

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 120 JACKSON ST Indiana PA 15701
2 SELLER Carl Metzgar Estate Co CAROL A. SILVER

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 disclosure
5 statement covers common topics beyond the basic requirements of the Law in an effort to assist sellers in complying with disclosure
6 requirements and to assist buyers in evaluating the property being considered. Sellers who wish to see or use the basic disclosure form
7 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:
18

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?

22 (b) How long have you owned the property?

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:

25 3. ROOF

26 (a) Date roof installed: Documented? Yes No Unknown

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 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:

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

33 (a) Does the property have a sump pump? Yes No Unknown

34 If "yes," has it ever run? Yes No Unknown Is it in working order? Yes No Unknown

35 (b) Are you aware of any water leakage, accumulation, or dampness within the basement or crawl space? Yes No

36 (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

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

38 5. TERMITES/WOOD-DESTROYING INSECTS, DRYROT, PESTS

39 (a) Are you aware of any termites/wood-destroying insects, dryrot, or pests affecting the property? Yes No

40 (b) Are you aware of any damage to the property caused by termites/wood-destroying insects, dryrot, or pests? Yes No

41 (c) Is your property currently under contract by a licensed pest control company? Yes No

42 (d) Are you aware of any termite/pest control reports or treatments for the property? Yes No

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

44 6. STRUCTURAL ITEMS

45 (a) Are you aware of any past or present water leakage in the house or other structures? Yes No

46 (b) Are you aware of any past or present movement, shifting, deterioration, or other problems with walls, foundations, or other

47 structural components? Yes No

48 (c) Are you aware of any past or present problems with driveways, walkways, patios, or retaining walls on the property? Yes No

49 (d) Is your property constructed with an Exterior Insulating Finishing System (EIFS), such as Dryvit or synthetic stucco?

50 Yes No Unknown If yes, date installed, if known

51 (e) Are there any defects (including stains) in flooring or floor coverings? Yes No Unknown

52 (f) Are you aware of any fire, storm, water or ice damage to the property? Yes No

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

54 Buyer Initials: Date SPD Page 1 of 5 Seller Initials: Date



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Bonnie L. Houck

Untitled

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

61	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)
62				
63				
64				
65				
66				
67				

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
00 Other (specify): _____
- 01 (d) When was the on-site sewage disposal system last serviced? _____
- 02 (e) Are there any sewage pumps located on the property? Yes No
03 If yes, type(s) of pump(s) _____ Are pump(s) in working order? Yes No
04 Who is responsible for maintenance of sewage pumps? _____
- 05 (f) Is the sewage system shared? Yes No
- 06 (g) Are you aware of any past or present leaks, backups, or other problems relating to the sewage system and related items? Yes No

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

09 10. PLUMBING SYSTEM

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

15 11. DOMESTIC WATER HEATING

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

20 Buyer Initials: _____ Date _____

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Seller Initials: CAS Date _____

21 12. AIR CONDITIONING SYSTEM

- 22 (a) Type of air conditioning: Central Air Wall Units Window Units None
23 Other (explain):
24 Number of window units included in sale Location(s)
25 (b) Age of Central Air Conditioning System: Unknown Date last serviced, if known
26 (c) List any areas of the house that are not air conditioned:
27 (d) Are you aware of any problems with any item in this section? Yes No
28 If "yes," explain:

29 13. HEATING SYSTEM

- 30 (a) Type(s) of heating fuel(s) (check all that apply): Electric Fuel Oil Natural Gas Propane
31 Coal Wood Other:
32 (b) Type(s) of heating system(s) (check all that apply): Forced Hot Air Hot Water Heat Pump
33 Electric Baseboard Steam Wood Stove (How many?) Coal Stove (How many?)
34 Other:
35 (c) Age of Heating System: Unknown Date last serviced, if known
36 (d) Are there any fireplaces? Yes No If "yes," how many? Are they working? Yes No
37 (e) Are there any chimneys (from a fireplace, water heater or any other heating system)? Yes No
38 If "yes," how many? When were they last cleaned? Unknown
39 Are they working? Yes No If "no," explain:
40 (f) List any areas of the house that are not heated:
41 (g) Are you aware of any heating fuel tanks on the property? Yes No
42 Location(s), including underground tank(s):
43 If you do not own the tanks, explain:

44 Are you aware of any problems or repairs needed regarding any item in this section? Yes No
45 If "yes," explain:
46

47 14. ELECTRICAL SYSTEM

- 48 (a) Type of Electrical System: Fuses Circuit Breakers How Many Amps? Unknown
49 (b) Are you aware of any knob and tube wiring in the home? Yes No
50 Are you aware of any problems or repairs needed in the electrical system? Yes No
51 If "yes," explain:

52 15. OTHER EQUIPMENT AND APPLIANCES

53 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
54 not mean it is included in the Agreement of Sale. Terms of the Agreement of Sale negotiated between Buyer and Seller will
55 determine which items, if any, are included in the purchase of the Property.

- 56 (a) Electric Garage Door Opener Number of Transmitters Keyless Entry
57 (b) Smoke Detectors How many? Location(s)
58 (c) Security Alarm System Owned Leased (Lease Information)
59 (d) Lawn Sprinkler(s) How many? Automatic Timer
60 (e) Swimming Pool Hot Tub/Spa Pool/Spa Heater Pool/Spa Cover Whirlpool/Tub
61 Pool/Spa Equipment and Accessories (list):
62 (f) Refrigerator(s) Range/Oven Microwave Oven Dishwasher Trash Compactor
63 Garbage Disposal Chest Freezer Washer Dryer Intercom
64 (g) Ceiling Fan(s) How many? Location(s)
65 (h) Awnings Attic Fan(s) Satellite Dish Storage Shed Deck(s) Electric Animal Fence
66 (i) Other:

67 Are you aware of any problems or repairs needed regarding any item in this section? Yes No
68 If "yes," explain:

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

- 70 (a) Land/Soils
71 1) Are you aware of any fill or expansive soil on the property? Yes No
72 2) Are you aware of any sliding, settling, earth movement, upheaval, subsidence, or earth stability problems that have
73 occurred on or affect the property? Yes No
74 3) Are you aware of any existing, past or proposed mining, strip-mining, or any other excavations that might affect this
75 property? Yes No
76 Note to Buyer: The property may be subject to mine subsidence damage. Maps of the counties and mines where mine subsidence
77 damage may occur and mine subsidence insurance are available through: Department of Environmental Protection, Mine Subsidence
78 Insurance Fund, 25 Technology Drive, California Technology Park, Coal Center, PA 15423 (800) 922-1678 (within Pennsylvania) or
79 (724) 769-1100 (outside Pennsylvania).

80 Buyer Initials: Date SPD Page 3 of 5 Seller Initials: CAS Date

- 81 4) Is the property, or a portion of it, preferentially assessed for tax purposes, or subject to limited development rights?
 82 Yes No If "yes", check all that apply below:
 83 Farmland and Forest Land Assessment Act - 72 P.S. §5490.1 et seq. (Clean and Green Program)
 84 Open Space Act - 16 P.S. §11941 et seq.
 85 Agricultural Area Security Law - 3 P.S. §901 et seq. (Development Rights)
 86 Other _____

87 **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
 88 operations may be subject to nuisance suits or ordinances. Buyers are encouraged to investigate whether any agricultural operations covered by
 89 the Act operate in the vicinity of the property.

- 90 5) Are you aware of sewage sludge (other than commercially available fertilizer products) being spread on the property, or
 91 have you received written notice of sewage sludge being spread on an adjacent property? Yes No
 92 6) Are you aware of the transfer, sale and/or lease of any of the following property rights (by you or a previous owner of the
 93 property)? Timber Coal Oil Natural Gas Other minerals

94 **Note to Buyer:** Before entering into an agreement of sale, Buyer can investigate the status of these rights by, among other means, engaging legal coun-
 95 sel, obtaining a title examination of unlimited years and searching the official records in the county Office of the Recorder of Deeds, and elsewhere. Buyer
 96 is also advised to investigate the terms of any existing leases, as Buyer may be subject to terms of those leases.

97 Explain any "yes" answers in this section:
 98 _____

99 **(b) Flooding/Drainage**

- 100 1) Is any part of this property located in a wetlands area or a FEMA flood zone? Yes No Unknown
 101 2) Do you know of any past or present drainage or flooding problems affecting the property? Yes No

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

104 **(c) Boundaries**

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

106 **Note to Buyer:** Most properties have easements for utility services and other reasons. These easements generally do not restrict the ordinary use of the
 107 property and Seller may not be aware of them. Before entering into an agreement of sale, Buyers can investigate the existence of easements and similar
 108 restrictions by ordering an Abstract of Title or searching the official records in the county Office of the Recorder of Deeds.

- 109 2) Do you access the property from a private road or lane? Yes No
 110 If yes, do you have a recorded right of way or maintenance agreement? Yes No
 111 3) Are you aware of any shared or common areas (e.g., driveways, bridges, docks, walls, etc.) or maintenance agreements?
 112 Yes No

113 Explain any "yes" answers in this section: _____
 114 _____

115 **17. HAZARDOUS SUBSTANCES AND ENVIRONMENTAL ISSUES**

- 116 (a) Are you aware of any underground tanks (other than home heating fuel or septic tanks disclosed above)? Yes No
 117 (b) Are you aware of any past or present hazardous substances present on the property (structure or soil) such as, but not limited to,
 118 asbestos or polychlorinated biphenyls (PCBs), etc? Yes No
 119 (c) Are you aware of any tests for mold, fungi, or indoor air quality in the property? Yes No
 120 (d) Other than general household cleaning, have you taken any efforts to control or remediate mold or mold-like substances in the
 121 property? Yes No

122 **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,
 123 buyers are encouraged to engage the services of a qualified professional to do testing. Information on this issue is available from the United States
 124 Environmental Protection Agency and may be obtained by contacting IAQ INFO, P.O. Box 37133, Washington, D.C. 20013-7133, 1-800-438-4318.

- 125 (e) Are you aware of any dumping on the property? Yes No
 126 (f) Have you received written notice regarding the presence of an environmental hazard or biohazard on your property or any
 127 adjacent property? Yes No
 128 (g) Are you aware of any tests for radon gas that have been performed in any buildings on the property? Yes No

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

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

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

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

135 DATE INSTALLED TYPE OF SYSTEM PROVIDER WORKING ORDER?
 136 _____ Yes No
 137 _____ Yes No

- 138 (i) If property was constructed, or if construction began, before 1978, you must disclose any knowledge of lead-based paint on the
 139 property. Are you aware of any lead-based paint or lead-based paint hazards on the property? Yes No
 140 If "yes," explain how you know of it, where it is, and the condition of those lead-based paint surfaces: _____
 141 _____

142
 143 Buyer Initials: _____ Date _____ SPD Page 4 of 5 Seller Initials: CAS Date _____

- !44 (j) If property was constructed, or if construction began, before 1978, you must disclose any reports or records of lead-based paint
!45 or lead-based paint hazards on the property. Are you aware of any reports or records regarding lead-based paint or lead-based
!46 paint hazards on the property? Yes No
!47 If "yes," list all available reports and records: _____
!48 (k) Are you aware of testing on the property for any other hazardous substances or environmental concerns? Yes No
!49 (l) Are you aware of any other hazardous substances or environmental concerns that might impact upon the property?
!50 Yes No
!51 Explain any "yes" answers in this section: _____

!52
!53 **18. CONDOMINIUMS AND OTHER HOMEOWNER ASSOCIATIONS (Complete only if applicable)**
!54 Type: Condominium Cooperative Homeowner Association or Planned Community
!55 Other: _____
!56 *Notice regarding Condominiums, Cooperatives, and Planned Communities: A buyer of a resale unit in a condominium, cooperative, or planned
!57 community must receive a copy of the declaration (other than the plats and plans), the by-laws, the rules or regulations, and a certificate of resale issued
!58 by the association in the condominium, cooperative, or planned community. Buyers may be responsible for capital contributions, initiation fees or sim-
!59 ilar one-time fees in addition to regular monthly maintenance fees. The buyer will have the option of canceling the agreement with the return of all
!60 deposit monies until the certificate has been provided to the buyer and for five days thereafter or until conveyance, whichever occurs first.*
!61 **19. MISCELLANEOUS**
!62 (a) Are you aware of any historic preservation restriction or ordinance or archeological designation associated with the property?
!63 Yes No
!64 (b) Are you aware of any existing or threatened legal action affecting the property? Yes No
!65 (c) Are you aware of any violations of federal, state, or local laws or regulations relating to this property? Yes No
!66 (d) Are you aware of any public improvement, condominium or homeowner association assessments against the property that remain
!67 unpaid or of any violations of zoning, housing, building, safety or fire ordinances that remain uncorrected? Yes No
!68 (e) Are you aware of any judgment, encumbrance, lien (for example, co-maker or equity loan), overdue payment on a support obli-
!69 gation, or other debt against this property that cannot be satisfied by the proceeds of this sale? Yes No
!70 (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
!71 property? Yes No
!72 (g) Are you aware of any insurance claims filed relating to the property? Yes No
!73 (h) Are you aware of any material defects to the property, dwelling, or fixtures which are not disclosed elsewhere on this form?
!74 Yes No
!75 A material defect is a problem with a residential real property or any portion of it that would have a significant adverse impact
!76 on the value of the property or that involves an unreasonable risk to people on the property. The fact that a structural element,
!77 system or subsystem is at or beyond the end of normal useful life of such a structural element, system or subsystem is not by
!78 itself a material defect.

!79 Explain any "yes" answers in this section: _____
!80

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

!86 WITNESS _____ SELLER Candice Thomas DATE 9/9/11
!87 WITNESS _____ SELLER _____ DATE _____
!88 WITNESS _____ SELLER _____ DATE _____

!89 **EXECUTOR, ADMINISTRATOR, TRUSTEE SIGNATURE BLOCK**
!90 According to the provisions of the Real Estate Seller Disclosure Law, the undersigned executor, administrator or trustee is not required
!91 to fill out a Seller's Property Disclosure Statement. The executor, administrator or trustee, must, however, disclose any known mate-
!92 rial defect(s) of the property.
!93 _____ Candice Thomas DATE 9/9/11

!94 **RECEIPT AND ACKNOWLEDGEMENT BY BUYER**
!95 The undersigned Buyer acknowledges receipt of this Disclosure Statement. Buyer acknowledges that this Statement is not a
!96 warranty and that, unless stated otherwise in the sales contract, Buyer is purchasing this property in its present condition. It
!97 is Buyer's responsibility to satisfy himself or herself as to the condition of the property. Buyer may request that the property
!98 be inspected, at Buyer's expense and by qualified professionals, to determine the condition of the structure or its components.
!99 WITNESS _____ BUYER _____ DATE _____
!00 WITNESS _____ BUYER _____ DATE _____
!01 WITNESS _____ BUYER _____ DATE _____

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 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.