



**NEW MEXICO ASSOCIATION OF REALTORS® — 2024
ADVERSE MATERIAL FACTS
PROPERTY DISCLOSURE STATEMENT**

SELLER PROVIDES THIS DISCLOSURE STATEMENT IN ORDER TO DISCLOSE TO BUYER(S) AND PROSPECTIVE BUYER(S) ADVERSE MATERIAL FACTS CONCERNING THE PROPERTY ABOUT WHICH SELLER HAS ACTUAL KNOWLEDGE.

DISCLOSURE STATEMENT TO BE COMPLETED BY SELLER, NOT BROKER

This Disclosure Statement involves certain real property located at:

11 Akin Farm Rd S Estanica NM 87035
Address (Street, City, State, Zip Code)

Legal Description N1/2 of Section 18 T5N, R8E (Less 10Ac Being E2w2nw4ne4)

or see metes and bounds or other legal description attached as Exhibit _____, _____
County(ies), New Mexico.

AUTHORIZATION AND HOLD HARMLESS: Seller hereby authorizes Listing Broker to provide a copy of this Disclosure Statement to any person or entity in connection with any actual or anticipated sale of the Property. Seller further agrees to indemnify and hold Listing Broker and Brokerage harmless from all claims for damages based upon the disclosures made in this Disclosure Statement and for Seller's failure to disclose any **ADVERSE MATERIAL FACTS** known to the Seller.

SELLER REPRESENTATIONS: Seller affirms that the information contained in this Disclosure Statement is correct to Seller's **ACTUAL KNOWLEDGE** as of the date signed by Seller. Seller warrants that he/she has prepared this Disclosure Statement and any attachments hereto and that this Disclosure Statement encompasses all **ADVERSE MATERIAL FACTS** concerning the Property that are actually known to the Seller as of the date signed by Seller. If Seller becomes aware of any changes in the foregoing information, Seller shall update this Disclosure Statement promptly after discovery. If the Property is part of a Common Interest Community, this Disclosure Statement is limited to the Property or Unit itself, unless otherwise indicated.

Seller to check all that apply:

- Seller currently occupies the Property. _____ (beginning date)
- Seller occupied the Property from 2010 to 2022 (dates).
- Seller has never occupied the Property.
- Property is currently leased.
- Property includes a residential dwelling(s) built prior to 1978.
- Property is located within a HOA (Homeowners' Association), COA (Condo Owners' Association) or other Owners' Association.
- Property is located within a PID (Property Improvement District).
- Property includes a Manufactured, Modular or Off-site Built Home(s).
- Property is located within governmentally designated flood plain or wetland area.

This form and all New Mexico Association of REALTORS® (NMAR) forms are for the sole use of NMAR members and those New Mexico Real Estate Licensees to whom NMAR has granted prior written authorization. Distribution of NMAR forms to non-NMAR members or unauthorized Real Estate Licensees is strictly prohibited. NMAR makes no warranty of the legal effectiveness or validity of this form and disclaims any liability for damages resulting from its use. By use of this form, the parties agree to the limitations set forth in this paragraph. The parties hereby release NMAR, the Real Estate Brokers, their Agents and employees from any liability arising out of the use of this form. You should consult your attorney with regard to the effectiveness, validity, or consequences of any use of this form. The use of this form is not intended to identify the user as a REALTOR®. REALTOR® is a registered collective membership mark which may be used only Real Estate Licensees who are members of the National Association of REALTORS® and who subscribe to the Association's strict Code of Ethics.



**NEW MEXICO ASSOCIATION OF REALTORS® — 2024
ADVERSE MATERIAL FACTS
PROPERTY DISCLOSURE STATEMENT**



EXAMPLES PROVIDED ARE NOT ALL INCLUSIVE. Each element of the Property listed include several specific examples of features or fixtures associated with that element of the Property. Neither the list of elements, nor the list of examples, includes all possible elements of the Property or features associated with those elements. **Seller's disclosures should NOT be limited to the examples provided.**

1. **ACCESS (Easements, Private, Public, Shared Road Agreements, etc.)**
Describe any known issues such as: Legal Disputes Concerning Access, Uninsurable Access, Individuals/entities who/that access or cross any part of the Property or otherwise utilize the Property.

If checked, Seller affirms no actual knowledge of adverse material facts regarding these elements

2. **APPLIANCES (Dishwashers, Dryers, Microwaves, Refrigerators, Ranges, Washers, etc.)**
Describe any known issues such as: Inefficient and/or Inoperable Appliances/Components.

If checked, Seller affirms no actual knowledge of adverse material facts regarding these elements

3. **BASEMENTS AND/OR SUBTERRAIN CONSTRUCTION**
Describe any known issues such as: Evidence of water, flooding, seepage, moisture, inoperable sump pump, etc.

If checked, Seller affirms no actual knowledge of adverse material facts regarding these elements

4. **BUILDING/STRUCTURAL/FOUNDATION (Ceilings, Doors, Exterior/Interior Walls, Flooring, Foundation, Slabs, Windows, etc.)**
Describe any known issues such as non-closing door and windows; unlevel floors; cracks in walls, ceilings, stucco, fireplace, concrete slabs/sidewalks; sagging beams and headers; foundation piers/posts/anchors/support, etc.

If checked, Seller affirms no actual knowledge of adverse material facts regarding these elements



**NEW MEXICO ASSOCIATION OF REALTORS® — 2024
ADVERSE MATERIAL FACTS
PROPERTY DISCLOSURE STATEMENT**



5. BUILT-IN SYSTEMS (Central Vacuum, Garage Openers, Intercoms, Security Systems, Smart House Technology, etc.)

Describe any known issues such as: Damaged or inoperable system or missing components, etc.

If checked, Seller affirms no actual knowledge of adverse material facts regarding these elements

6. DOMESTIC WATER SUPPLY (Associations, City/Municipal, Community, Private or Shared Wells, Storage Tanks, etc.)

Describe any known issues such as: Inefficient and/or Inoperable Systems, Low Supply/Production, Poor Quality, Requirement to Hook Up to City/Municipal/Community Water, Restrictions (drought or legal), etc.

If checked, Seller affirms no actual knowledge of adverse material facts regarding these elements

7. WIRING (Cable, Electrical, Ethernet, Telephone, etc.)

Describe any known issues such as: Aluminum wiring, Faulty Systems, Faulty Wiring, Limited Internet, Non-Functioning Switch or Receptacle, etc.

If checked, Seller affirms no actual knowledge of adverse material facts regarding these elements

8. FLOODING (Building, Property, Arroyos, Riverbeds, etc.)

Describe any known issues such as: Damage Caused by Inefficient, Inoperable and/or Broken Pipes, Interior or Exterior Flooding, Improper Draining, Grading Problems, Standing Water, etc.

If checked, Seller affirms no actual knowledge of adverse material facts regarding these elements



**NEW MEXICO ASSOCIATION OF REALTORS® — 2024
ADVERSE MATERIAL FACTS
PROPERTY DISCLOSURE STATEMENT**



9. HAZARDOUS, ENVIRONMENTAL AND TOXIC

Describe known issues such as: Asbestos, Clandestine Drug Laboratories, Environmentally Sensitive Area, Landfill or Waste Dump, Cannabis Production, Mold, Radon, Reports of Lead-Based Paint, Underground Storage Tanks, etc.

If checked, Seller affirms no actual knowledge of adverse material facts regarding these elements

10 HEATING AND/OR COOLING SYSTEMS

Describe any known issues such as: Inefficient and/or Inoperable System(s), Rooms without Heating and/or Cooling, etc.

NO A/C. West 3 bedrooms + living area only have a fireplace, no central heat.

If checked, Seller affirms no actual knowledge of adverse material facts regarding these elements

11. INSURANCE CLAIMS

Describe any claim such as: Fire, Hail, Smoke and/or Water Damage, etc. Describe if insurance proceeds, if received, were used to remediate the subject of the claim.

If checked, Seller affirms no actual knowledge of adverse material facts regarding these elements



**NEW MEXICO ASSOCIATION OF REALTORS® — 2024
ADVERSE MATERIAL FACTS
PROPERTY DISCLOSURE STATEMENT**



12. IRRIGATION RIGHTS AND SYSTEMS (Ditches, Irrigation Wells, Pivots, Sprinklers, etc. NOT Domestic Wells)

Describe any known issues such as: Disputed Rights, Failing and/or Inoperable Systems, Low Production Ditches or Wells, Restrictions (legal or drought), etc.

Irrigation under a well were operated in 2010's - not sure last time motor was run.

If checked, Seller affirms no actual knowledge of adverse material facts regarding these elements

13. NOISE, ODORS AND/OR POLLUTION (Does NOT include noise, odors and/or pollution in areas directly adjacent or surrounding the Property, which issues are governed by Paragraph 20 of NMAR Form # 2104 – Purchase Agreement – Residential Resale)

Describe any known issues such as: Continuous or Periodic Noise in/on the Property, Continuous or Periodic Odors in/on the Property, Pet Odors in/on the Property, etc.

If checked, Seller affirms no actual knowledge of adverse material facts regarding these elements

14. PEST OR ANIMAL INFESTATION AND/OR DAMAGE

Describe any known issues such as: Damage caused by Animals, Rodent Infestation, Termites, etc.

If checked, Seller affirms no actual knowledge of adverse material facts regarding these elements

15. PLUMBING (Gas Lines, Radiant Heating, Sprinkler Systems, Water Heaters, Water Supply Lines, etc.)

Describe any known issues such as: Leaks, Inefficient and/or Inoperable Systems, Inferior Products (i.e., Entran II, Kitec, Polybutylene), etc.

If checked, Seller affirms no actual knowledge of adverse material facts regarding these elements

jr



**NEW MEXICO ASSOCIATION OF REALTORS® — 2024
ADVERSE MATERIAL FACTS
PROPERTY DISCLOSURE STATEMENT**



16. POOLS, SPAS AND/OR SAUNA (Covers, Equipment, Liners, Surface, etc.)

Describe any known issues such as: Abandoned pools/spas/saunas, Inefficient or Inoperable Systems (e.g., filters, motors, pumps), Leaks, etc.

If checked, Seller affirms no actual knowledge of adverse material facts regarding these elements

17. RENEWABLE ENERGY (Hydropower, Solar, Wind Turbines, etc.)

Describe any known issues such as: Inefficient and/or Inoperable Systems (e.g. Batteries, Converters, Panels, Turbines), etc.

If checked, Seller affirms no actual knowledge of adverse material facts regarding these elements

18. ROOF SYSTEM, GUTTERS AND/OR DOWNSPOUTS (PARAPETS, SKYLIGHTS/SOLAR TUBES)

Describe any known issues such as: Leaks, Deterioration, Inefficient and/or Inoperable Systems, Ponding, Clogged Gutters, and/or Downspouts, etc.

If checked, Seller affirms no actual knowledge of adverse material facts regarding these elements

19. SEWER AND/OR SEPTIC SYSTEM(S)

Describe any known issues such as: Back-ups, Clogging, Inefficient and/or inoperable Leach Field, Cracked or Leaking Holding Tanks, Sewer Line Intrusion(s), Improperly Abandoned System(s), Requirement to hook-up to City/ Community/Municipal Sewer, etc.

Bathroom in metal shop not connected to septic - needs to be fixed in.

If checked, Seller affirms no actual knowledge of adverse material facts regarding these elements



NEW MEXICO ASSOCIATION OF REALTORS® — 2024
ADVERSE MATERIAL FACTS
PROPERTY DISCLOSURE STATEMENT



20 SOIL, VEGETATION AND/OR LANDSCAPING

Describe any known issues such as: Contaminated and/or Non-Fertile Soil, Diseased and/or Dying and/or Infested Plants/Trees/Shrubs, etc, Sprinklers/Drip System issues or Lack of Coverage.

If checked, Seller affirms no actual knowledge of adverse material facts regarding these elements

21. SUPPLEMENTAL WATER SUPPLY (AGRICULTURAL/LIVESTOCK) (Dirt Tanks, Livestock Wells, Storage Tanks, Streams, etc.)

Describe known issues such as: Inefficient and/or Inoperable Systems, Low Supply/Production, Poor Quality, Restrictions (Legal or Drought), etc.

If checked, Seller affirms no actual knowledge of adverse material facts regarding these elements

22. USE, ZONING AND/OR LEGAL

Describe any known issues such as: Citations from Government Entity, First Right of Refusal, Historic Overlay, Judgments, Lawsuits or Legal Proceedings, Liens, Recipients of Class Action Lawsuit (Kitec, Polybutylene, etc.), Un-Permitted Construction and/or Repairs, Violations of New Mexico Subdivision Act, etc.

If checked, Seller affirms no actual knowledge of adverse material facts regarding these elements

23. OTHER



**NEW MEXICO ASSOCIATION OF REALTORS® — 2024
ADVERSE MATERIAL FACTS
PROPERTY DISCLOSURE STATEMENT**



IMPORTANT NOTICE TO SELLER(S) AND BUYER(S)

The PURCHASE AGREEMENT, NOT this DISCLOSURE STATEMENT, determines whether an item is included or excluded from the sale.

SELLER(S) warrants that the information herein is true, correct, and complete to the best of the Seller's ACTUAL KNOWLEDGE and belief as of the date signed by Seller.

	Jamie Ayers, Trustee	3-28-24	10:18 am
Seller Signature	Printed Name	Date	Time
Seller Signature	Printed Name	Date	Time

If additional signature lines are needed, please use NMAR Form 1150 — Signature Addendum

BUYER'S DUE DILIGENCE: This Disclosure Statement is not a substitute for any inspections the Buyer may wish to obtain. Buyer is advised to exercise all his rights under and in accordance with the Purchase Agreement to investigate the Property. Unless otherwise waived, Buyer(s) may complete any and all inspections of the Property that he deems necessary. The Buyer's rights to object to inspections and terminate the Agreement based on inspections are set forth in the Inspections Paragraph of the Purchase Agreement. Buyer is advised to thoroughly review those rights and understand the process. **The fact this Disclosure Statement fails to disclose an adverse material fact concerning a particular feature, fixture, and/or element of the Property DOES NOT imply that the same is free of defects.**

BUYER(S) acknowledges receipt of this DISCLOSURE STATEMENT.

Buyer Signature	Printed Name	Date	Time
Buyer Signature	Printed Name	Date	Time

If additional signature lines are needed, please use NMAR Form 1150 — Signature Addendum