



RE/MAX Professionals Inc.  
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The printed portions of this form, except differentiated additions, have been approved by the Colorado Real Estate Commission (SPD19-10-06) (Mandatory 1-07)

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: **4/11/2007**

Property Address: **5393 S LAMAR STREET DENVER CO 80123**

Seller: **MICHAEL W. ROSE and KIMBERLY J. ROSE**

I. IMPROVEMENTS					
<input type="checkbox"/> If this box is checked, there are no structures or improvements on the Property; do not complete Sections A-G					
<b>A.</b>	<b>STRUCTURAL CONDITIONS</b>				
	To Seller's current actual knowledge, do any of the following conditions <b>now exist or have they ever existed:</b>	<b>Yes</b>	<b>No</b>	<b>Do Not Know</b>	<b>COMMENTS</b>
1	Structural problems		●		
2	Moisture and/or water problems		●		
3	Damage due to termites, other insects or rodents		●		Orkin professional prevention 2000-2006
4	Damage due to hail, wind, fire or flood		●		
5	Cracks, heaving or settling problems	●			Front porch and back patio settling with cracks
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>B.</b>	<b>ROOF</b>	<b>Yes</b>	<b>No</b>	<b>Do Not Know</b>	<b>COMMENTS</b>
1	Roof problems		●		
2	Roof material <b>Ashpalt Comp</b> Age <b>8</b>				
3	Roof material Age				
3	Roof leak: Past		●		
4	Roof leak: Present		●		
5	Damage to roof: Past		●		
6	Damage to roof: Present		●		
7	Roof under warranty until <b>n/a</b> Transferable			●	
8	Roof work done while under current roof warranty		●		
9	Skylight problems		●		
10	Gutter or downspout problems		●		
<b>IN WORKING CONDITION</b>					
<b>C.</b>	<b>APPLIANCES</b>	<b>Yes</b>	<b>No</b>	<b>Do Not Know</b>	<b>Age If Known</b>
1	Built-in vacuum system & accessories				n/a
2	Clothes dryer				n/a
3	Clothes washer				n/a
4	Dishwasher	●			2006
5	Disposal	●			
6	Freezer				n/a
7	Gas grill				n/a
8	Hood	●			everything was new in December 1999 except as noted
9	Microwave oven	●			
10	Oven	●			
11	Range	●			
12	Refrigerator	●			
13	T.V. antenna <input type="radio"/> Owned <input type="radio"/> Leased	●			

Initials \_\_\_\_\_

14	Satellite system or DSS dish <input checked="" type="radio"/> Owned <input type="radio"/> Leased	<input checked="" type="radio"/>				
15	Trash compactor				n/a	

**IN WORKING CONDITION**

D.	ELECTRICAL & TELECOMMUNICATIONS	Yes	No	Do Not Know	Age If Known	COMMENTS
1	Security system: <input type="radio"/> Owned <input type="radio"/> Leased	<input checked="" type="radio"/>				
2	Smoke/fire detectors: <input type="radio"/> Battery <input checked="" type="radio"/> Hardwire		<input checked="" type="radio"/>			some smoke detectors need to be replaced
3	Light fixtures	<input checked="" type="radio"/>				
4	Switches & outlets	<input checked="" type="radio"/>				
5	Aluminum wiring	<input checked="" type="radio"/>				
6	Electrical: 1 Phase 220 Voltage	<input checked="" type="radio"/>				
7	Telecommunications (T1, fiber, cable, satellite)	<input checked="" type="radio"/>				
8	Inside telephone wiring & blocks/jacks	<input checked="" type="radio"/>				
9	Abandoned communication cables <input type="radio"/> Yes <input type="radio"/> No			<input checked="" type="radio"/>		
10	Ceiling fans	<input checked="" type="radio"/>				
11	Garage door opener	<input checked="" type="radio"/>				
12	Garage door control(s) # 2	<input checked="" type="radio"/>				
13	Intercom/doorbell	<input checked="" type="radio"/>				
14	In-wall speakers	<input checked="" type="radio"/>				
15	220 volt service	<input checked="" type="radio"/>				
16	Landscape lighting				n/a	basketball court is wired for lighting but not installed

**IN WORKING CONDITION**

E.	MECHANICAL	Yes	No	Do Not Know	Age If Known	COMMENTS
1	Air conditioning:					
	Evaporative cooler				n/a	
	Window units				n/a	
	Central	<input checked="" type="radio"/>				2 units
	Computer room				n/a	
2	Attic/whole house fan				n/a	
3	Vent fans	<input checked="" type="radio"/>				
4	Humidifier		<input checked="" type="radio"/>			one humidifier has leak and is turned off
5	Air purifier	<input checked="" type="radio"/>				
6	Sauna				n/a	
7	Hot tub or spa	<input checked="" type="radio"/>				no hot tub but spa jets in master tub are working
8	Steam room/shower				n/a	
9	Pool				n/a	
10	Heating system: Type forced air Fuel gas Type Fuel	<input checked="" type="radio"/>				2 units
11	Water heater: Number of 2 Fuel type gs Capacity	<input checked="" type="radio"/>				
12	Fireplace: Type gas Fuel gas	<input checked="" type="radio"/>				3 fireplaces
13	Fireplace insert	<input checked="" type="radio"/>				
14	Stove: Type n/a Fuel n/a					
15	When was fireplace/wood stove, chimney/flue last cleaned: Date: n/a <input type="checkbox"/> Do not know					
16	Fuel tanks: <input type="radio"/> Owned <input type="radio"/> Leased					
17	Radiant heating system <input type="radio"/> Interior <input type="radio"/> Exterior Hose Type					
18	Overhead door	<input checked="" type="radio"/>				
19	Entry gate system				n/a	
20	Elevator/escalators				n/a	
21	Lift/hoist/crane				n/a	

**IN WORKING CONDITION**

F.	WATER, SEWER & OTHER UTILITIES	Yes	No	Do Not Know	Age If Known	COMMENTS
1	Water filter system <input type="radio"/> Owned <input type="radio"/> Leased	<input checked="" type="radio"/>				inside refrigerator-GE filter
2	Water softener <input type="radio"/> Owned <input type="radio"/> Leased				n/a	
3	Sewage problems <input type="radio"/> Yes <input checked="" type="radio"/> No <input type="radio"/> Do not know					
4	Lift station (sewage ejector pump)				n/a	
5	Drainage, storm sewers, retention ponds	<input checked="" type="radio"/>				
6	Grey water storage/use				n/a	

7	Plumbing problems <input type="radio"/> Yes <input checked="" type="radio"/> No <input type="radio"/> Do not know				
8	Sump pump	<input checked="" type="radio"/>			
9	Underground sprinkler system	<input checked="" type="radio"/>			
10	Fire sprinkler system				n/a
11	Polybutylene pipe <input type="radio"/> Yes <input checked="" type="radio"/> No <input type="radio"/> Do not know			<input checked="" type="radio"/>	
12	Galvanized pipe <input type="radio"/> Yes <input checked="" type="radio"/> No <input type="radio"/> Do not know			<input checked="" type="radio"/>	
13	Backflow prevention device <input type="checkbox"/> Domestic <input checked="" type="checkbox"/> Irrigation <input type="checkbox"/> Fire <input type="checkbox"/> Sewage			<input checked="" type="radio"/>	
14	Irrigation pump				n/a
15	Well pump				n/a

G.	OTHER DISCLOSURES—IMPROVEMENTS	Yes	No	Do Not Know	COMMENTS
1	Included fixtures and equipment in working condition	<input checked="" type="radio"/>			
2					
3					
4					

**II. GENERAL**

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

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

J.	WATER & SEWER SUPPLY	Yes	No	Do Not Know	COMMENTS
1	Water Rights Type n/a				
2	Water tap fees paid in full	<input checked="" type="radio"/>			
3	Sewer tap fees paid in full	<input checked="" type="radio"/>			
4	Subject to augmentation plan		<input checked="" type="radio"/>		
5	Well required to be metered		<input checked="" type="radio"/>		
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: _____				
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 <input type="checkbox"/> 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
	To Seller's current actual knowledge, do any of the following				

	conditions now exist or have they existed:	Yes	No	Know	COMMENTS
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		<input checked="" type="radio"/>		
2	Underground storage tanks		<input checked="" type="radio"/>		
3	Aboveground storage tanks		<input checked="" type="radio"/>		
4	Underground transmission lines		<input checked="" type="radio"/>		
5	Pets kept on the Property		<input checked="" type="radio"/>		
6	Property used as, situated on, or adjoining a dump, land fill or municipal solid waste land fill		<input checked="" type="radio"/>		
7	Monitoring wells or test equipment		<input checked="" type="radio"/>		
8	Sliding, settling, upheaval, movement or instability of earth or expansive soils of the Property	<input checked="" type="radio"/>			Possible settling of soil under front porch and back patio
9	Mine shafts, tunnels or abandoned wells on the Property		<input checked="" type="radio"/>		
10	Within governmentally designated geological hazard or sensitive area		<input checked="" type="radio"/>		
11	Within governmentally designated flood plain or wetland area		<input checked="" type="radio"/>		
12	Governmentally designated noxious weeds (within last 3 years only) If yes, see Section O.		<input checked="" type="radio"/>		
13	Dead, diseased or infested trees or shrubs		<input checked="" type="radio"/>		
14	Environmental assessments, studies or reports done involving the physical condition of the Property		<input checked="" type="radio"/>		
15	Property used for any mining, graveling, or other natural resource extraction operations such as oil and gas wells		<input checked="" type="radio"/>		
16	Endangered species on the Property		<input checked="" type="radio"/>		
17	Archeological features, fossils, or artifacts on the Property		<input checked="" type="radio"/>		
18	Property previously used as a methamphetamine laboratory		<input checked="" type="radio"/>		
19	Interior of Improvements of Property Smoke-free	<input checked="" type="radio"/>			
18	Other environmental problems		<input checked="" type="radio"/>		

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

M.	OTHER DISCLOSURES — GENERAL	Yes	No	Do Not Know	COMMENTS
1	Any part of the Property leased to others (written or oral)		<input checked="" type="radio"/>		
2	Written reports of any building, site, roofing, soils or engineering investigations or studies of the Property		<input checked="" type="radio"/>		
3	Work done under an insurance claim		<input checked="" type="radio"/>		
4	Structural, architectural and engineering plans and/or specifications for any existing improvements		<input checked="" type="radio"/>		
5					
6					
7					

III. LAND					
N.	CROPS, LIVESTOCK & LEASES	Yes	No	Do Not Know	COMMENTS
1	Crops being grown on the Property		<input checked="" type="radio"/>		
2	Seller owns all crops		<input checked="" type="radio"/>		
3	Livestock on the Property		<input checked="" type="radio"/>		
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		<input checked="" type="radio"/>		
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		<input checked="" type="radio"/>		

2	Subject to written weed control plan		<input checked="" type="radio"/>		
3	Herbicides applied		<input checked="" type="radio"/>		
4	Biological agents or insects released on any of the noxious weeds		<input checked="" type="radio"/>		
<b>OTHER DISCLOSURES — Land</b>					
<b>P.</b>	<b>OTHER DISCLOSURES — Land</b>	<b>Yes</b>	<b>No</b>	<b>Do Not Know</b>	<b>COMMENTS</b>
1	Any part of the Property enrolled in any governmental programs such as Conservation Reserve Program (CRP), Wetlands Reserve Program (WRP), etc.		<input checked="" type="radio"/>		
2	Conservation easement		<input checked="" type="radio"/>		
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 \_\_\_\_\_ Date: 4/11/2007  
**MICHAEL W. ROSE**

  
 Seller \_\_\_\_\_ Date: 4/11/2007  
**KIMBERLY J. ROSE**

**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: \_\_\_\_\_

(SPD19-10-06) SELLERS PROPERTY DISCLOSURE (ALL TYPES OF PROPERTIES)

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