

The printed portions of this form, except differentiated additions, have been approved by the Colorado Real Estate Commission.
 (SPD19-6-17) (Mandatory 1-18)

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

SELLER'S PROPERTY DISCLOSURE
 (RESIDENTIAL)

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

Seller states that the information contained in this Disclosure is correct to Seller's CURRENT ACTUAL KNOWLEDGE as of this Date. Any changes must be disclosed by Seller to Buyer promptly after discovery. Seller's failure to disclose a known material defect may result in legal liability. If Seller has knowledge of an adverse material fact affecting the Property or occupants, it must be disclosed whether there is a specific item on this Disclosure or not. If the Property is part of a Common Interest Community, this Disclosure is limited to the Property or unit itself, except as stated in Section O. Broker may deliver a copy of this Disclosure to prospective buyers.

Note: The Contract to Buy and Sell Real Estate, not this Disclosure, determines whether an item is included or excluded;

if there is an inconsistency between this Disclosure and the Contract, the Contract controls.

Date: **10/22/2022**

Property Address: **1053 Will Scarlet Drive, Divide, CO 80814**

Seller: **Jeremiah Klaas**

Year Built: **1966**

I. IMPROVEMENTS

A.	STRUCTURAL CONDITIONS If you know of any of the following problems EVER EXISTING check the "Yes" column:	Yes	Comments
1	Structural problems		
2	Moisture and/or water problems		
3	Damage due to termites, other insects, birds, animals or rodents		
4	Damage due to hail, wind, fire, flood or other casualty		
5	Cracks, heaving or settling problems		
6	Exterior wall or window problems		New windows installed last summer
7	Exterior Artificial Stucco (EIFS)		
8			
9			

B.	ROOF If you know of any of the following problems EVER EXISTING check the "Yes" column:	Yes	Comments
1	Roof leak		
2	Damage to roof		
3	Skylight problems		
4	Gutter or downspout problems		New gutters and downspouts installed last summer
5	Other roof problems		
6			
7			

B-1.	ROOF - Other Information: Do you know of the following on the Property:	Yes	Comments
1	Roof under warranty until Transferable		
2	Roof work done while under current roof warranty		
3	Roof material Architectural Shingles Age ;1 year	<input checked="" type="checkbox"/>	New roof installed last summer
4			
5		<input type="checkbox"/>	

Initials _____

C. APPLIANCES If you know of any problems NOW EXISTING with the following check the "Yes" column:		Yes	Age If Known	Comments
1	Built-in vacuum system & accessories			
2	Clothes dryer		3 years	
3	Clothes washer		3 years	
4	Dishwasher		new	Installed last summer
5	Disposal			
6	Freezer			
7	Gas grill			
8	Hood			
9	Microwave oven		new	Installed last summer
10	Oven		5 years	
11	Range		5 years	
12	Refrigerator		8 years	
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			
16				
17	;			

D. ELECTRICAL & TELECOMMUNICATIONS If you know of any problems NOW EXISTING with the following check the "Yes" column:		Yes	Age If Known	Comments
1	Security system: <input type="checkbox"/> Owned <input type="checkbox"/> Leased			
2	Smoke/fire detectors: <input type="checkbox"/> Battery <input type="checkbox"/> Hardwire			
3	Carbon Monoxide Alarm: <input type="checkbox"/> Battery <input type="checkbox"/> Hardwire			
4	Light fixtures			
5	Switches & outlets			
6	Electrical Service			
7	Telecommunications (T1, fiber, cable, satellite)			
8	Inside telephone wiring & blocks/jacks			
9	Ceiling fans			
10	Garage door opener and remote control			
11	Intercom/doorbell			
12	In-wall speakers			
13		<input type="checkbox"/>		
14				

D-1. ELECTRICAL & TELECOMMUNICATIONS - Other Information: Do you know of the following on the Property:		Yes	Age If Known	Comments
1	220 volt service	<input checked="" type="checkbox"/>		
2	Landscape lighting			
3	Aluminum wiring at the outlets (110)			
4	Electrical Service: Amps 100	<input checked="" type="checkbox"/>		
5	Garage door control(s) #			
6				
7				

E. MECHANICAL If you know of any problems NOW EXISTING with the following check the "Yes" column:		Yes	Age If Known	Comments
1	Overhead doors (including garage doors)			
2	Entry gate system			
3	Elevator			
4				
5				

F. VENTILATION, AIR, HEAT If you know of any problems NOW EXISTING with the following check the "Yes" column:		Yes	Age If Known	Comments
1	Heating system			

Initials _____

2	Air conditioning:			
	Evaporative cooler			
	Window units			
	Central			
3	Attic/whole house fan			
4	Vent fans		New	Vent fan installed last summer
5	Humidifier			
6	Air purifier			
7	Fireplace			
8	Fireplace insert			
9	Heating Stove			
10	Fuel tanks			
11				
12				

VENTILATION, AIR, HEAT - Other Information:				
F-1	Do you know of the following on the Property:	Comments		
1	Heating system (including furnace): Type Forced Air Fuel Propane Type Fuel			New furnace & duct work installed last summer
2	Fireplace: Type Wood Stove Fuel Wood			Wood stove installed last summer
3	Fireplace insert			
4	Heating Stove: Type Fuel			
5	When was fireplace/wood stove, chimney/flue last cleaned: Date: Last summer <input type="checkbox"/> Do not know			Installed last summer
6	Fuel tanks: <input checked="" type="checkbox"/> Owned <input type="checkbox"/> Leased			Propane tank owned
7	Radiant heating system: <input type="checkbox"/> Interior <input type="checkbox"/> Exterior Type			
8				
9				

WATER				
G.	If you know of any problems NOW EXISTING with the following check the "Yes" column:	Yes	Comments	
1	Water system (including lines and water pressure)			
2	Water heater(s)			
3	Water filter system			
4	Water softener			
5	Well			
6	Water System Pump			
7	Sauna			
8	Hot tub or spa			
9	Steam room/shower			
10	Pool			
11	Underground sprinkler system			
12	Fire sprinkler system			
13	Backflow prevention device			
14	Irrigation system			
15	Irrigation pump			
16				
17				

WATER - Other Information:				
G-1.	Do you know of the following on the Property:	Yes	Age If Known	Comments
1	Water heater: Number of 1 Fuel type Propane Capacity 40	<input checked="" type="checkbox"/>	2021	Installed summer of last year
2	Water filter system: Owned Leased			
3	Water softener: Owned Leased			
4	Well Metered			
5	Well - Date of last inspection 4/9/2021	<input checked="" type="checkbox"/>	1984	Pump replaced
6	Galvanized pipe			
7	Polybutylene pipe			
8				
9				

Initials _____

SOURCE OF WATER & WATER SUPPLY:	
H.	Do you know of the following on the Property:
1	Type of water supply: <input type="checkbox"/> Public <input type="checkbox"/> Community <input checked="" type="checkbox"/> Well <input type="checkbox"/> Shared Well <input type="checkbox"/> Cistern <input type="checkbox"/> None If the Property is served by a Well, a copy of the Well Permit <input checked="" type="checkbox"/> Is <input type="checkbox"/> Is Not attached. Well Permit #: 136602 Drilling Records <input checked="" type="checkbox"/> Are <input type="checkbox"/> Are Not attached. Shared Well Agreement <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No. The Water Provider for the Property can be contacted at: Name: _____ Address: _____ Web Site: _____ Phone No.: _____ <input type="checkbox"/> There is neither a Well nor a Water Provider for the Property. The source of potable water for the Property is [describe source]: SOME WATER PROVIDERS RELY, TO VARYING DEGREES, ON NONRENEWABLE GROUND WATER. YOU MAY WISH TO CONTACT YOUR PROVIDER (OR INVESTIGATE THE DESCRIBED SOURCE) TO DETERMINE THE LONG-TERM SUFFICIENCY OF THE PROVIDER'S WATER SUPPLIES.

SEWER			
I.	If you know of any problems NOW EXISTING with the following check the "Yes" column:	Yes	Comments
1	Sewage system (including sewer lines)		
2	Lift station (sewage ejector pump)		
3	Sump pump(s) # of		
4	Gray water storage/use		
5			

SEWER - Other Information:	
I-1.	Do you know of the following on the Property:
1	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, provide buyer with a copy of the permit. Type of septic system: <input checked="" type="checkbox"/> Tank <input type="checkbox"/> Leach <input type="checkbox"/> Lagoon
2	If a septic system, date latest Individual Use Permit issued:
3	If a septic system, date of latest inspection: Fall of 2021
4	If a septic system, date of latest pumping: Fall of 2021
5	
6	

FLOODING AND DRAINAGE			
J.	If you know of any problems EVER EXISTING with the following on the Property check the "Yes" column:	Yes	Comments
1	Flooding or drainage		
2			

DRAINAGE AND RETENTION PONDS - Other Information:			
J-1	Do you know of the following on the Property:	Yes	Comments
1	Drainage, retention ponds		
2			

OTHER DISCLOSURES - IMPROVEMENTS			
K.	If you know of any problems NOW EXISTING with the the following check the "Yes" column:	Yes	Comments
1	Included fixtures and equipment		
2	Stains on carpet		
3	Floors and sub-floors		Slight hump at foundation transition
4			
5			

II. GENERAL

USE, ZONING & LEGAL ISSUES			
L.	If you know of any of the following EVER EXISTING check the "Yes" column:	Yes	Comments
1	Zoning violation, variance, conditional use, violation of an enforceable PUD or non-conforming use		
2	Notice or threat of condemnation proceedings		

3	Notice of any adverse conditions from any governmental or quasi-governmental agency that have not been resolved		
4	Notice of zoning action related to the Property		
5	Building code, city or county violations		Previous owners made changes to the unpurged 1966 trailer and 1970 detached garage to make them one living structure apparently without pulling any permits.
6	Violation of restrictive covenants or owners' association rules or regulations		
7	Any building or improvements constructed within the past one year from this Date without approval by the owner's association or the designated approving body		
8	Any additions or alterations made		
9	Other legal action		
10			
11			

M. ACCESS & PARKING			
If you know of any of the following EVER EXISTING check the "Yes" column:		Yes	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	Any proposed or existing transportation project that affects or is expected to affect the Property		
5	Encroachments, boundary disputes or unrecorded easements		
6	Shared or common areas with adjoining properties		
7	Requirements for curb, gravel/paving, landscaping		
8			
9			

N. ENVIRONMENTAL CONDITIONS			
If you know of any of the following EVER EXISTING on any part of the Property check the "Yes" column:		Yes	Comments
1	Hazardous materials on the Property, such as radioactive, toxic, or biohazardous materials, asbestos, pesticides, herbicides, wastewater sludge, radon, methane, mill tailings, solvents or petroleum products		
2	Underground storage tanks		
3	Aboveground storage tanks		
4	Underground transmission lines		
5	Animals kept in the residence		
6	Property used as, situated on, or adjoining a dump, land fill or municipal solid waste land fill		
7	Monitoring wells or test equipment		
8	Sliding, settling, upheaval, movement or instability of earth or expansive soils on the Property		
9	Mine shafts, tunnels or abandoned wells on the Property		
10	Within governmentally designated geological hazard or sensitive area		
11	Within governmentally designated flood plain or wetland area		
12	Dead, diseased or infested trees or shrubs		
13	Environmental assessments, studies or reports done involving the physical condition of the Property		
14	Used for any mining, graveling, or other natural resource extraction operations such as oil and gas wells		
15	Tobacco smoke in interior of improvements of Property		
16	Other environmental problems		
17			
18			

O. COMMON INTEREST COMMUNITY - ASSOCIATION PROPERTY:			
If you know of any of the following NOW EXISTING check the "Yes" column:		Yes	Comments
1	Property is part of an owners' association	<input checked="" type="checkbox"/>	

Initials _____

2	Special assessments or increases in regular assessments approved by owners' association but not yet implemented		
3	Has the Association made demand or commenced a lawsuit against a builder or contractor alleging defective construction of improvements of the Association Property (common area or property owned or controlled by the Association but outside the Seller's Property or unit)		
4	Problems or defects in the Common Elements or Limited Common Elements of the Association Property		
5			
6			

OTHER DISCLOSURES - GENERAL			
P.	If you know of any of the following NOW EXISTING check the "Yes" column:	Yes	Comments
1	Any part of the Property leased to others (written or oral)		
2	Written reports of any building, site, roofing, soils or engineering investigations or studies of the Property		
3	Any property insurance claim submitted (whether paid or not)		
4	Structural, architectural and engineering plans and/or specifications for any existing improvements		
5	Property was previously used as a methamphetamine laboratory and not remediated to state standards		
6	Government special improvements approved, but not yet installed, that may become a lien against the Property		
7	Pending: (1) litigation or (2) other dispute resolution proceeding regarding the Property		
8			
9			

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 and are advisable. This Disclosure is **not** intended as a substitute for an inspection of the Property.

ADVISORY TO SELLER:

Seller acknowledges that Broker will disclose to any prospective buyer all adverse material facts actually known by Broker, including but not limited to adverse material facts pertaining to the physical condition of the Property, any material defects in the Property, and any environmental hazards affecting the Property. These types of disclosures may include such matters as structural defects, soil conditions, violations of health, zoning or building laws, and nonconforming uses and zoning variances.

The information contained in this Disclosure has been furnished by Seller, who certifies it was answered truthfully, based on **Seller's CURRENT ACTUAL KNOWLEDGE**.

Jeremiah Klaas

Date: 10/24/2022

Seller: **Jeremiah Klaas**

Seller: _____ Date: _____

ADVISORY TO BUYER:

1. Even though Seller has answered the above questions to Seller's current actual knowledge, Buyer should thoroughly inspect the Property and obtain expert assistance to accurately and fully evaluate the Property to confirm the status of the following matters:
 - a. the physical condition of the Property;
 - b. the presence of mold or other biological hazards;
 - c. the presence of rodents, insects and vermin including termites;
 - d. the legal use of the Property and legal access to the Property;
 - e. the availability and source of water, sewer, and utilities;

Initials _____

- f. the environmental and geological condition of the Property;
- g. the presence of noxious weeds; and
- h. any other matters that may affect Buyer's use and ownership of the Property that are important to Buyer as Buyer decides whether to purchase the Property.

- 2. Seller states that the information is correct to "Seller's current actual knowledge" as of the date of this form. The term "current actual knowledge" is intended to limit Seller's disclosure only to facts actually known by the Seller and does not include "constructive knowledge" or "common knowledge" or what Seller "should have known" about the Property. The Seller has no duty to inspect the Property when this Disclosure is filled in and signed.
- 3. Valuable information may be obtained from various local/state/federal agencies, and other experts may assist Buyer by performing more specific evaluations and inspections of the Property.
- 4. Boundaries, location and ownership of fences, driveways, hedges, and similar features of the Property may become the subjects of a dispute between a property owner and a neighbor. A survey may be used to determine the likelihood of such problems.
- 5. Whether any item is included or excluded is determined by the contract between Buyer and Seller and not this Seller's Property Disclosure.
- 6. Seller does not warrant that the Property is fit for Buyer's intended purposes or use of the Property. Disclosure of the condition of an item 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.
- 7. Buyer receipts for a copy of this Disclosure.

Buyer: _____ Date: _____

Buyer: _____ Date: _____

SPD19-6-17. SELLER'S PROPERTY DISCLOSURE (RESIDENTIAL)

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The printed portions of this form, except differentiated additions, have been approved by the Colorado Real Estate Commission (SWA35-8-10) (Mandatory 1-11)

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

**SOURCE OF WATER ADDENDUM
TO CONTRACT TO BUY AND SELL REAL ESTATE**

Date: 10/22/2022

1. ADDENDUM TO CONTRACT TO BUY AND SELL REAL ESTATE. This Source of Water Addendum (Addendum) is made a part of that Contract to Buy and Sell Real Estate between Seller and Buyer dated _____ (Contract), for the purchase and sale of the Property known as No. **1053 Will Scarlet Drive, Divide, CO 80814**

2. SOURCE OF POTABLE WATER. Seller discloses the following information for the source of potable water for the Property:

[Select and complete 1, 2 or 3 as applicable.]

2.1 The Property's source of water is a Well. Well Permit #: 136602
If a well is the source of water for the Property, a copy of the current Well Permit **Is** **Is Not** attached.

2.2 The Water Provider for the Property can be contacted at:
Name:
Address:
Web Site:
Phone No.:

2.3 There is neither a Well nor a Water Provider for the Property. The source of water for the Property is [describe source]:

NOTE TO BUYER: SOME WATER PROVIDERS RELY, TO VARYING DEGREES ON NONRENEWABLE GROUND WATER. YOU MAY WISH TO CONTACT YOUR PROVIDER (OR INVESTIGATE THE DESCRIBED SOURCE) TO DETERMINE THE LONG-TERM SUFFICIENCY OF THE PROVIDER'S WATER SUPPLIES.

Jeremiah Klaas

Date: 10/24/2022

Seller: **Jeremiah Klaas**

Seller: _____ Date: _____

Buyer: _____ Date: _____

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SWA35-8-10. SOURCE OF WATER ADDENDUM TO CONTRACT TO BUY AND SELL REAL ESTATE. CTM eContracts - ©2022 MRI Software LLC - All Rights Reserved

The printed portions of this form, except differentiated additions, have been approved by the Colorado Real Estate Commission. (SF94-5-18) (Mandatory 1-19)

**SQUARE FOOTAGE DISCLOSURE
(Residential)**

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

Property Address: **1053 Will Scarlet Drive, Divide, CO 80814**

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	Date Measured	Square Footage
<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	Date	Square Footage
<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)	09/08/2022	1052
<input type="checkbox"/> Other		

Measurement may not be exact and is for the purpose of marketing ONLY. Measurement is not for loan, valuation or other purposes. **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 by Buyer on or before any applicable deadline in the contract.

Tod Tobiasson

Date: **10/22/2022**

Broker: **Tod Tobiasson**

The undersigned acknowledge receipt of this disclosure.

Jeremiah Klaas

Date: **10/24/2022**

Seller: **Jeremiah Klaas**

Buyer: _____ Date: _____

(SF94-5-18) SQUARE FOOTAGE DISCLOSURE CTM eContracts - ©2022 MRI Software LLC - All Rights Reserved

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

LEAD-BASED PAINT DISCLOSURE (Sales)

Attachment to Contract to Buy and Sell Real Estate for the Property known as:

1053 Will Scarlet Drive, Divide, CO 80814

WARNING! LEAD FROM PAINT, DUST, AND SOIL CAN BE DANGEROUS IF NOT MANAGED PROPERLY. Penalties for failure to comply with Federal Lead-Based Paint Disclosure Laws include treble (3 times) damages, attorney fees, costs, and a base penalty adjusted for inflation for each violation.

Disclosure of Information on Lead-Based Paint and/or Lead-Based Paint Hazards

Lead Warning Statement

Every purchaser of any interest in residential real property on which a residential dwelling was built prior to 1978 is notified that such property may present exposure to lead from lead-based paint that may place young children at risk of developing lead poisoning. Lead poisoning in young children may produce permanent neurological damage, including learning disabilities, reduced intelligence quotient, behavioral problems, and impaired memory. Lead poisoning also poses a particular risk to pregnant women. The Seller of any interest in residential real property is required to provide the buyer with any information on lead-based paint hazards from risk assessments or inspections in the Seller's possession and notify the buyer of any known lead-based paint hazards. A risk assessment or inspection for possible lead-based paint hazards is recommended prior to purchase.

Seller's Disclosure to Buyer and Real Estate Licensee(s) and Acknowledgment

1. Seller acknowledges that Seller has been informed of Seller's obligations. Seller is aware that Seller must retain a copy of this disclosure for not less than three years from the completion date of the sale.
2. Presence of lead-based paint and/or lead-based paint hazards (check one box below):
 - Seller has no knowledge of any lead-based paint and/or lead-based paint hazards present in the housing.
 - Seller has knowledge of lead-based paint and/or lead-based paint hazards present in the housing (explain):
3. Records and reports available to Seller (check one box below):
 - Seller has no reports or records pertaining to lead-based paint and/or lead-based paint hazards in the housing.
 - Seller has provided Buyer with all available records and reports pertaining to lead-based paint and/or lead-based paint hazards in the housing (list documents below):

Buyer's Acknowledgment

4. Buyer has read the Lead Warning Statement above and understands its contents.
5. Buyer has received copies of all information, including any records and reports listed by Seller above.
6. Buyer has received the pamphlet "Protect Your Family From Lead in Your Home".

Initials _____

7. Buyer acknowledges federal law requires that before a buyer is obligated under any contract to buy and sell real estate, Seller shall permit Buyer a 10-day period (unless the parties mutually agree, in writing, upon a different period of time) to conduct a risk assessment or inspection for the presence of lead-based paint and/or lead-based paint hazards.
8. Buyer, after having reviewed the contents of this form, and any records and reports listed by Seller, has elected to (check one box below):
- Obtain a risk assessment or an inspection of the Property for the presence of lead-based paint and/or lead-based paint hazards, within the time limit and under the terms of § 10 of the Contract to Buy and Sell Real Estate; or
 - Waive the opportunity to conduct a risk assessment or inspection for the presence of lead-based paint and/or lead-based paint hazards.

Real Estate Licensee's Acknowledgment

Each real estate licensee signing below acknowledges receipt of the above Seller's Disclosure, has informed Seller of Seller's obligations and is aware of licensee's responsibility to ensure compliance.

Certification of Accuracy

I certify that the statements I have made are accurate to the best of my knowledge.

Buyer: _____ Date: _____

Buyer: _____ Date: _____

Jeremiah Klaas

Date: 10/24/2022

Seller: **Jeremiah Klaas**

Seller: _____ Date: _____

Listing Brokerage Firm's Name: United Country Timberline Realty

Real Estate Licensee (Listing)

Tod Tobiasson

Listing Broker _____ Date: 10/24/2022

Tod Tobiasson

Real Estate Licensee (Selling):

_____ Date: _____

Selling Broker:

Initials _____