



# RESIDENTIAL SELLER'S PROPERTY DISCLOSURE STATEMENT (SPDS) (TO BE COMPLETED BY SELLER)



REALTOR® The printed portion of this FORM has been approved by the Arizona Association of Realtors®. This is NOT intended to be a binding contract.

### 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 below 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, 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).

## OWNERSHIP AND PROPERTY

- 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.

3. **PROPERTY ADDRESS:** 3000 Ironwood Road Carefree AZ 85377  
(STREET ADDRESS) (CITY) (STATE) (ZIP)

- 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 are being transferred, the Seller must furnish the Buyer with a written Affidavit of Disclosure in the form required by law.**

6. **LEGAL OWNER(S) OF PROPERTY:** \_\_\_\_\_ Date Purchased: \_\_\_\_\_

- Is the legal owner(s) of the Property a foreign person or a non-resident alien pursuant to the Foreign Investment in Real Property Tax Act (FIRPTA)?  Yes  No **If yes, consult a tax advisor; mandatory withholding may apply.**

- Is the property located in a community defined by the fair housing laws as housing for older persons?  Yes  No

10. Explain: \_\_\_\_\_

- Approximate year built: 2006. **If Property was built prior to 1978, Seller must furnish the Buyer with a lead-based paint disclosure form.**

12. **NOTICE TO BUYER: IF THE PROPERTY IS IN A SUBDIVISION, A PUBLIC REPORT, WHICH CONTAINS A VARIETY OF INFORMATION ABOUT THE SUBDIVISION AT THE TIME THE SUBDIVISION WAS APPROVED, MAY BE AVAILABLE BY CONTACTING THE ARIZONA DEPARTMENT OF REAL ESTATE OR THE HOMEBUILDER. THE PUBLIC REPORT INFORMATION MAY BE OUTDATED.**

- The Property is currently:  Owner-occupied  Leased  Estate  Foreclosure  Vacant **If vacant, how long?** \_\_\_\_\_

16. If a rental property, how long? \_\_\_\_\_ Expiration date of current lease: \_\_\_\_\_ (Attach a copy of the lease if available.)

17. If any refundable deposits or prepaid rents are being held, by whom and how much? Explain: \_\_\_\_\_

18. \_\_\_\_\_

- |     |                                     |                                     |  |
|-----|-------------------------------------|-------------------------------------|--|
| 19. | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | Have you entered into any agreement to transfer your interest in the Property in any way, including rental renewals or options to purchase? Explain: _____ |
| 20. |                                     |                                     |  |
| 21. | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | Are you aware if there are any association(s) governing this Property?   |
| 22. |                                     |                                     | If yes, provide contact(s) information: Name: <u>Boulders HOA</u> Phone #: _____   |
| 23. |                                     |                                     | If yes, are there any fees? How much? \$ <u>360 Quarterly</u> How often? _____   |
| 24. | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | Are you aware of any transfer fees or other fees due upon transfer of the Property? Explain: _____   |
| 25. |                                     |                                     |  |

Initials: \_\_\_\_\_  
 BUYER BUYER



- YES NO**
26.   Are you aware of any proposed or existing association assessment(s)? Explain: \_\_\_\_\_
27. \_\_\_\_\_
28.   Are you aware of any pending or anticipated disputes or litigation regarding the Property or the association(s)?
29. Explain: \_\_\_\_\_
30.   Are you aware of any of the following recorded against the Property? (Check all that apply):
31.  Judgment liens  Tax liens  Other non-consensual liens
32. Explain: \_\_\_\_\_
33.   Are you aware of any assessments affecting this Property? (Check all that apply):
34.  Paving  Sewer  Water  Electric  Other \_\_\_\_\_
35. Explain: \_\_\_\_\_
36.   Are you aware of any title issues affecting this Property? (Check all that apply):
37.  Recorded easements  Use restrictions  Lot line disputes  Encroachments
38.  Unrecorded easements  Use permits  Other \_\_\_\_\_
39. Explain: \_\_\_\_\_
40.   Are you aware of any public or private use paths or roadways on or across this Property?
41. Explain: \_\_\_\_\_
42.   Are you aware of any problems with legal or physical access to the Property? Explain: \_\_\_\_\_
43. The road/street access to the Property is maintained by the  County  City  Homeowners' Association  Privately
44.   If privately maintained, is there a recorded road maintenance agreement? Explain: \_\_\_\_\_
45.   Are you aware of any violation(s) of any of the following? (Check all that apply):
46.  Zoning  Building Codes  Utility Service  Sanitary health regulations
47.  Covenants, Conditions, Restrictions (CC&R's)  Other \_\_\_\_\_ (Attach a copy of notice(s) of violation if available.)
48. Explain: \_\_\_\_\_
49. \_\_\_\_\_
50.   Are you aware of any homeowner's insurance claims having been filed against the Property?
51. Explain: \_\_\_\_\_

52. **NOTICE TO BUYER: YOUR CLAIMS HISTORY, YOUR CREDIT REPORT, THE PROPERTY'S CLAIMS HISTORY**

53. **AND OTHER FACTORS MAY AFFECT THE INSURABILITY OF THE PROPERTY AND AT WHAT COST. UNDER**

54. **ARIZONA LAW, YOUR INSURANCE COMPANY MAY CANCEL YOUR HOMEOWNER'S INSURANCE WITHIN 60**

55. **DAYS AFTER THE EFFECTIVE DATE. CONTACT YOUR INSURANCE COMPANY.**

## BUILDING AND SAFETY INFORMATION

- YES NO**
- STRUCTURAL:**
56. \_\_\_\_\_
57.   Are you aware of any past or present roof leaks? Explain: \_\_\_\_\_
58. \_\_\_\_\_
59.   Are you aware of any other past or present roof problems? Explain: \_\_\_\_\_
60. \_\_\_\_\_
61.   Are you aware of any roof repairs? Explain: \_\_\_\_\_
62. \_\_\_\_\_
63.   Is there a roof warranty? (Attach a copy of warranty if available.)
64.   If yes, is the roof warranty transferable? Cost to transfer \_\_\_\_\_
65. **NOTICE TO BUYER: CONTACT A PROFESSIONAL TO VERIFY THE CONDITION OF THE ROOF.**
66.   Are you aware of any interior wall/ceiling/door/window/floor problems? Explain: \_\_\_\_\_
67. \_\_\_\_\_
68.   Are you aware of any cracks or settling involving the foundation, exterior walls or slab? Explain: \_\_\_\_\_
69. \_\_\_\_\_
70.   Are you aware of any chimney or fireplace problems, if applicable? Explain: \_\_\_\_\_
71. \_\_\_\_\_

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YES NO

72.   Are you aware of any damage to any structure on the Property by any of the following? (Check all that apply):  
73.  Flood  Fire  Wind  Expansive soil(s)  Water  Hail  Other \_\_\_\_\_  
74. Explain: \_\_\_\_\_

**WOOD INFESTATION**

75. Are you aware of any of the following:  
76.   Past presence of termites or other wood destroying organisms on the Property?  
77.   Current presence of termites or other wood destroying organisms on the Property?  
78.   Past or present damage to the Property by termites or other wood destroying organisms?  
79. Explain: \_\_\_\_\_  
80. \_\_\_\_\_  
81. \_\_\_\_\_  
82.   Are you aware of past or present treatment of the Property for termites or other wood destroying organisms?  
83. If yes, date last treatment was performed: \_\_\_\_\_  
84. Name of treatment provider: \_\_\_\_\_  
85.   Is there a treatment warranty? (Attach a copy of warranty if available.)  
86.   If yes, is the treatment warranty transferrable?

**NOTICE TO BUYER: CONTACT STATE OF ARIZONA STRUCTURAL PEST CONTROL COMMISSION FOR PAST TERMITE REPORTS OR TREATMENT HISTORY.**

**HEATING & COOLING:**

89. Heating: Type(s) GAS  
90. Cooling: Type(s) ELECTRIC  
91.   Are you aware of any past or present problems with the heating or cooling system(s)?  
92. Explain: \_\_\_\_\_  
93. \_\_\_\_\_

**PLUMBING:**

94.   Are you aware of the type of water pipes, such as galvanized, copper, PVC, CPVC or polybutylene?  
95. If yes, identify: \_\_\_\_\_  
96.   Are you aware of any past or present plumbing problems? Explain: \_\_\_\_\_  
97. \_\_\_\_\_  
98.   Are you aware of any water pressure problems? Explain: \_\_\_\_\_  
99. Type of water heater(s):  Gas  Electric  Solar Approx. age(s): \_\_\_\_\_  
100.   Are you aware of any past or present water heater problems? Explain: \_\_\_\_\_  
101. \_\_\_\_\_  
102.   Is there a landscape watering system? If yes, type:  automatic timer  manual  both  
103.   If yes, are you aware of any past or present problems with the landscape watering system?  
104. Explain: \_\_\_\_\_  
105.   Are there any water treatment systems? (Check all that apply):  
106.  water filtration  reverse osmosis  water softener  Other \_\_\_\_\_  
107. Is water treatment system(s)  owned  leased (Attach a copy of lease if available.)  
108.   Are you aware of any past or present problems with the water treatment system(s)?  
109. Explain: \_\_\_\_\_  
110. \_\_\_\_\_

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

111.   Does the Property contain any of the following? (Check all that apply):  
112.  Swimming pool  Spa  Hot tub  Sauna  Water feature  
113. If yes, are either of the following heated?  Swimming pool  Spa If yes, type of heat: \_\_\_\_\_  
114.   Are you aware of any past or present problems relating to the swimming pool, spa, hot tub, sauna or water feature?  
115. Explain: \_\_\_\_\_  
116. \_\_\_\_\_



YES NO

117. **ELECTRICAL AND OTHER RELATED SYSTEMS:**
118.   Are you aware of any past or present problems with the electrical system? Explain: \_\_\_\_\_
119. \_\_\_\_\_
120.   Is there a security system? If yes, is it (Check all that apply):  
 Leased (Attach copy of lease if available)  Owned  Monitored  Other \_\_\_\_\_
121. \_\_\_\_\_
122.   Are you aware of any past or present problems with the security system? Explain: \_\_\_\_\_
123. \_\_\_\_\_
124.   Does the Property contain any of the following systems or detectors? (Check all that apply):  
 Smoke/fire detection  Fire suppression (sprinklers)  Carbon monoxide detector
125. \_\_\_\_\_
126. If yes, are you aware of any past or present problems with the above systems? Explain: \_\_\_\_\_
127. \_\_\_\_\_

128. **MISCELLANEOUS:**
129.   Are you aware of or have you observed any of the following on the Property? (Check all that apply):  
 Scorpions  Rabid animals  Bee swarms  Rodents  Owls  Reptiles  Other: \_\_\_\_\_
130. \_\_\_\_\_
131. Explain: \_\_\_\_\_
132. How often is the Property serviced or treated for pests, reptiles, insects or animals? \_\_\_\_\_
133. Name of service provider: \_\_\_\_\_ Date of last service: \_\_\_\_\_
134.   Are you aware of any work done on the Property, such as building, plumbing, electrical or other improvements?  
**(If no, skip to line 144.)**
135. Explain: \_\_\_\_\_
136. \_\_\_\_\_
137.   Are you aware of any rooms added to the Property or converted to bedrooms?
138.   Were permits for the work required? Explain: \_\_\_\_\_
139.   If yes, were permits for the work obtained? Explain: \_\_\_\_\_
140.   Was the work performed by a person licensed to perform the work? Explain: \_\_\_\_\_
141.   Was approval for the work required by any association governing the property? Explain: \_\_\_\_\_
142.   If yes, was approval granted by the association? Explain: \_\_\_\_\_
143.   Was the work completed? Explain: \_\_\_\_\_
144.   Are there any security bars or other obstructions to door or window openings? Explain: \_\_\_\_\_
145.   Are you aware of any past or present problems with any built-in appliances? Explain: \_\_\_\_\_
146. \_\_\_\_\_
147.   Are there any leased propane tanks, equipment or other systems on the Property? Explain: \_\_\_\_\_
148. \_\_\_\_\_

### UTILITIES

149. **DOES THE PROPERTY CURRENTLY RECEIVE THE FOLLOWING SERVICES?**
- | YES                                 | NO                       | PROVIDER   |
|-------------------------------------|--------------------------|--|
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Electricity: _____   |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Fuel: <input checked="" type="checkbox"/> Natural gas <input type="checkbox"/> Propane <input type="checkbox"/> Oil _____  |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Cable: _____   |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Telephone: _____   |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Garbage Collection: _____  |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Fire: _____  |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Irrigation: _____  |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Water Source: <input checked="" type="checkbox"/> Public <input type="checkbox"/> Private water co. <input type="checkbox"/> Private well <input type="checkbox"/> Shared well <input type="checkbox"/> Hauled water _____ |
158. If water source is a private or shared well, complete and attach DOMESTIC WATER WELL/WATER USE ADDENDUM.
159. If source is public, a private water company, or hauled water, Provider is: \_\_\_\_\_
160. **NOTICE TO BUYER: IF THE PROPERTY IS SERVED BY A WELL, PRIVATE WATER COMPANY OR A**
161. **MUNICIPAL WATER PROVIDER, THE ARIZONA DEPARTMENT OF WATER RESOURCES MAY NOT HAVE MADE**
162. **A WATER SUPPLY DETERMINATION. FOR MORE INFORMATION ABOUT WATER SUPPLY,**
163. **CONTACT THE WATER PROVIDER.**



164. YES  NO  Are you aware of any past or present drinking water problems? Explain: \_\_\_\_\_
165. \_\_\_\_\_
166. YES  NO  Are there any alternate power systems serving the Property? If yes, indicate type (Check all that apply):  
 167.  Solar  Wind  Generator  Other \_\_\_\_\_
168. If yes, are you aware of any past or present problems with the alternate power system(s)? Explain: \_\_\_\_\_
169. \_\_\_\_\_

## ENVIRONMENTAL INFORMATION

170. YES  NO  Are you aware of any past or present issues or problems with any of the following on the Property? (Check all that apply):  
 171.  Soil settlement/expansion  Drainage/grade  Erosion  Fissures  Dampness/moisture  Other  
 172. Explain: \_\_\_\_\_
173. YES  NO  Are you aware of any past or present issues or problems in close proximity to the Property related to any of  
 174. the following? (Check all that apply):  
 175.  Soil settlement/expansion  Drainage/grade  Erosion  Fissures  Other \_\_\_\_\_
176. Explain: \_\_\_\_\_
177. YES  NO  Are you aware if the Property is subject to any present or proposed effects of any of the following? (Check all that apply):  
 178.  Airport noise  Traffic noise  Rail line noise  Neighborhood noise  Landfill  Toxic waste disposal  
 179.  Odors  Nuisances  Sand/gravel operations  Other \_\_\_\_\_
180. Explain: \_\_\_\_\_
181. YES  NO  Are you aware if the Property is located in the vicinity of an airport (military, public, or private)?  
 182. Explain: \_\_\_\_\_
183. YES  NO  Are you aware of the presence of any of the following on the Property, past or present? (Check all that apply):  
 184.  Asbestos  Radon gas  Lead-based paint  Pesticides  Underground storage tanks  Fuel/chemical storage  
 185. Explain: \_\_\_\_\_
186. YES  NO  Are you aware if the Property is located within any of the following? (Check all that apply):  
 187.  Superfund/ WQARF/ CERCLA  Wetlands area
188. YES  NO  Are you aware of any open mine shafts/tunnels or abandoned wells on the Property?  
 189. If yes, describe location: \_\_\_\_\_
190. YES  NO  Are you aware if any portion of the Property is in a flood plain/way? Explain: \_\_\_\_\_
191. \_\_\_\_\_
192. YES  NO  Are you aware of any portion of the Property ever having been flooded? Explain: \_\_\_\_\_
193. \_\_\_\_\_
194. YES  NO  Are you aware of any water damage or water leaks of any kind on the Property? Explain: \_\_\_\_\_
195. \_\_\_\_\_
196. YES  NO  Are you aware of any past or present mold growth on the Property? If yes, explain: \_\_\_\_\_
197. \_\_\_\_\_

## SEWER/WASTEWATER TREATMENT

198. YES  NO  Is the entire Property connected to a sewer? Explain: \_\_\_\_\_
199. YES  NO  If yes, has a professional verified the sewer connection? If yes, how and when: \_\_\_\_\_
200. **NOTICE TO BUYER: CONTACT A PROFESSIONAL TO CONDUCT A SEWER VERIFICATION TEST.**
201. Type of sewer:  Public  Private  Planned and approved sewer system, but not connected
202. Name of Provider \_\_\_\_\_
203. YES  NO  Are you aware of any past or present problems with the sewer? Explain: \_\_\_\_\_
204. YES  NO  Is the Property served by an On-Site Wastewater Treatment Facility? (If no, skip to line 217.)
205. If yes, the Facility is:  Conventional septic system  Alternative system; type: \_\_\_\_\_

Initials: \_\_\_\_\_ / \_\_\_\_\_  
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- YES NO
206.   If the Facility is an alternative system, is it currently being serviced under a maintenance contract?  
 207. If yes, name of contractor: \_\_\_\_\_ Phone #: \_\_\_\_\_  
 208. Approximate year Facility installed: \_\_\_\_\_ (Attach copy of permit if available.)  
 209.   Are you aware of any repairs or alterations made to this Facility since original installation?  
 210. Explain: \_\_\_\_\_  
 211. \_\_\_\_\_  
 212. Approximate date of last Facility inspection and/or pumping of septic tank: \_\_\_\_\_  
 213.   Are you aware of any past or present problems with the Facility? Explain: \_\_\_\_\_  
 214. \_\_\_\_\_  
 215. **NOTICE TO SELLER AND BUYER: THE ARIZONA DEPARTMENT OF ENVIRONMENTAL QUALITY REQUIRES A**  
 216. **PRE-TRANSFER INSPECTION OF ON-SITE WASTEWATER TREATMENT FACILITIES ON RE-SALE PROPERTIES.**

### OTHER CONDITIONS AND FACTORS

217. What other material (important) information are you aware of concerning the Property that might affect the buyer's decision-making  
 218. process, the value of the Property, or its use? Explain: \_\_\_\_\_  
 219. \_\_\_\_\_  
 220. \_\_\_\_\_  
 221. \_\_\_\_\_  
 222. \_\_\_\_\_

### ADDITIONAL EXPLANATIONS

223. \_\_\_\_\_  
 224. \_\_\_\_\_  
 225. \_\_\_\_\_  
 226. \_\_\_\_\_  
 227. \_\_\_\_\_  
 228. \_\_\_\_\_  
 229. \_\_\_\_\_  
 230. \_\_\_\_\_

231. **SELLER CERTIFICATION:** Seller certifies that the information contained herein is true and complete to the best of Seller's  
 232. knowledge as of the date signed. Seller agrees that any changes in the information contained herein will be disclosed in writing by  
 233. Seller to Buyer prior to Close of Escrow, including any information that may be revealed by subsequent inspections.

234. *Joseph A. Hathaway* \_\_\_\_\_ *Judy Gould* \_\_\_\_\_  
 SELLER Joseph A. Hathaway MO/DA/YR SELLER Judy Gould MO/DA/YR

235. **Reviewed and updated:** Initials: \_\_\_\_\_  
 SELLER SELLER MO/DA/YR

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

240. **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  
 241. 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  
 242. 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.

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

245. \_\_\_\_\_ MO/DA/YR BUYER \_\_\_\_\_ MO/DA/YR

Initials: \_\_\_\_\_  
 BUYER BUYER

