

STATE OF NORTH CAROLINA RESIDENTIAL PROPERTY AND OWNERS' ASSOCIATION DISCLOSURE STATEMENT

Instructions to Property Owners

- 1. The Residential Property Disclosure Act (*G.S.* 47E) ("Disclosure Act") requires owners of residential real estate (single-family homes, individual condominiums, townhouses, and the like, and buildings with up to four dwelling units) to furnish buyers a Residential Property and Owners' Association Disclosure Statement ("Disclosure Statement"). This form is the only one approved for this purpose. A disclosure statement must be furnished in connection with the sale, exchange, option, and sale under a lease with option to purchase where the tenant does not occupy or intend to occupy the dwelling. A disclosure statement is not required for some transactions, including the first sale of a dwelling which has never been inhabited and transactions of residential property made pursuant to a lease with option to purchase where the lessee occupies or intends to occupy the dwelling. For a complete list of exemptions, see G.S. 47E-2.
- 2. You must respond to each of the questions on the following pages of this form by filling in the requested information or by placing a check ($\sqrt{}$) in the appropriate box. In responding to the questions, you are only obligated to disclose information about which you have actual knowledge.
 - a. If you check "Yes" for any question, you must explain your answer and either describe any problem or attach a report from an attorney, engineer, contractor, pest control operator or other expert or public agency describing it. If you attach a report, you will not be liable for any inaccurate or incomplete information contained in it so long as you were not grossly negligent in obtaining or transmitting the information.
 - b. If you check "No," you are stating that you have no actual knowledge of any problem. If you check "No" and you know there is a problem, you may be liable for making an intentional misstatement.
 - c. If you check "No Representation," you are choosing not to disclose the conditions or characteristics of the property, even if you have actual knowledge of them or should have known of them.
 - d. If you check "Yes" or "No" and something happens to the property to make your Disclosure Statement incorrect or inaccurate (for example, the roof begins to leak), you must promptly give the buyer a corrected Disclosure Statement or correct the problem.
- 3. If you are assisted in the sale of your property by a licensed real estate broker, you are still responsible for completing and delivering the Disclosure Statement to the buyers; and the broker must disclose any material facts about your property which he or she knows or reasonably should know, regardless of your responses on the Disclosure Statement.
- 4. You must give the completed Disclosure Statement to the buyer no later than the time the buyer makes an offer to purchase your property. If you do not, the buyer can, under certain conditions, cancel any resulting contract (See "Note to Buyers" below). You should give the buyer a copy of the Disclosure Statement containing your signature and keep a copy signed by the buyer for your records.

Note to Buyer: If the owner does not give you a Residential Property and Owners' Association Disclosure Statement by the time you make your offer to purchase the property, you may under certain conditions cancel any resulting contract without penalty to you as the buyer. To cancel the contract, you must personally deliver or mail written notice of your decision to cancel to the owner or the owner's agent within three calendar days following your receipt of the Disclosure Statement, or three calendar days following the date of the contract, whichever occurs first. However, in no event does the Disclosure Act permit you to cancel a contract after settlement of the transaction or (in the case of a sale or exchange) after you have occupied the property, whichever occurs first.

5. In the space below, type or print in ink the address of the property (sufficient to identify it) and your name. Then sign and date. Property Address: 30 Kent Lane, Hendersonville, North Carolina 28739

Owner's Name(s): Margaret Prothe, Benjamin Prothe

Owner(s) acknowledge(s) having examined this Disclosure Statement before signing and that all information is true and correct as of the date signed.

Owner Signature: Benjamin Prothe	04/02/24 7:42 PM EDT HKF2-FMVL-2DN4-FRIX	Date 04/02/2024
Owner Signature: Marguret Prothe	dotloop verified 04/02/24 9:52 AM EDT NAAC-VRQW-T6OZ-QKHV	Date 04/02/2024

Buyers acknowledge receipt of a copy of this Disclosure Statement; that they have examined it before signing; that they understand that this is not a warranty by owners or owners' agents; that it is not a substitute for any inspections they may wish to obtain; and that the representations are made by the owners and not the owners' agents or subagents. Buyers are strongly encouraged to obtain their own inspections from a licensed home inspector or other professional. As used herein, words in the plural include the singular, as appropriate.

Date

Date

Buyer Signature:

Buyer Signature:

Property Address/Description: 30 Kent Lane, Hendersonville, North Carolina 28739

The following questions address the characteristics and condition of the property identified above about which the owner has <u>actual knowledge</u>. Where the question refers to "dwelling," it is intended to refer to the dwelling unit, or units if more than one, to be conveyed with the property. The term "dwelling unit" refers to any structure intended for human habitation.

		Yes	<u>No</u>	<u>No</u> <u>Representation</u>
1.	In what year was the dwelling constructed? 1974 Explain if necessary:			
2.	Is there any problem, malfunction or defect with the dwelling's foundation, slab, fireplaces/chimneys, floors, windows (including storm windows and screens), doors, ceilings, interior and exterior walls, attached garage, patio, deck or other structural components including any modifications to them?			
	The dwelling's exterior walls are made of what type of material? ☑ Brick Veneer □ Wood □ Stone □ Vinyl □ Synthetic Stucco □ Composition/Hardboard □ Concrete □ Fiber Cement □ Aluminum □ Asbestos □ Other(Check all that apply)			
4.	In what year was the dwelling's roof covering installed? (Approximate if no records are available) Explain if necessary:			
5.	Is there any leakage or other problem with the dwelling's roof?		\checkmark	
6.	Is there any water seepage, leakage, dampness or standing water in the dwelling's basement, crawl space, or slab?		\checkmark	
7.	Is there any problem, malfunction or defect with the dwelling's electrical system (outlets, wiring, panel, switches, fixtures, generator, etc.)?		\checkmark	
8.	Is there any problem, malfunction or defect with the dwelling's plumbing system (pipes, fixtures, water heater, etc.)?		\checkmark	
9.	Is there any problem, malfunction or defect with the dwelling's heating and/or air conditioning?		\checkmark	
10.	What is the dwelling's heat source? Furnace Heat Pump Baseboard Other Wall furnace (Check all that apply) Age of system:			п
11.	What is the dwelling's cooling source? Central Forced Air Wall/Window Unit(s) Other Wall furnace (Check all that apply) Age of system:			П
12.	What are the dwelling's fuel sources? Electricity Natural Gas Propane Oil Other(Check all that apply)			
	If the fuel source is stored in a tank, identify whether the tank is \square above ground or \square below ground, and whether the tank is \square leased by seller or \square owned by seller. (Check all that apply)			
13.	What is the dwelling's water supply source? City/County Community System Private Well Shared Well Other (Check all that apply)			
14.	The dwelling's water pipes are made of what type of material? ☐ Copper ☐ Galvanized ☑ Plastic ☐ Polybutylene ☐ Other (Check all that apply)			
15.	Is there any problem, malfunction or defect with the dwelling's water supply (including water quality, quantity, or water pressure)?			
16.	What is the dwelling's sewage disposal system? ☑ Septic Tank □ Septic Tank with Pump □ Community System □ Connected to City/County System □ City/County System available □ Straight pipe (wastewater does not go into a septic or other sewer system [note: use of this type of system violates state law]) □ Other (Check all that apply)			
17.	If the dwelling is serviced by a septic system, do you know how many bedrooms are allowed by the septic system permit? If your answer is "yes," how many bedrooms are allowed? <u>3</u> No records available			
18.	Is there any problem, malfunction or defect with the dwelling's sewer and/or septic system?			
19.	Is there any problem, malfunction or defect with the dwelling's central vacuum, pool, hot tub, spa, attic fan, exhaust fan, ceiling fans, sump pump, irrigation system, TV cable wiring or satellite dish, garage door openers,		<u> </u>	
	gas logs, or other systems?		\checkmark	
20.	Is there any problem, malfunction or defect with any appliances that may be included in the conveyance (range/oven, attached microwave, hood/fan, dishwasher, disposal, etc.)?			
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Buyer Initials and Date

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Owner Initials and Date

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		Yes	<u>No</u>	<u>No</u> <u>Representation</u>	
21.	Is there any problem with present infestation of the dwelling, or damage from past infestation of wood destroying insects or organisms which has not been repaired?		\checkmark		
22.	Is there any problem, malfunction or defect with the drainage, grading or soil stability of the property?		\checkmark		
23.	Are there any structural additions or other structural or mechanical changes to the dwelling(s) to be conveyed with the property?				
24.	Is the property to be conveyed in violation of any local zoning ordinances, restrictive covenants, or other land- use restrictions, or building codes (including the failure to obtain proper permits for room additions or other changes/improvements)?				
25.	Are there any hazardous or toxic substances, materials, or products (such as asbestos, formaldehyde, radon gas, methane gas, lead-based paint) which exceed government safety standards, any debris (whether buried or covered) or underground storage tanks, or any environmentally hazardous conditions (such as contaminated soil or water, or other environmental contamination) located on or which otherwise affect the property?			П	
26.	Is there any noise, odor, smoke, etc. from commercial, industrial, or military sources which affects the property?		\checkmark		
27.	Is the property subject to any utility or other easements, shared driveways, party walls or encroachments from or on adjacent property?		\checkmark		
28.	Is the property the subject of any lawsuits, foreclosures, bankruptcy, leases or rental agreements, judgments, tax liens, proposed assessments, mechanics' liens, materialmens' liens, or notices from any governmental agency that could affect title to the property?		\checkmark		
29.	Is the property subject to a flood hazard or is the property located in a federally-designated flood hazard area?		\checkmark		
30.	Does the property abut or adjoin any private road(s) or street(s)?		\checkmark		
31.	If there is a private road or street adjoining the property, is there in existence any owners' association or maintenance agreements dealing with the maintenance of the road or street?		\checkmark		
	ou answered "yes" to any of the questions listed above (1-31) please explain (attach additional sheets if ne	cessa	ary):		
	radon mitigation system installed in 2022				
	urrent water issues. Remediation completed March 2024. See attached invoice on MLS. ieu of providing a written explanation, you may attach a written report to this Disclosure Statement by a p	ublic		agy or by an	
atto	rney, engineer, land surveyor, geologist, pest control operator, contractor, home inspector, or other expert, dealin scope of that public agency's functions or the expert's license or expertise.	ng wi	ith m	atters within	
The following questions pertain to the property identified above, including the lot to be conveyed and any dwelling unit(s), sheds, detached garages, or other buildings located thereon.					
32.	Is the property subject to governing documents which impose various mandatory covenants, conditions, and restrictions upon the lot or unit?			No Representation	
	If you answered "yes" to the question above, please explain (attach additional sheets if necessary):				
	Subdivision C&Rs	1			
33.	33. Is the property subject to regulation by one or more owners' association(s) including, but not limited to, obligations to pay regular assessments or dues and special assessments? If you answer is "yes," please provide the information requested below as to each owners' association to which the property is subject [insert N/A into any blank that does not apply]:				
	• (specify name)Arthur Mack whose regular a	issess	smen	ts ("dues")	
	are \$25 per year The name, address and telephone number of the president of the owne	rs' as	socia	tion or the	
	association manager are mackar4264@yahoo.com				
	• (specify name) whose regular a	issess	smen	ts ("dues")	
	are \$ The name, address and telephone number of the president of the owne	rs' as	socia	tion or the	
association manager are					
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 *If you answered "Yes" to question 33 above, you must complete the remainder of this Disclosure Sta "No" or "No Representation" to question 33 above, you do not need to answer the remaining quest Statement. Skip to the bottom of the last page and initial and date the page. 34. Are any fees charged by the association or by the association's management company in connection with conveyance or transfer of the lot or property to a new owner? If your answer is "yes," please state the amon of the fees: 	tions on this D $\frac{Yes}{D} \stackrel{No}{\longrightarrow} \frac{Re}{D}$	answered isclosure <u>No</u> presentation
35. As of the date this Disclosure Statement is signed, are there any dues, fees, or special assessments which h been duly approved as required by the applicable declaration or bylaws, and that are payable to an associat to which the lot is subject? If your answer is "yes," please state the nature and amount of the dues, fees, special assessments to which the property is subject:	ion	
36. As of the date this Disclosure Statement is signed, are there any unsatisfied judgments against, or pend lawsuits <i>involving the property or lot to be conveyed</i> ? If your answer is "yes," please state the nature of expending lawsuit, and the amount of each unsatisfied judgment:	ing 🛛 🗹 ach	
37. As of the date this Disclosure Statement is signed, are there any unsatisfied judgments against, or pending lawsuits <i>involving the planned community or the association to which the property and lot are subject</i> , with th exception of any action filed by the association for the collection of delinquent assessments on lots other than the property and lot to be conveyed? If your answer is "yes," please state the nature of each pending lawsuit, and the amount of each unsatisfied judgment:	.e	

38.	Which of the following services and amenities are paid for by the owners' association(s) identified above out of the association's regular assessments ("dues")? (Check all that apply).	Yes No	<u>No</u> Representation
	Management Fees		
	Exterior Building Maintenance of Property to be Conveyed		
	Master Insurance		
	Exterior Yard/Landscaping Maintenance of Lot to be Conveyed		
	Common Areas Maintenance		
	Trash Removal		
	Recreational Amenity Maintenance (specify amenities covered)		
		$\Box \square$	
	Pest Treatment/Extermination	\Box	
	Street Lights	\Box	
	Water	$\Box \blacksquare$	
	Sewer	$\Box \square$	
	Storm water Management/Drainage/Ponds	\Box	
	Internet Service		
	Cable		
	Private Road Maintenance		
	Parking Area Maintenance		
	Gate and/or Security		
	Other: (specify)		
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