

**R**

# RESIDENTIAL SELLER'S PROPERTY DISCLOSURE STATEMENT (SPDS) (To be completed by Seller)

Document updated:  
October 2017

The pre-printed portion of this form has been drafted by the Arizona Association of REALTORS®. Any change in the pre-printed language of this form must be made in a prominent manner. No representations are made as to the legal validity, adequacy and/or effects of any provision, including tax consequences thereof. If you desire legal, tax or other professional advice, please consult your attorney, tax advisor or professional consultant.



## MESSAGE TO THE SELLER:

Sellers are obligated by law to disclose all known material (important) facts about the Property to the Buyer. The SPDS is designed to assist you in making these disclosures. If you know something important about the Property that is not addressed on the SPDS, add that information to the form. Prospective Buyers may rely on the information you provide.

**INSTRUCTIONS:** (1) Complete this form yourself. (2) Answer all questions truthfully and as fully as possible. (3) Attach all available supporting documentation. (4) Use explanation lines as necessary. (5) If you do not have the personal knowledge to answer a question, use the explanation lines to explain. By signing on page 7, you acknowledge that the failure to disclose known material information about the Property may result in liability.

## MESSAGE TO THE BUYER:

Although Sellers are obligated to disclose all known material (important) facts about the Property, there are likely facts about the Property that the Sellers do not know. Therefore, it is important that you take an active role in obtaining information about the Property.

**INSTRUCTIONS:** (1) Review this form and any attachments carefully. (2) Verify all important information. (3) Ask about any incomplete or inadequate responses. (4) Inquire about any concerns not addressed on the SPDS. (5) Review all other applicable documents, such as CC&R's, association bylaws, surveys, rules, and the title report or commitment. (6) Obtain professional inspections of the Property. (7) Investigate the surrounding area.

THE FOLLOWING ARE REPRESENTATIONS OF THE SELLER(S) AND ARE NOT VERIFIED BY THE BROKER(S) OR AGENT(S).

### PROPERTY AND OWNERSHIP

- 1 As used herein, "Property" shall mean the real property and all fixtures and improvements thereon and appurtenances incidental thereto, plus fixtures and personal property described in the Contract.
- 2
- 3 **PROPERTY ADDRESS:** 47 Curly Horse Ranch Rd Sonoita AZ 85637  
(STREET ADDRESS) (CITY) (STATE) (ZIP)
- 4 Does the property include any leased land? ☐ Yes ☒ No
- 5 Explain: \_\_\_\_\_
- 6 Is the Property located in an unincorporated area of the county? ☒ Yes ☐ No If yes, and five or fewer parcels of land other than subdivided land
- 7 are being transferred, the Seller must furnish the Buyer with a written Affidavit of Disclosure in the form required by law.
- 8 **LEGAL OWNER(S) OF PROPERTY:** Richard + Nicole Dennis Date Purchased: August 2017
- 9 The Property is currently: ☒ Owner-occupied ☐ Leased ☐ Estate ☐ Foreclosure ☐ Vacant If vacant, how long? \_\_\_\_\_
- 10 If a rental property, how long? \_\_\_\_\_ Expiration date of current lease: \_\_\_\_\_ (Attach a copy of the lease if available.)
- 11 If any refundable deposits or prepaid rents are being held, by whom and how much? Explain: None
- 12
- 13 Is the legal owner(s) of the Property a foreign person pursuant to the Foreign Investment in Real Property Tax Act (FIRPTA)?
- 14 ☐ Yes ☒ No If yes, consult a tax advisor; mandatory withholding may apply.
- 15 Is the Property located in a community defined by the fair housing laws as housing for older persons? ☐ Yes ☒ No
- 16 Explain: \_\_\_\_\_
- 17 Approximate year built: 91. If Property was built prior to 1978, Seller must furnish the Buyer with a lead-based paint disclosure form.
- 18 **NOTICE TO BUYER:** If the Property is in a subdivision, a subdivision public report, which contains a variety of
- 19 information about the subdivision at the time the subdivision was approved, may be available by contacting the Arizona
- 20 Department of Real Estate or the homebuilder. The public report information may be outdated. [www.azre.gov](http://www.azre.gov).

&gt;&gt;

Initials&gt;

BUYER	BUYER





## Residential Seller's Property Disclosure Statement (SPDS) &gt;&gt;

YES NO

68 ☒ Are you aware of any roof repairs? Explain: Roofing company installed boots around  
 69 plumbing vents Approx. Aug 2017

70 ☒ Is there a roof warranty? (Attach a copy of warranty if available.)

71 ☒ If yes, is the roof warranty transferable? Cost to transfer \_\_\_\_\_

72 ☒ Are you aware of any interior wall/ceiling/door/window/floor problems? Explain: \_\_\_\_\_

73 \_\_\_\_\_

74 ☒ Are you aware of any cracks or settling involving the foundation, exterior walls or slab? Explain: \_\_\_\_\_

75 \_\_\_\_\_

76 ☒ Are you aware of any chimney or fireplace problems, if applicable? Explain: \_\_\_\_\_

77 \_\_\_\_\_

78 ☒ Are you aware of any damage to any structure on the Property by any of the following? (Check all that apply):

79 ☐ Flood ☐ Fire ☐ Wind ☐ Expansive soil(s) ☒ Water ☐ Hail ☐ Other \_\_\_\_\_

80 Explain: Rain Water Damage on wall in barn

81 **WOOD INFESTATION:**

82 Are you aware of any of the following:

83 ☒ Past presence of termites or other wood destroying organisms on the Property?

84 ☒ Current presence of termites or other wood destroying organisms on the Property?

85 ☒ Past or present damage to the Property by termites or other wood destroying organisms?

86 Explain: \_\_\_\_\_

87 \_\_\_\_\_

88 ☒ Are you aware of past or present treatment(s) of the Property for termites or other wood destroying organisms?

89 If yes, date last treatment was performed: routine treatment for insects

90 Name of treatment provider(s): Self

91 ☒ Is there a treatment warranty? (Attach a copy of warranty if available.)

92 ☒ If yes, is the treatment warranty transferable?

93 **NOTICE TO BUYER: Contact Office of Pest Management for past termite reports or**  
 94 **treatment history. [www.sb.state.az.us](http://www.sb.state.az.us)**

**HEATING & COOLING:**

96 Heating: Type(s) Heat pump and gas furnace

97 Approximate Age(s) Outside Condensing unit replaced 2023, indoor unit age unknown

98 Cooling: Type(s) refrigerated air outside unit replaced

99 Approximate Age(s) outside unit replaced 2023, indoor unit age unknown

100 ☒ Are you aware of any past or present problems with the heating or cooling system(s)?

101 Explain: Outside Condensing unit replaced 7/25/2023

**PLUMBING:**

102 ☒ Are you aware of the type of water pipes, such as galvanized, copper, PVC, CPVC or polybutylene?

103 If yes, identify: Copper in house, PVC supply to barn and shop

104 ☒ Are you aware of any past or present plumbing problems? Explain: \_\_\_\_\_

105 \_\_\_\_\_

106 ☒ Are you aware of any water pressure problems? Explain: \_\_\_\_\_

107 Type of water heater(s): ☒ Gas ☐ Electric ☐ Solar Approx. age(s): \_\_\_\_\_

108 ☒ Are you aware of any past or present water heater problems? Explain: \_\_\_\_\_

109 \_\_\_\_\_

110 ☒ Is there a landscape watering system? If yes, type: ☐ automatic timer ☒ manual ☐ both

111 ☒ If yes, are you aware of any past or present problems with the landscape watering system?

112 Explain: System was disconnected prior to our purchase of the property

113 ☒ Are there any water treatment systems? (Check all that apply):

114 ☐ water filtration ☐ reverse osmosis ☐ water softener ☒ Other small in house filter

115 Is water treatment system(s) ☐ owned ☐ leased (Attach a copy of lease if available.)

116 ☒ Are you aware of any past or present problems with the water treatment system(s)?

117 Explain: \_\_\_\_\_

118 \_\_\_\_\_

&gt;&gt;

Initials&gt;

BUYER	BUYER



## Residential Seller's Property Disclosure Statement (SPDS) &gt;&gt;

YES NO

## SWIMMING POOL/SPA/HOT TUB/SAUNA/WATER FEATURE:

- 119 ☒ Does the Property contain any of the following? (Check all that apply):
- 120 ☒ Swimming pool ☐ Spa ☐ Hot tub ☐ Sauna ☒ Water feature water fountain + duck pond
- 121 ☐ If yes, are either of the following heated? ☐ Swimming pool ☐ Spa If yes, type of heat: \_\_\_\_\_
- 122 ☒ Are you aware of any past or present problems relating to the swimming pool, spa, hot tub, sauna or water feature?
- 123 Explain: \_\_\_\_\_
- 124

## ELECTRICAL AND OTHER RELATED SYSTEMS:

- 125 ☒ Are you aware of any past or present problems with the electrical system? Explain: \_\_\_\_\_
- 126
- 127 ☒ Is there a security system? If yes, is it (Check all that apply):
- 128 ☐ Leased (Attach copy of lease if available.) ☒ Owned ☐ Monitored ☐ Other \_\_\_\_\_
- 129 ☒ Are you aware of any past or present problems with the security system? Explain: \_\_\_\_\_
- 130
- 131 ☒ Does the Property contain any of the following systems or detectors?(Check all that apply):
- 132 ☒ Smoke/fire detection ☐ Fire suppression (sprinklers) ☒ Carbon monoxide detector
- 133 If yes, are you aware of any past or present problems with the above systems? Explain: None
- 134
- 135

## MISCELLANEOUS:

- 136 ☒ Are you aware of any animals/pets that have resided in the Property? If yes, what kind: Dogs, cats,
- 137 horses, chickens, goats, ducks, steer, rabbits
- 138 ☒ Are you aware of or have you observed any of the following on the Property? (Check all that apply):
- 139 ☐ Scorpions ☐ Rabid animals ☐ Bee swarms ☒ Rodents ☒ Reptiles ☐ Bed Bugs ☐ Other: \_\_\_\_\_
- 140 Explain: Have mice and snakes on the property periodically
- 141 ☒ Has the Property been serviced or treated for pests, reptiles, insects, birds or animals? If yes, how often: \_\_\_\_\_
- 142 Name of service provider(s): \_\_\_\_\_ Date of last service: \_\_\_\_\_
- 143 ☒ Are you aware of any work done on the Property, such as building, plumbing, electrical or other improvements or alterations or room conversions? (If no, skip to line 156.)
- 144 Explain: Had the shop built in 2018-2019
- 145
- 146
- 147
- 148
- 149
- 150 ☒ Were permits for the work required? Explain: building permit
- 151 ☒ If yes, were permits for the work obtained? Explain: Obtained from Santa Cruz County, AZ
- 152 ☒ Was the work performed by a person licensed to perform the work? Explain: Monument Steel
- 153 ☒ Was approval for the work required by any association governing the property? Explain: \_\_\_\_\_
- 154 If yes, was approval granted by the association? Explain: \_\_\_\_\_
- 155 ☒ Was the work completed? Explain: Shop built complete.
- 156 ☒ Are there any security bars or other obstructions to door or window openings? Explain: \_\_\_\_\_
- 157 ☒ Are you aware of any past or present problems with any built-in appliances? Explain: \_\_\_\_\_
- 158 dishwasher replaced 2022
- 159 ☒ Are there any leased propane tanks, equipment or other systems on the Property? (Attach a copy of lease if available.)
- 160 Explain: propane tank is leased
- 161

&gt;&gt;

Initials&gt;

BUYER	BUYER





**Residential Seller's Property Disclosure Statement (SPDS) >>****UTILITIES****DOES THE PROPERTY CURRENTLY RECEIVE THE FOLLOWING SERVICES?**

YES NO

PROVIDER

- 163 ☒ ☐ Electricity: SSVEC
- 164 ☒ ☐ Fuel: ☐ Natural gas ☒ Propane ☐ Oil Barnetts
- 165 ☐ ☒ Cable / Satellite: \_\_\_\_\_
- 166 ☒ ☐ Internet: Dakota Pro
- 167 ☒ ☐ Telephone: To property line (use cell phone)
- 168 ☐ ☒ Garbage Collection: \_\_\_\_\_
- 169 ☒ ☐ Fire: Sonoma F.D.
- 170 ☐ ☒ Irrigation: \_\_\_\_\_
- 171 ☒ ☐ Water Source: \_\_\_\_\_
- 172 ☐ ☐ Public ☐ Private water co. ☐ Hauled water \_\_\_\_\_
- 173 ☒ Private well ☐ Shared well If water source is a private or shared well, complete and attach
- 174 Domestic Water Well/Water Use Addendum.

**NOTICE TO BUYER: If the Property is served by a well, private water company or a municipal water provider, the Arizona Department of Water Resources may not have made a water supply determination. For more information about water supply, or any of the above services, contact the provider.**

- 178 ☐ ☒ Are you aware of any past or present drinking water problems? Explain: \_\_\_\_\_
- 179
- 180 ☒ ☐ U.S. Postal Service delivery is available at: ☐ Property ☒ Cluster Mailbox ☐ Post Office ☐ Other \_\_\_\_\_
- 181 ☐ ☒ Are there any alternate power systems serving the Property? (If no, skip to line 190.)
- 182 If yes, indicate type (Check all that apply):
- 183 ☐ Solar ☐ Wind ☐ Generator ☐ Other \_\_\_\_\_
- 184 Are you aware of any past or present problems with the alternate power system(s)? Explain: \_\_\_\_\_
- 185
- 186 ☐ ☐ Are any alternate power systems serving the Property leased? Explain: \_\_\_\_\_
- 187
- 188 If yes, provide name and phone number of the leasing company (Attach copy of lease if available): \_\_\_\_\_
- 189

**NOTICE TO BUYER: If the Property is served by a solar system, Buyer is advised to read all pertinent documents and review the cost, insurability, operation, and value of the system, among other items.**

**ENVIRONMENTAL INFORMATION**

YES NO

- 192 ☐ ☒ Are you aware of any past or present issues or problems with any of the following on the Property? (Check all that apply).
- 193 ☐ Soil settlement/expansion ☐ Drainage/grade ☐ Erosion ☐ Fissures ☐ Dampness/moisture ☐ Other
- 194 Explain: \_\_\_\_\_
- 195 ☐ ☒ Are you aware of any past or present issues or problems in close proximity to the Property related to any of
- 196 the following? (Check all that apply):
- 197 ☐ Soil settlement/expansion ☐ Drainage/grade ☐ Erosion ☐ Fissures ☐ Other \_\_\_\_\_
- 198 Explain: \_\_\_\_\_

**NOTICE TO BUYER: The Arizona Department of Real Estate provides earth fissure maps to any member of the public in printed or electronic format upon request and on its website at [www.azre.gov](http://www.azre.gov).**

- 201 ☐ ☒ Are you aware if the Property is subject to any present or proposed effects of any of the following? (Check all that apply):
- 202 ☐ Airport noise ☐ Traffic noise ☐ Rail line noise ☐ Neighborhood noise ☐ Landfill ☐ Toxic waste disposal
- 203 ☐ Odors ☐ Nuisances ☐ Sand/gravel operations ☐ Other \_\_\_\_\_
- 204 Explain: \_\_\_\_\_
- 205 ☐ ☒ Are you aware if any portion of the Property has ever been used as a "Clandestine drug laboratory" (manufacture of,
- 206 or storage of, chemicals or equipment used in manufacturing methamphetamine, ecstasy or LSD)?

&gt;&gt;

Initials&gt;

BUYER	BUYER





**Residential Seller's Property Disclosure Statement (SPDS) >>****YES NO**207 ☐ ☒ Are you aware if the Property is located in the vicinity of a public or private airport?

208 Explain: \_\_\_\_\_

209 **NOTICE TO SELLER AND BUYER:** Pursuant to Arizona law a Seller shall provide a written disclosure to the Buyer  
 210 if the Property is located in territory in the vicinity of a military airport or ancillary military facility as delineated  
 211 on a map prepared by the State Land Department. The Department of Real Estate also is obligated to record  
 212 a document at the County Recorder's Office disclosing if the Property is under restricted air space and to  
 213 maintain the State Land Department Military Airport Map on its website at [www.azre.gov](http://www.azre.gov).

214 ☐ ☒ Is the Property located in the vicinity of a military airport or ancillary military facility?

215 Explain: \_\_\_\_\_

216 ☐ ☒ Are you aware of the presence of any of the following on the Property, past or present? (Check all that apply):217 ☐ Asbestos ☐ Radon gas ☐ Lead-based paint ☐ Pesticides ☐ Underground storage tanks ☐ Fuel/chemical storage

218 Explain: \_\_\_\_\_

219 ☐ ☒ Are you aware if the Property is located within or subject to any of the following ordinances? (Check all that apply):220 ☐ Superfund / WQARF / CERCLA ☐ Wetlands area ☐ Natural Area Open Spaces221 ☐ ☒ Are you aware of any open mine shafts/tunnels or abandoned wells on the Property?

222 If yes, describe location: \_\_\_\_\_

223 ☐ ☒ Are you aware if any portion of the Property is in a flood plain/way? Explain: \_\_\_\_\_

224

225 **NOTICE TO BUYER:** Your mortgage lender [may] [will] require you to purchase flood insurance in  
 226 connection with your purchase of this property. The National Flood Insurance Program provides for the  
 227 availability of flood insurance and establishes flood insurance policy premiums based on the risk of flooding  
 228 in the area where properties are located. Recent changes to federal law (The Biggert-Waters Flood Insurance  
 229 Reform Act of 2012 and the Homeowner Flood Insurance Affordability Act of 2014, in particular) will result in  
 230 changes to flood insurance premiums that are likely to be higher, and in the future may be substantially  
 231 higher, than premiums paid for flood insurance prior to or at the time of sale of the property. As a result,  
 232 purchasers of property should not rely on the premiums paid for flood insurance on this property previously  
 233 as an indication of the premiums that will apply after completion of the purchase. In considering purchase of  
 234 this property you should consult with one or more carriers of flood insurance for a better understanding of  
 235 flood insurance coverage, current and anticipated future flood insurance premiums, whether the prior  
 236 owner's policy may be assumed by a subsequent purchaser of the property, and other matters related to the  
 237 purchase of flood insurance for the property. You may also wish to contact the Federal Emergency  
 238 Management Agency (FEMA) for more information about flood insurance as it relates to this property.

239 ☐ ☒ Are you aware of any portion of the Property ever having been flooded? Explain: \_\_\_\_\_

240

241 ☒ ☐ Are you aware of any water damage or water leaks of any kind on the Property? Explain: \_\_\_\_\_242 *Rain water damage on wall of barn*243 ☐ ☒ Are you aware of any past or present mold growth on the Property? If yes, explain: \_\_\_\_\_

244

**SEWER/WASTEWATER TREATMENT****YES NO**245 ☐ ☐ Is the entire Property connected to a sewer? *connected to septic system*246 ☐ ☐ If no, is a portion of the Property connected to a sewer? Explain: \_\_\_\_\_

247

248 ☐ ☐ If the entire Property or a portion of the Property is connected to a sewer, has a professional verified the sewer connection?

249 If yes, how and when: \_\_\_\_\_

250 **NOTICE TO BUYER: Contact a professional to conduct a sewer verification test.**251 Type of sewer: ☐ Public ☐ Private ☐ Planned and approved sewer system, but not connected

252 Name of Provider: \_\_\_\_\_

&gt;&gt;

Initials&gt;

BUYER

BUYER





**Residential Seller's Property Disclosure Statement (SPDS) >>**

YES NO

- 253 ☐ ☒ Are you aware of any past or present problems with the sewer? Explain: \_\_\_\_\_
- 254 ☒ ☐ Is the Property served by an On-Site Wastewater Treatment Facility? (If no, skip to line 267.)
- 255 ☐ ☒ If yes, the Facility is: ☒ Conventional septic system ☐ Alternative system; type: \_\_\_\_\_
- 256 ☐ ☐ If the Facility is an alternative system, is it currently being serviced under a maintenance contract?
- 257 ☐ ☐ If yes, name of contractor: \_\_\_\_\_ Phone #: \_\_\_\_\_
- 258 ☐ ☐ Approximate year Facility installed: \_\_\_\_\_ (Attach copy of permit if available.)
- 259 ☐ ☒ Are you aware of any repairs or alterations made to this Facility since original installation?
- 260 ☐ ☒ Explain: \_\_\_\_\_
- 261 \_\_\_\_\_
- 262 Approximate date of last Facility inspection and/or pumping of septic tank: Nov. 22, 2023
- 263 ☐ ☒ Are you aware of any past or present problems with the Facility? Explain: \_\_\_\_\_
- 264 Septic system will be inspected prior to Auction

**NOTICE TO SELLER AND BUYER: The Arizona Department of Environmental Quality requires a Pre-Transfer Inspection of On-Site Wastewater Treatment Facilities on re-sale properties.**

**OTHER CONDITIONS AND FACTORS**

- 267 What other material (important) information are you aware of concerning the Property that might affect the buyer's decision-making process, the value of the Property, or its use? Explain: \_\_\_\_\_
- 268 \_\_\_\_\_
- 269 \_\_\_\_\_

**ADDITIONAL EXPLANATIONS**

- 270 Well pump replaced 7/15/19
- 271 \_\_\_\_\_
- 272 There is an existing non-conforming septic system associated with the shop building.
- 273 \_\_\_\_\_
- 274 \_\_\_\_\_
- 275 \_\_\_\_\_
- 276 \_\_\_\_\_
- 277 \_\_\_\_\_
- 278 \_\_\_\_\_
- 279 \_\_\_\_\_

**SELLER CERTIFICATION:** Seller certifies that the information contained herein is true and complete to the best of Seller's knowledge as of the date signed. Seller agrees that any changes in the information contained herein will be disclosed in writing by Seller to Buyer prior to Close of Escrow, including any information that may be revealed by subsequent inspections. Seller acknowledges receipt of Residential Seller Disclosure Advisory titled *When in Doubt - Disclose*.

284 [Signature] 6/7/24 [Signature] 6-7-2024  
 ^SELLER'S SIGNATURE MO/DA/YR ^SELLER'S SIGNATURE MO/DA/YR

285 Reviewed and updated: Initials: [Signature] Jul 8, 2024 | 6:30 PM CDT

**BUYER'S ACKNOWLEDGMENT:** Buyer acknowledges that the information contained herein is based only on the Seller's actual knowledge and is not a warranty of any kind. Buyer acknowledges Buyer's obligation to investigate any material (important) facts in regard to the Property. Buyer is encouraged to obtain Property inspections by professional independent third parties and to consider obtaining a home warranty protection plan.

**NOTICE:** Buyer acknowledges that by law, Sellers, Lessors and Brokers are not obligated to disclose that the Property is or has been: (1) the site of a natural death, suicide, homicide, or any other crime classified as a felony; (2) owned or occupied by a person exposed to HIV, diagnosed as having AIDS or any other disease not known to be transmitted through common occupancy of real estate; or (3) located in the vicinity of a sex offender.

By signing below, Buyer acknowledges receipt only of this SPDS. If Buyer disapproves of any items provided herein, Buyer shall deliver to Seller written notice of the items disapproved as provided in the Contract.

^BUYER'S SIGNATURE MO/DA/YR ^BUYER'S SIGNATURE MO/DA/YR

BUYER	BUYER
-------	-------

