

SELLER'S PROPERTY DISCLOSURE STATEMENT

SPD

This form recommended and approved for, but not restricted to use by, the members of the Pennsylvania Association of REALTORS® (PAR).

1 PROPERTY 437 SMITH STREET, CLYMER, PA 15728
2 SELLER MARVIN E CONNIE PHILLIPS

3 The Real Estate Seller Disclosure Law (68 P.S. §7301 et seq.) requires that a seller of a property must disclose to a buyer all known
4 material defects about the property being sold that are not readily observable. While the Law requires certain disclosures, this disclo-
5 sure statement covers common topics beyond the basic requirements of the Law in an effort to assist sellers in complying with disclo-
6 sure requirements and to assist buyers in evaluating the property being considered. Sellers who wish to see or use the basic disclosure
7 form can find the form on the Web site of the Pennsylvania State Real Estate Commission.

8 This Statement discloses Seller's knowledge of the condition of the property as of the date signed by Seller and is not a substitute
9 for any inspections or warranties that Buyer may wish to obtain. This Statement is not a warranty of any kind by Seller or a war-
10 ranty or representation by any listing real estate broker, any selling real estate broker, or their licensees. Buyer is encouraged to address
11 concerns about the conditions of the property that may not be included in this Statement. This Statement does not relieve Seller of the
12 obligation to disclose a material defect that may not be addressed on this form.

13 A Material Defect is a problem with a residential real property or any portion of it that would have a significant adverse impact on the
14 value of the property or that involves an unreasonable risk to people on the property. The fact that a structural element, system or sub-
15 system is at or beyond the end of the normal useful life of such a structural element, system or subsystem is not by itself a material defect.

16 1. SELLER'S EXPERTISE Seller does not possess expertise in contracting, engineering, architecture, environmental assessment or
17 other areas related to the construction and conditions of the property and its improvements, except as follows:

19 2. OWNERSHIP/OCCUPANCY

20 (a) Is the property currently occupied? Yes No If "yes," by whom? Seller Other occupants (tenants)
21 If property is not occupied, when was it last occupied? 6-1-11
22 (b) How long have you owned the property? 2 1/2 YEARS
23 (c) Are you aware of any pets having lived in the house or other structures during your ownership? Yes No
24 If "yes," describe: OUR 7 YEAR OLD DOG (DACHSHUND), 2 HORSES IN BARN

25 3. ROOF

26 (a) Date roof installed: 8/15/07 Documented? Yes No Unknown JOE BONONNI ROOFING
27 (b) Has the roof been replaced or repaired during your ownership? Yes No
28 If "yes," was the existing roofing material removed? Yes No Unknown
29 (c) Has the roof ever leaked during your ownership? Yes No
30 (d) Are you aware of any problems with the roof, gutters, flashing or downspouts? Yes No

31 Explain any "yes" answers in this section, including the location and extent of any problem(s) and any repair or remediation efforts:

33 4. BASEMENTS AND CRAWL SPACES (Complete only if applicable)

34 (a) Does the property have a sump pump? Yes No Unknown
35 If "yes," has it ever run? Yes No Unknown Is it in working order? Yes No Unknown
36 (b) Are you aware of any water leakage, accumulation, or dampness within the basement or crawl space? Yes No
37 (c) Do you know of any repairs or other attempts to control any water or dampness problem in the basement or crawl space? Yes No

38 Explain any "yes" answers in this section, including the location and extent of any problem(s) and any repair or remediation efforts:

39 CORNER SHOWER IN BASEMENT HAS GOTTEN DAMP AT TIMES FROM

40 5. TERMITES/WOOD-DESTROYING INSECTS, DRYROT, PESTS THE BEGINNING OF OUR OWNERSHIP

41 (a) Are you aware of any termites/wood-destroying insects, dryrot, or pests affecting the property? Yes No
42 (b) Are you aware of any damage to the property caused by termites/wood-destroying insects, dryrot, or pests? Yes No
43 (c) Is your property currently under contract by a licensed pest control company? Yes No
44 (d) Are you aware of any termite/pest control reports or treatments for the property? Yes No

46 Explain any "yes" answers in this section, including the name of any service/treatment provider, if applicable:

48 6. STRUCTURAL ITEMS

49 (a) Are you aware of any past or present water leakage in the house or other structures? Yes No
50 (b) Are you aware of any past or present movement, shifting, deterioration, or other problems with walls, foundations, or other
51 structural components? Yes No
52 (c) Are you aware of any past or present problems with driveways, walkways, patios, or retaining walls on the property? Yes No
53 (d) Is your property constructed with an Exterior Insulating Finishing System (EIFS), such as Dryvit or synthetic stucco?
54 Yes No Unknown If yes, date installed, if known
55 (e) Are there any defects (including stains) in flooring or floor coverings? Yes No Unknown
56 (f) Are you aware of any fire, storm, water or ice damage to the property? Yes No

57 Explain any "yes" answers in this section, including the location and extent of any problem(s) and any repair or remediation efforts:

58 Buyer Initials: Date SPD Page 1 of 5 Seller Initials: CP Date 6-9-11

59 7. ADDITIONS/ALTERATIONS Have any additions, structural changes, or other alterations been made to the property
 60 during your ownership? Yes No

If yes, list additions, structural changes, or alterations (use additional sheets if necessary).	Approximate date of work	Were permits obtained? (Yes/No/Unknown)	Were final inspections/approvals obtained? (Yes/No/Unknown)

68 *Note to Buyer: The PA Construction Code Act, 35 P.S. §7210.101 et seq. (effective 2004), and local codes establish standards for building and
 69 altering properties. Buyers should check with the municipality to determine if permits and/or approvals were necessary for disclosed work and if
 70 so, whether they were obtained. Where required permits were not obtained, the municipality might require the current owner to upgrade or remove
 71 changes made by prior owners. Buyers can have the property inspected by an expert in codes compliance to determine if issues exist. Expanded
 72 title insurance policies may be available for Buyers to cover the risk of work done to the property by previous owners without a permit or approval.*

73 8. WATER SUPPLY

- 74 (a) What is the source of your drinking water? Public Water Well on Property Community Water
 75 None Other (explain): _____
- 76 (b) When was your water last tested? _____ Test results: _____
 77 If your drinking water source is not public, is the pumping system in working order? Yes No
 78 If "no," explain: _____
- 79 (c) Do you have a softener, filter, or other treatment system? Yes No
 80 If you do not own the system, explain: _____
- 81 (d) Have you ever had a problem with your water supply? Yes No
- 82 (e) Has your well ever run dry? Yes No Not Applicable
- 83 (f) Is there a well on the property not used as the primary source of drinking water? Yes No
 84 If yes, is the well capped? Yes No
- 85 (g) Is the water system shared? Yes No
- 86 (h) Are you aware of any leaks or other problems, past or present, relating to the water supply, pumping system, and related items?
 87 Yes No

88 Explain any "yes" answers in this section, including the location and extent of any problem(s) and any repair or remediation efforts:
 89 _____
 90 _____

91 9. SEWAGE SYSTEM

- 92 (a) What is the type of sewage system? Public Sewer Individual On-lot Sewage Disposal System
 93 Individual On-lot Sewage Disposal System in Proximity to Well Community Sewage Disposal System
 94 Ten-acre Permit Exemption Holding Tank None None Available/Permit Limitations in Effect
 95 Other type of sewage system (explain): _____
- 96 (b) If Individual On-lot sewage system, what type? Cesspool Drainfield Unknown
 97 Other (specify): _____
- 98 (c) Are there any septic tanks on the Property? Yes No Unknown
 99 If "yes," what type of tank(s)? Metal/steel Cement/concrete Fiberglass Unknown
 100 Other (specify): _____
- 101 (d) When was the on-site sewage disposal system last serviced? APPROX. 4 YEARS AGO
- 102 (e) Are there any sewage pumps located on the property? Yes No
 103 If yes, type(s) of pump(s) _____ Are pump(s) in working order? Yes No
 104 Who is responsible for maintenance of sewage pumps? _____
- 105 (f) Is the sewage system shared? Yes No
- 106 (g) Are you aware of any past or present leaks, backups, or other problems relating to the sewage system and related items? Yes No

107 Explain any "yes" answers in this section, including the location and extent of any problem(s) and any repair or remediation efforts:
 108 _____
 109 _____

109 10. PLUMBING SYSTEM

- 110 (a) Type of plumbing (check all that apply): Copper Galvanized Lead PVC Polybutylene pipe (PB)
 111 Mixed Unknown Other (explain): DRAWS
- 112 (b) Are you aware of any problems with any of your plumbing fixtures (e.g., including but not limited to: kitchen, laundry, or bath-
 113 room fixtures; wet bars; etc.)? Yes No
 114 If "yes," explain: _____

115 11. DOMESTIC WATER HEATING 2009 "REA"

- 116 (a) Type of water heating: Electric Natural Gas Fuel Oil Propane Solar Summer/Winter Hook-Up
 117 Other (explain): _____
- 118 (b) Are you aware of any problems with any water heater or related equipment? Yes No
 119 If "yes," explain: _____

121 12. AIR CONDITIONING SYSTEM

- 122 (a) Type of air conditioning: [X] Central Air [] Wall Units [] Window Units [] None
123 Other (explain):
124 Number of window units included in sale [] Location(s)
125 (b) Age of Central Air Conditioning System: 3 YRS [] Unknown Date last serviced, if known
126 (c) List any areas of the house that are not air conditioned: PLUMBING
127 (d) Are you aware of any problems with any item in this section? [] Yes [X] No
128 If "yes," explain:

129 13. HEATING SYSTEM

- 130 (a) Type(s) of heating fuel(s) (check all that apply): [] Electric [X] Fuel Oil [] Natural Gas [] Propane
131 [] Coal [] Wood [] Other:
132 (b) Type(s) of heating system(s) (check all that apply): [X] Forced Hot Air [] Hot Water [] Heat Pump
133 [] Electric Baseboard [] Steam [] Wood Stove (How many? []) [] Coal Stove (How many? [])
134 [] Other:
135 (c) Age of Heating System: 8 YRS [] Unknown Date last serviced, if known 2009 JOHN BOYER HEATING
136 (d) Are there any fireplaces? [X] Yes [] No If "yes," how many? 2 Are they working? [X] Yes [] No
137 (e) Are there any chimneys (from a fireplace, water heater or any other heating system)? [X] Yes [] No
138 If "yes," how many? 1 When were they last cleaned? Unknown [X]
139 Are they working? [X] Yes [] No If "no," explain:
140 (f) List any areas of the house that are not heated:
141 (g) Are you aware of any heating fuel tanks on the property? [X] Yes [] No
142 Location(s), including underground tank(s): BEHIND HOME - UNDERGROUND
143 If you do not own the tanks, explain:

144 Are you aware of any problems or repairs needed regarding any item in this section? [] Yes [X] No
145 If "yes," explain:

147 14. ELECTRICAL SYSTEM

- 148 (a) Type of Electrical System: [] Fuses [X] Circuit Breakers How Many Amps? 200 [] Unknown
149 (b) Are you aware of any knob and tube wiring in the home? [] Yes [X] No
150 Are you aware of any problems or repairs needed in the electrical system? [] Yes [X] No
151 If "yes," explain:

152 15. OTHER EQUIPMENT AND APPLIANCES

153 This section must be completed for each item that will, or may, be sold with the property. The fact that an item is listed does
154 not mean it is included in the Agreement of Sale. Terms of the Agreement of Sale negotiated between Buyer and Seller will
155 determine which items, if any, are included in the purchase of the Property.

- 156 (a) [X] Electric Garage Door Opener Number of Transmitters 2 Keyless Entry 1
157 (b) [X] Smoke Detectors How many? 3 Location(s) HALLWAY, KITCHEN, FAMILY ROOM
158 (c) [] Security Alarm System [] Owned [] Leased (Lease Information)
159 (d) [] Lawn Sprinkler(s) How many? 1 Automatic Timer
160 (e) [] Swimming Pool [] Hot Tub/Spa [] Pool/Spa Heater [] Pool/Spa Cover [] Whirlpool/Tub
161 Pool/Spa Equipment and Accessories (list):
162 (f) [X] Refrigerator(s) [X] Range/Oven [] Microwave Oven [X] Dishwasher [] Trash Compactor
163 [] Garbage Disposal [] Chest Freezer [] Washer [] Dryer [] Intercom
164 (g) [X] Ceiling Fan(s) How many? 1 Location(s) KITCHEN
165 (h) [] Awnings [] Attic Fan(s) [X] Satellite Dish [X] Storage Shed [] Deck(s) [X] Electric Animal Fence
166 (i) [] Other:

167 Are you aware of any problems or repairs needed regarding any item in this section? [] Yes [X] No
168 If "yes," explain:

169 16. LAND (SOILS, DRAINAGE, FLOODING AND BOUNDARIES)

- 170 (a) Land/Soils
171 1) Are you aware of any fill or expansive soil on the property? [] Yes [X] No
172 2) Are you aware of any sliding, settling, earth movement, upheaval, subsidence, or earth stability problems that have
173 occurred on or affect the property? [] Yes [X] No
174 3) Are you aware of any existing, past or proposed mining, strip-mining, or any other excavations that might affect this
175 property? [] Yes [X] No

176 Note to Buyer: The property may be subject to mine subsidence damage. Maps of the counties and mines where mine subsidence
177 damage may occur and mine subsidence insurance are available through: Department of Environmental Protection, Mine Subsidence
178 Insurance Fund, 25 Technology Drive, California Technology Park, Coal Center, PA 15423 (800) 922-1678 (within Pennsylvania) or
179 (724) 769-1100 (outside Pennsylvania).

4) Is the property, or a portion of it, preferentially assessed for tax purposes, or subject to limited development rights?

Yes No If "yes", check all that apply below:

Farmland and Forest Land Assessment Act - 72 P.S. §5490.1 et seq. (Clean and Green Program)

Open Space Act - 16 P.S. §11941 et seq.

Agricultural Area Security Law - 3 P.S. §901 et seq. (Development Rights)

Other _____

Note to Buyer: Pennsylvania has enacted the Right to Farm Act (3 P.S. § 951-957) in an effort to limit the circumstances under which agricultural operations may be subject to nuisance suits or ordinances. Buyers are encouraged to investigate whether any agricultural operations covered by the Act operate in the vicinity of the property.

Explain any "yes" answers in this section: _____

(b) Flooding/Drainage

1) Is any part of this property located in a wetlands area or a FEMA flood zone? Yes No Unknown

2) Do you know of any past or present drainage or flooding problems affecting the property? Yes No

Explain any "yes" answers in this section, including dates and extent of flooding: _____

(c) Boundaries

1) Do you know of any encroachments, boundary line disputes, or easements affecting the property? Yes No

Note to Buyer: Most properties have easements running across them for utility services and other reasons. In many cases, the easements do not restrict the ordinary use of the property, and Seller may not be readily aware of them. Buyers may wish to determine the existence of easements and restrictions by examining the property and ordering an Abstract of Title or searching the records in the Office of the Recorder of Deeds for the county before entering into an agreement of sale.

2) Do you access the property from a private road or lane? Yes No

If yes, do you have a recorded right of way or maintenance agreement? Yes No

3) Are you aware of any shared or common areas (e.g., driveways, bridges, docks, walls, etc.) or maintenance agreements?

Yes No

THE ROAD AT THE SIDE OF OUR PROPERTY GOES TO THE

Explain any "yes" answers in this section: 2 FAMILIES BEHIND US - THE ROAD IS ON OUR PROPERTY - THE FAMILIES HAVE EASEMENT & MUST MAINTAIN THE ROAD.

17. HAZARDOUS SUBSTANCES AND ENVIRONMENTAL ISSUES

(a) Are you aware of any underground tanks (other than home heating fuel or septic tanks disclosed above)? Yes No

(b) Are you aware of any past or present hazardous substances present on the property (structure or soil) such as, but not limited to, asbestos or polychlorinated biphenyls (PCBs), etc.? Yes No

(c) Are you aware of sewage sludge (other than commercially available fertilizer products) being spread on the property, or have you received written notice of sewage sludge being spread on an adjacent property? Yes No

(d) Are you aware of any tests for mold, fungi, or indoor air quality in the property? Yes No

(e) Other than general household cleaning, have you taken any efforts to control or remediate mold or mold-like substances in the property? Yes No

Note to Buyer: Individuals may be affected differently, or not at all, by mold contamination. If mold contamination or indoor air quality is a concern, buyers are encouraged to engage the services of a qualified professional to do testing. Information on this issue is available from the United States Environmental Protection Agency and may be obtained by contacting IAQ INFO, P.O. Box 37133, Washington, D.C. 20013-7133, 1-800-438-4318.

(f) Are you aware of any dumping on the property? Yes No

(g) Have you received written notice regarding the presence of an environmental hazard or biohazard on your property or any adjacent property? Yes No

(h) Are you aware of any tests for radon gas that have been performed in any buildings on the property? Yes No

If "yes," list date, type, and results of all tests below:

DATE	TYPE OF TEST	RESULTS (picocuries/liter or working levels)	NAME OF TESTING SERVICE

(i) Are you aware of any radon removal system on the property? Yes No

If "yes," list date installed and type of system, and whether it is in working order below:

DATE INSTALLED	TYPE OF SYSTEM	PROVIDER	WORKING ORDER?
			<input type="checkbox"/> Yes <input type="checkbox"/> No
			<input type="checkbox"/> Yes <input type="checkbox"/> No

(j) If property was constructed, or if construction began, before 1978, you must disclose any knowledge of lead-based paint on the property. Are you aware of any lead-based paint or lead-based paint hazards on the property? Yes No

If "yes," explain how you know of it, where it is, and the condition of those lead-based paint surfaces: _____

(k) If property was constructed, or if construction began, before 1978, you must disclose any reports or records of lead-based paint or lead-based paint hazards on the property. Are you aware of any reports or records regarding lead-based paint or lead-based paint hazards on the property? Yes No

If "yes," list all available reports and records: _____

Buyer Initials: _____ Date _____

Seller Initials: MP CP Date 6-9-11

- 244 (l) Are you aware of testing on the property for any other hazardous substances or environmental concerns? Yes No 244
 245 (m) Are you aware of any other hazardous substances or environmental concerns that might impact upon the property? 245
 246 Yes No 246

247 Explain any "yes" answers in this section: _____ 247
 248 _____ 248
 249 _____ 249
 250 _____ 250

251 **18. CONDOMINIUMS AND OTHER HOMEOWNER ASSOCIATIONS (Complete only if applicable)** 251

252 Type: Condominium Cooperative Homeowner Association or Planned Community 252
 253 Other: _____ 253

254 *Notice regarding Condominiums, Cooperatives, and Planned Communities: A buyer of a resale unit in a condominium, cooperati-* 254
 255 *ve, or planned community must receive a copy of the declaration (other than the plats and plans), the by-laws, the rules or regula-* 255
 256 *tions, and a certificate of resale issued by the association in the condominium, cooperative, or planned commu-* 256
 257 *nity. Buyers may be responsible for capital contributions, initiation fees or similar one-time fees in addition to regular monthly* 257
 258 *maintenance fees. The buyer will have the option of canceling the agreement with the return of all deposit monies until the certificate* 258
 259 *has been provided to the buyer and for five days thereafter or until conveyance, whichever occurs first.* 259

260 **19. MISCELLANEOUS** 260

- 261 (a) Are you aware of any historic preservation restriction or ordinance or archeological designation associated with the property? 261
 262 Yes No 262
 263 (b) Are you aware of any existing or threatened legal action affecting the property? Yes No 263
 264 (c) Are you aware of any violations of federal, state, or local laws or regulations relating to this property? Yes No 264
 265 (d) Are you aware of any public improvement, condominium or homeowner association assessments against the property that remain 265
 266 unpaid or of any violations of zoning, housing, building, safety or fire ordinances that remain uncorrected? Yes No 266
 267 (e) Are you aware of any judgment, encumbrance, lien (for example, co-maker or equity loan), overdue payment on a support obli- 267
 268 gation, or other debt against this property that cannot be satisfied by the proceeds of this sale? Yes No 268
 269 (f) Are you aware of any reason, including a defect in title, that would prevent you from giving a warranty deed or conveying title to the 269
 270 property? Yes No 270
 271 (g) Are you aware of any insurance claims filed relating to the property? Yes No 271
 272 (h) Are you aware of any material defects to the property, dwelling, or fixtures which are not disclosed elsewhere on this form? 272
 273 Yes No 273

274 A material defect is a problem with a residential real property or any portion of it that would have a significant adverse impact 274
 275 on the value of the property or that involves an unreasonable risk to people on the property. The fact that a structural element, 275
 276 system or subsystem is at or beyond the end of the normal useful life of such a structural element, system or subsystem is not by 276
 277 itself a material defect 277

278 Explain any "yes" answers in this section: _____ 278
 279 _____ 279

280 The undersigned Seller represents that the information set forth in this disclosure statement is accurate and complete to the best 280
 281 of Seller's knowledge. Seller hereby authorizes the Listing Broker to provide this information to prospective buyers of the prop- 281
 282 erty and to other real estate licensees. SELLER ALONE IS RESPONSIBLE FOR THE ACCURACY OF THE INFORMATION 282
 283 CONTAINED IN THIS STATEMENT. Seller shall cause Buyer to be notified in writing of any information supplied on this form 283
 284 which is rendered inaccurate by a change in the condition of the property following completion of this form. 284

285 WITNESS _____ SELLER Marvin D. Phillips Jr DATE 6/9/2011 285
 286 WITNESS _____ SELLER Carrie W. Phillips DATE 6-9-11 286
 287 WITNESS _____ SELLER _____ DATE _____ 287

288 **EXECUTOR, ADMINISTRATOR, TRUSTEE SIGNATURE BLOCK** 288
 289 According to the provisions of the Real Estate Seller Disclosure Law, the undersigned executor, administrator or trustee is not required 289
 290 to fill out a Seller's Property Disclosure Statement. The executor, administrator or trustee, must, however, disclose any known mate- 290
 291 rial defect(s) of the property. 291
 292 _____ DATE _____ 292

293 **RECEIPT AND ACKNOWLEDGEMENT BY BUYER** 293
 294 The undersigned Buyer acknowledges receipt of this Disclosure Statement. Buyer acknowledges that this Statement is not a 294
 295 warranty and that, unless stated otherwise in the sales contract, Buyer is purchasing this property in its present condition. It 295
 296 is Buyer's responsibility to satisfy himself or herself as to the condition of the property. Buyer may request that the property 296
 297 be inspected, at Buyer's expense and by qualified professionals, to determine the condition of the structure or its components. 297
 298 WITNESS _____ BUYER _____ DATE _____ 298
 299 WITNESS _____ BUYER _____ DATE _____ 299
 300 WITNESS _____ BUYER _____ DATE _____ 300

INFORMATION REGARDING THE REAL ESTATE SELLER DISCLOSURE LAW

Generally speaking, the Real Estate Seller Disclosure Law requires that before an agreement of sale is signed, the seller in a residential real estate transfer must make certain disclosures regarding the property to potential buyers in a form defined by the law. A residential real estate transfer is defined as a sale, exchange, installment sales contract, lease with an option to buy, grant or other transfer of an interest in real property where **NOT LESS THAN ONE AND NOT MORE THAN FOUR RESIDENTIAL DWELLING UNITS** are involved.

The Law defines a number of exceptions where the disclosures do not have to be made:

1. Transfers that are the result of a court order.
2. Transfers to a mortgage lender that result from a buyer's default and subsequent foreclosure sales that result from default.
3. Transfers from a co-owner to one or more other co-owners.
4. Transfers made to a spouse or direct descendant.
5. Transfers between spouses that result from divorce, legal separation, or property settlement.
6. Transfers by a corporation, partnership or other association to its shareholders, partners or other equity owners as part of a plan of liquidation.
7. Transfer of a property to be demolished or converted to non-residential use.
8. Transfer of unimproved real property.
9. Transfers by a fiduciary during the administration of a decedent estate, guardianship, conservatorship or trust.
10. Transfers of new construction that has never been occupied when:
 - a. The buyer has received a one-year warranty covering the construction;
 - b. The building has been inspected for compliance with the applicable building code or, if none, a nationally recognized model building code; and
 - c. A certificate of occupancy or a certificate of code compliance has been issued for the dwelling.

In addition to these exceptions, disclosures for condominiums and cooperatives are limited to the seller's particular unit(s). Disclosures regarding common areas or facilities are not required, as those elements are already addressed in the laws that govern the resale of condominium and cooperative interests.