leased					
15	Trash Compactor					

		IN WORKING CONDITION				
D. ELECTRICAL & TELECOMMUNICATIONS		Yes	No	Do Not Know	Age If Known	COMMENTS
1	Security system: <input checked="" type="checkbox"/> Owned <input type="checkbox"/> Leased	X				Never Contracted For
2	Smoke/fire detectors: <input checked="" type="checkbox"/> Battery <input checked="" type="checkbox"/> Hardwire	X				
3	Light fixtures	X				
4	Switches & outlets	X				
5	Aluminum wiring		X			
6	Electrical: Phase <u>1</u> Voltage <u>220 Std</u>	X				
7	Telecommunications (T1, fiber, cable, satellite)	X				
8	Inside telephone wiring & blocks/jacks	X				
9	Abandoned communication cables: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No					
10	Ceiling fans					Pre-wired
11	Garage door opener	X				
12	Garage door control(s) # <u>1 ea</u>	X				
13	Intercom (doorbell)	X				
14	In-wall speakers					Wired but no speakers
15	220 volt service	X				
16	Landscape lighting		X			

		IN WORKING CONDITION				
E. MECHANICAL		Yes	No	Do Not Know	Age If Known	COMMENTS
1	Air conditioning:					
	Evaporative cooler					
	Window units					
	Central	X				
	Computer room					
2	Attic/whole house fan					
3	Vent fans	X				
4	Humidifier					
5	Air purifier					
6	Sauna					
7	Hot tub or spa	X				2005 Jacuzzi Brand
8	Steam room/shower					
9	Pool					
10	Heating system:					
	Type <u>FOR AIR</u> Fuel <u>N. GAS</u>	X				
	Type <u>✓</u> Fuel <u>✓</u>					
11	Water heater: Number of <u>1</u>					
	Fuel type <u>N. GAS</u> Capacity <u>50</u>	X				
12	Fireplace: Type <u>WOOD</u> Fuel <u>N. GAS</u>	X				
13	Fireplace insert					
14	Stove: Type _____ Fuel _____					
15	When was fireplace/wood stove, chimney/flue last cleaned:					
	Date: _____ <input type="checkbox"/> Do not know					
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 _____					
18	Overhead door	X				
19	Entry gate system					
20	Elevator/escalators					
21	Lift/hoist/crane					

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		IN WORKING CONDITION				
F. WATER, SEWER & OTHER UTILITIES		Yes	No	Do Not Know	Age If Known	COMMENTS
1	Water filter system: <input type="checkbox"/> Owned <input type="checkbox"/> Leased		X			
2	Water softener: <input type="checkbox"/> Owned <input type="checkbox"/> Leased		X			
3	Sewage problems: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Do not know					
4	Lift station (sewage ejector pump)		X			
5	Drainage, storm sewers, retention ponds		X			
6	Gray water storage/use		X			
7	Plumbing problems: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Do not know					
8	Sump pump		X			
9	Underground sprinkler system	X				
10	Fire sprinkler system		X			
11	Polybutylene pipe: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input checked="" type="checkbox"/> Do not know		X			
12	Galvanized pipe: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Do not know		X			
13	Backflow prevention device: <input type="checkbox"/> Domestic <input checked="" type="checkbox"/> Irrigation <input type="checkbox"/> Fire <input type="checkbox"/> Sewage	X				
14	Irrigation pump		X			
15	Well pump		X			

G. OTHER DISCLOSURES - IMPROVEMENTS	Yes	No	Do Not Know	COMMENTS
1 Included fixtures and equipment in working condition	X			
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		X		
3 Notice or threat of condemnation proceedings		X		
4 Notice of any adverse conditions from any governmental or quasi-governmental agency that have not been resolved		X		
5 Violation of restrictive covenants or owners' association rules or regulations		X		
6 Notice of zoning action related to the Property		X		
7 Notice of ADA complaint or report		X		
8 Other legal action		X		

I. ACCESS, PARKING, DRAINAGE & SIGNAGE	Yes	No	Do Not Know	COMMENTS
1 Any access problems		X		
2 Roads, driveways, trails or paths through the Property used by others		X		
3 Public highway or county road border the Property		X		
4 Encroachments, boundary disputes or unrecorded easements		X		
5 Shared or common areas with adjoining properties		X		
6 Cross-parking agreement, covenants, easements		X		
7 Requirements for curb, gravel/paving, landscaping		X		
8 Flooding or drainage problems: Past		X		
9 Flooding or drainage problems: Present		X		
10 Signs: <input type="checkbox"/> Owned <input type="checkbox"/> Leased				
11 Signs: Government or private restriction problems				

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J. WATER & SEWER SUPPLY				Yes	No	Do Not Know	COMMENTS
1	Water rights	Type	NA				
2	Water tap fees paid in full			X			
3	Sewer tap fees paid in full			X			
4	Subject to augmentation plan				X		
5	Well required to be metered				X		
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 and drilling records. Well Permit #: _____ Water Company Name: <u>Denver Water</u>							
7 Type of sanitary sewer service: <input checked="" type="checkbox"/> Public <input type="checkbox"/> Community <input 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. Type of septic system: <input type="checkbox"/> Tank <input type="checkbox"/> Leach <input type="checkbox"/> Lagoon							

K. ENVIRONMENTAL CONDITIONS				Yes	No	Do Not Know	COMMENTS
<i>( other than a methamphetamine laboratory ) Note 1</i> To Seller's current actual knowledge, do any of the following conditions <b>now exist or have they existed:</b>							
1	Hazardous materials on the Property, such as radioactive, toxic, or biohazardous materials, asbestos, pesticides, herbicides, wastewater and other sludge, radon, methane, solvents or petroleum products				X		
2	Underground storage tanks				X		
3	Aboveground storage tanks				X		
4	Underground transmission lines				X		
5	Pets kept on the Property			X			
6	Property used as, situated on, or adjoining a dump, land fill or municipal solid waste land fill				X		
7	Monitoring wells or test equipment				X		
8	Sliding, settling, upheaval, movement or instability of earth or expansive soils of the Property				X		
9	Mine shafts, tunnels or abandoned wells on the Property				X		
10	Within governmentally designated geological hazard or sensitive area				X		
11	Within governmentally designated flood plain or wetland area				X		
12	Governmentally designated noxious weeds (within last 3 years only) if yes, see Section O.				X		
13	Dead, diseased or infested trees or shrubs				X		
14	Environmental assessments, studies or reports done involving the physical condition of the Property				X		
15	Property used for any mining, graveling, or other natural resource extraction operations such as oil and gas wells				X		
16	Endangered species on the Property				X		
17	Archeological features, fossils, or artifacts on the Property				X		
18	<del>Property previously used as a methamphetamine laboratory</del>						Note 1
19	Interior of Improvements of Property Smoke-free			X			
20	Other environmental problems				X		

L. ASSESSMENTS & LIENS				Yes	No	Do Not Know	COMMENTS
1	Property is part of an owners' association			X			
2	Special assessments or increases in regular assessments approved by owners' association but not yet implemented				X		
3	Government special improvements approved, but not yet installed, that may become a lien against the Property				X		

M. OTHER DISCLOSURES - GENERAL				Yes	No	Do Not Know	COMMENTS
1	Any part of the Property leased to others (written or oral)				X		
2	Written reports of any building, site, roofing, soils or engineering investigations or studies of the Property				X		
3	Work done under an insurance claim				X		
4	Structural, architectural and engineering plans and/or specifications for any existing improvements				X		
5	Property was previously used as a methamphetamine laboratory and not remediated to state standards (Note 1)				X		
6							
7							
8							

Note 1: change per CREC interim language approved 4/3/2007

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**III. LAND**

N.	CROPS, LIVESTOCK & LEASES	Yes	No	Do Not Know	COMMENTS
1	Crops being grown on the Property		X		
2	Seller owns all crops	NA	X		
3	Livestock on the Property		X		
4	Any land leased from others <input type="checkbox"/> State <input type="checkbox"/> BLM <input type="checkbox"/> Federal <input type="checkbox"/> Private <input type="checkbox"/> Other		X		

**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		X		
2	Subject to written weed control plan		X		
3	Herbicides applied		X		
4	Biological agents or insects released on any of the noxious weeds		X		

**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.		X		
2 Conservation easement		X		
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.

Seller [Signature] Date 9/19/07 Seller \_\_\_\_\_ Date \_\_\_\_\_  
 Seller Mayone A. Jeske Date 9/19/07 Seller \_\_\_\_\_ Date \_\_\_\_\_

**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.

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

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**SQUARE FOOTAGE  
 DISCLOSURE**

This disclosure is made to Buyer and Seller pursuant to the requirements of Colorado Real Estate Commission and applies to improved residential real estate. Check applicable boxes below.

**Property Address:**

5583 WEST PRENTICE CIRCLE                      DENVER                      COLORADO                      80123  
 Street Address                                      City                                      State                                      Zip

**1. Licensee Measurement**

Listing Licensee  Has  Has Not measured the square footage of the residence according to the following standard, methodology or manner:

**Standard / Methodology / Manner**

	<u>Date Measured</u>	<u>Square Footage</u>
<input type="checkbox"/> Exterior measurement	.....	.....
<input type="checkbox"/> FHA	.....	.....
<input type="checkbox"/> ANSI	.....	.....
<input type="checkbox"/> Local standard	.....	.....
<input type="checkbox"/> Other	.....	.....

**2. Other Source of Measurement**

Listing Licensee  Is  Is Not providing information on square footage of the residence from another source(s) as indicated below:

**Source of Square Footage Information**

	<u>Date</u>	<u>Square Footage</u>
<input type="checkbox"/> Prior appraisal (Date of document)	.....	.....
<input type="checkbox"/> Building plans (Date of document)	.....	.....
<input checked="" type="checkbox"/> Assessor's office (Date obtained)	<u>9/2007</u>	<u>2,614</u>
<input type="checkbox"/> Other	.....	.....

Measurement is for the purpose of **marketing**, may not be exact and is **not** for loan, valuation or other purpose. If exact square footage is a concern, the property should be independently measured.

Buyer and Seller are advised to verify this information. Any independent measurement or investigation should be completed on or before the Inspection Objection Deadline of the contract.

**RE/MAX Professionals, Inc.**  
 8500 West Bowles Avenue  
 Littleton, Colorado 80123-3200

**Listing Broker**

By: \_\_\_\_\_

*Alan J. Smith*  
 Alan J. Smith, CRS, GRI

e-mail: \_\_\_\_\_

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

9/19/07

Telephone No: (303) 932-3306

Fax No: (303) 973-3439

The undersigned acknowledge receipt of this disclosure.

Seller: Richard C. Freske \_\_\_\_\_ Date of signature \_\_\_\_\_

Seller: Marjorie A. Freske \_\_\_\_\_ Date of signature \_\_\_\_\_

Buyer: \_\_\_\_\_ Date of signature \_\_\_\_\_

Buyer: \_\_\_\_\_ Date of signature \_\_\_\_\_

