

REAL ESTATE AUCTION

**302 FIRESIDE DRIVE CAMP HILL, PA
PINEBROOK, HAMPDEN TOWNSHIP, CUMBERLAND
COUNTY, CUMBERLAND VALLEY SCHOOLS**

SATURDAY, JULY 30, 2005

12:00 O'CLOCK NOON

OPEN HOUSE SUNDAY JULY 17TH & 24TH 1-4 PM

**4 BEDROOM, 2 ½ BATHS, LARGE SPLIT LEVEL HOME ON MORE THAN 1/3 OF
AN ACRE IN ONE OF THE WEST SHORE'S MOST CONVENIENT LOCATIONS**

This split-level home boasts large rooms throughout. The overall living area is 2,344 square feet (drawing and calculations below.) The living room is over 25' long with a large bow window, formal dining room with a picture window overlooking the rear yard, eat-in kitchen with range and self-cleaning oven, new built-in microwave oven, dishwasher and disposer. The family room is almost 17 x 19, with sliding glass door access to the patio and rear yard, and access to the garage. On the first level, there is also a den or computer room or sewing room that also has a built-in safe for valuables or guns. An ADT alarm system with several motion detectors and perimeter intrusion sensors add to the security of the premises. A powder room and a laundry room round out the first floor living area.

The second floor has a large master bedroom (18'9" x 13'4") with a separate shower bath and a walk-in closet. The other 3 bedrooms each measure 9'10" x 13'6" plus 6' closets in each room. The main bath is quite spacious with a linen closet.

There is a partial unfinished basement that is divided into two rooms. The house is air conditioned, has electric baseboard heat, public water and public sewer.

The lot measures approximately 104.96 x 166.87 x 112.5 x 124.35 and contains 0.36 acres. This is one of the larger lots in Pinebrook. The rear yard is nearly level, with a small hill at one end. Mature shrubbery, trees and perennial flowers accent the property. The "Hidden Park" is within a stone's throw from the rear yard.

This piece of real estate has it all, including the three most important features of all real estate - location, location, location. Located near the 4000 block of the Carlisle Pike, this neighborhood is convenient to businesses of every type and size, yet it is tucked away where the most noise that you will hear is the ducks quacking or the grass growing. The area has convenient access to the Capitol Beltway with entrances from Trindle Road and Creekview Road. The Capitol Beltway connects to I-81 and I-83. There is only one traffic light between your new home and the Interstate Highway system.

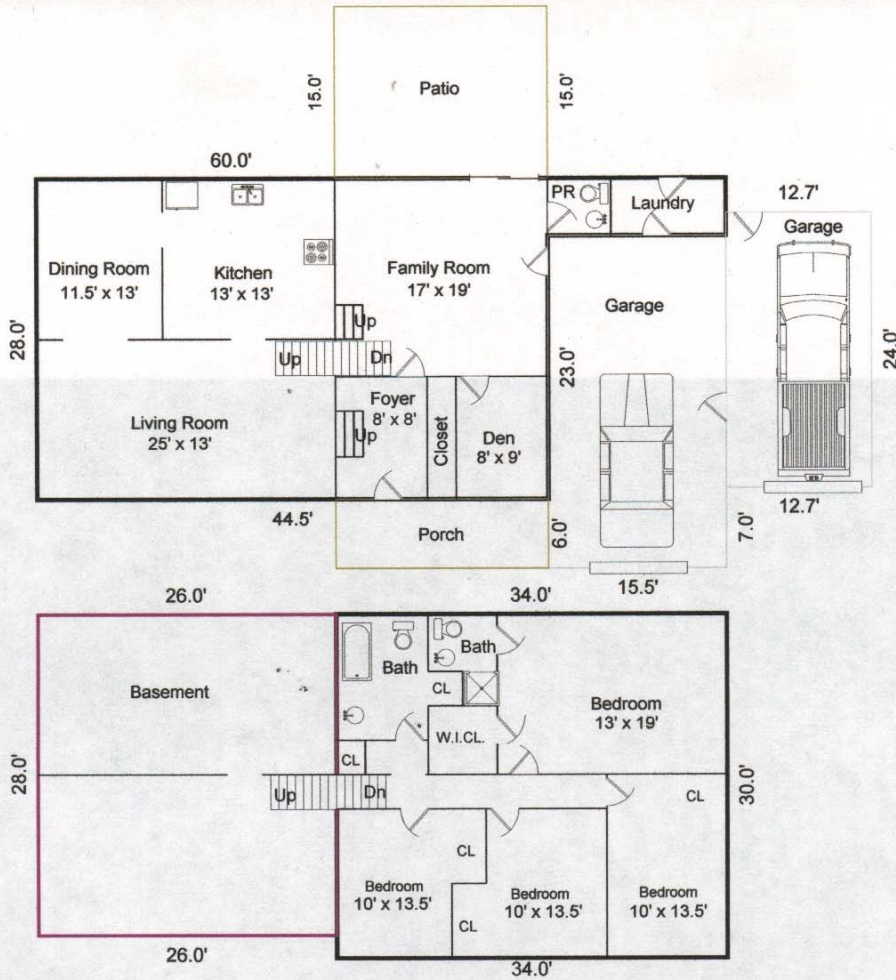
The present owners, John & Hilda Ensminger, have moved to a nearby retirement community. John has been a Harrisburg area auctioneer for almost 70 years and is a firm believer in the auction method of marketing. The sale at auction is subject to immediate confirmation.

ENSMINGER AUCTIONEERS

SINCE 1836 PA LIC.# RY-160-L

717-652-4111 OR 717-691-5598

www.Ensmingers.net



Comments: For illustrative purposes only. Exterior dimensions are to scale and are used to calculate Gross Living Area. Interior is not to scale and all interior dimensions are approximate.

Scale: 1 = 16

AREA CALCULATIONS SUMMARY			
Code	Description	Net Size	Net Totals
GLA1	First Floor	1323.50	1323.50
GLA2	Second Floor	1020.00	1020.00
BSMT	Basement	728.00	728.00
P/P	Porch	111.00	
	Patio	277.50	388.50
GAR	Garage	753.58	753.58
Net LIVABLE Area		(Rounded)	2344

LIVING AREA BREAKDOWN		
	Breakdown	Subtotals
First Floor	28.00 x 44.50	1246.00
	5.00 x 15.50	77.50
Second Floor	30.00 x 34.00	1020.00
3 Items		(Rounded) 2344

This Deed,

COPY

MADE THE _____ day of _____
of our Lord one thousand nine hundred eighty-five (1985)

in the year

BETWEEN

JAMES A. CUNNINGHAM and BESSIE B. CUNNINGHAM, his wife, of Mansfield, Ohio, by their attorney-in-fact JAMES J. CUNNINGHAM, of Mansfield, Ohio,

Grantors,

and

JOHN T. ENSMINGER and HILDA M. ENSMINGER, of Hampden Township, Cumberland County, Pennsylvania, as tenants in common and not as tenants by the entirety,

Grantees:

WITNESSETH, that in consideration of NINETY-THREE THOUSAND FIVE HUNDRED and NO/100 (\$93,500.00) ----- Dollars, in hand paid, the receipt whereof is hereby acknowledged, the said grantors do hereby grant and convey to the said grantees ,

ALL THAT CERTAIN piece or parcel of land situate in Hampden Township, Cumberland County, Pennsylvania, more particularly described as follows, to wit:

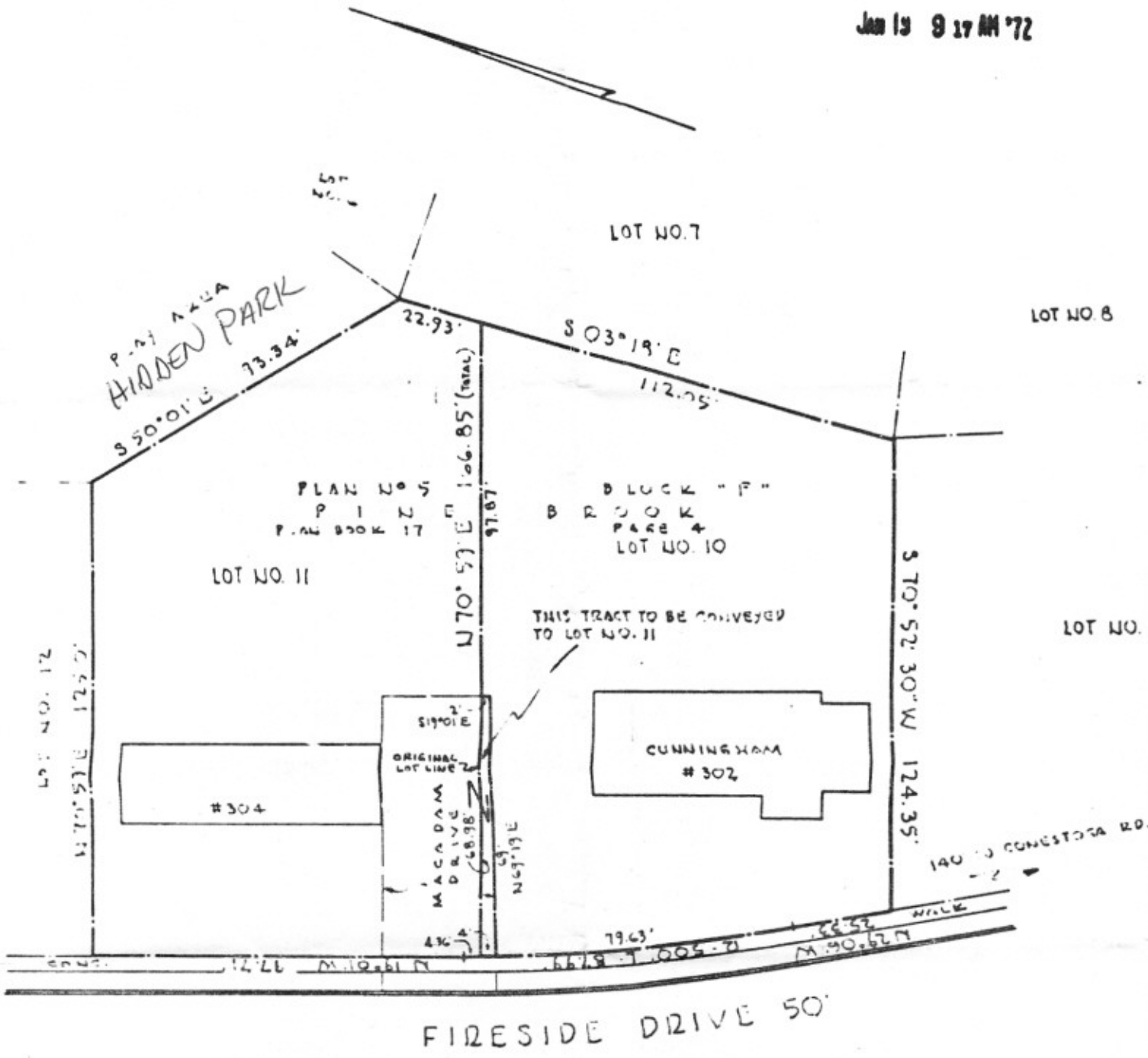
BEGINNING at a point on the Easterly side of Fireside Drive, which point is 140 feet in a northerly direction from the northeastern corner of Fireside Drive and Conestoga Road, at the dividing line between Lots Nos. 9, Block F, Plan 3 of Pinebrook and 10, Block F, of the plan hereinafter mentioned; thence by the easterly side of Fireside Drive north 29 degrees 6 minutes west 25.33 feet to a point; thence continuing along the easterly side of Fireside Drive by an arc curving to the right, having a radius of 500 feet, an arc distance of 79.63 feet to a point; thence by lands now or formerly of Roy G. Atherholt and Esther D. Atherholt, his wife, north 69 degrees 19 minutes east 69 feet to a point; then by lands of Atherholt aforesaid, north 19 degrees 01 minute west 2 feet to a point; thence still by the same along the line dividing Lot Nos. 10 and 11, Block F of the plan, north 70 degrees 59 minutes east 97.87 feet to a point at the line between Lot No. 10, Block F, of the plan and Lot No. 9, Block F, Plan No. 3 of Pinebrook; thence by said lot line south 03 degrees 18 minutes east 112.05 feet to a point at the dividing line between Lot No. 10, Block F of the plan and Lot No. 9, Block F, Plan No. 3 of Pinebrook; Thence by said lot line south 70 degrees 52 minutes 30 seconds west 124.35 feet to a point on the easterly line of Fireside Drive, the place of BEGINNING.

BEING part of Lot No. 10, Block F, Plan No. 5 of Pinebrook as recorded in the Cumberland County Recorder's Office, according to a survey of D. P. Raffensperger, Registered Surveyor, dated May 20, 1964, in Plan Book 17, Page 4 and as shown on Plan of Property (Subdivision Plan) for J. A. Cunningham, recorded in the Cumberland County Recorder's Office in Plan Book 22, Page 151.

BEING part of same premises which Alfred J. Sgrignoli and Mary E. Sgrignoli, his wife, by deed dated December 7, 1966 and recorded in Deed Book E, Vol. 22, Page 766 Cumberland County Recorder of Deeds Office, granted and conveyed unto James A. Cunningham and Bessie B. Cunningham, his wife, grantors herein.

UNDER AND SUBJECT, NEVERTHELESS, to conditions, restrictions, easements and rights-of-way of record.

Jan 19 9 17 AM '72



SELLER'S PROPERTY DISCLOSURE STATEMENT

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

SPD

1 Property Address 302 FIRESIDE DRIVE, CAMP HILL, PA 17011

3 Seller JOHN T. ENSMINGER & HILAA M. ENSMINGER

4 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
5 material defects about the property being sold that are not readily observable. While the Law requires certain disclosures, this disclo-
6 sure statement covers common topics beyond the basic requirements of the Law in an effort to assist sellers in complying with disclo-
7 sure requirements and to assist buyers in evaluating the property being considered. Sellers who wish to see or use the basic dis-
8 closure form can find the form on the Web site of the Pennsylvania State Real Estate Commission.

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

14 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
15 value of the property or that involves an unreasonable risk to people on the property. The fact that a structural element, system or subsys-
16 tem 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.

17 1. SELLER'S EXPERTISE Seller does not possess expertise in contracting, engineering, architecture, environmental assessment or
18 other areas related to the construction and conditions of the property and its improvements, except as follows: NONE

20 2. OWNERSHIP/OCCUPANCY

21 (a) Is the property currently occupied? Yes X No If yes, by whom? Seller Other occupants (tenants)

22 If property is not occupied, when was it last occupied? MAY 31, 2005

23 (b) How long have you owned the property? 20 YEARS

24 (c) Are you aware of any pets having lived in the house or other structures during your ownership? Yes X No

25 If yes, describe:

26 3. ROOF

27 (a) Date roof installed: 1995 Documented? Yes X No Unknown

28 (b) Has the roof been replaced or repaired during your ownership? X Yes No

29 If yes, was the existing roofing material removed? X Yes No Unknown

30 (c) Has the roof ever leaked during your ownership? X Yes No

31 (d) Are you aware of any problems with the roof, gutters, flashing or downspouts? Yes X No

32 Explain any "yes" answers in this section, including the location and extent of any problem(s) and any repair or remediation efforts:
33 LEAK OVER FRONT WINDOW CAUSED BY ICE - RUBBER MEMBRANE INSTALLED WHEN ROOF WAS REPLACED

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

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

36 If yes, has it ever run? X Yes No Unknown Is it in working order? X Yes No Unknown

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

38 (c) Do you know of any repairs or other attempts to control any water or dampness problem in the basement or crawl space? Yes X No

39 Explain any "yes" answers in this section, including the location and extent of any problem(s) and any repair or remediation efforts:
40 UTILITY TUB DRAINS INTO SUMP

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

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

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

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

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

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

53 (d) Is your property constructed with an Exterior Insulating Finishing System (EIFS), such as Dryvit or synthetic stucco?
54 Yes X No Unknown If yes, date installed, if known

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

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

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

59 Buyer Initials: Date SPD Page 1 of 5 Seller Initials: JTE Date 7/15/05

60 7. **ADDITIONS/REMODELS** Have you made any additions, structural changes, or other alterations to the property? Yes No
61 If "yes," describe: _____
62 _____

63 8. **WATER SUPPLY**

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

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

80 9. **SEWAGE SYSTEM**

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

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

100 10. **PLUMBING SYSTEM**

- 101 (a) Type of plumbing (check all that apply): Copper Galvanized Lead PVC Polybutylene pipe (PB)
102 Mixed Unknown Other (explain): _____
103 (b) Are you aware of any problems with any of your plumbing fixtures (e.g., including but not limited to: kitchen, laundry, or bath-
104 room fixtures; wet bars; etc.)? Yes No
105 If "yes," explain: BENT UTILITY TUB FAUCET LEAKS - ADDITIONAL SHUTOFFS INSTALLED

106 11. **DOMESTIC WATER HEATING**

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

111 12. **AIR CONDITIONING SYSTEM**

- 112 (a) Type of air conditioning: Central Air Wall Units Window Units None
113 Other (explain): _____
114 Number of window units included in sale _____ Location(s) _____
115 (b) Age of Central Air Conditioning System: 2 YR Unknown Date last serviced, if known 2 YEARS
116 (c) List any areas of the house that are not air conditioned:
117 2 CENT. AIR UNITS SERVICE THE HOUSE - 1 IS 2 YRS OLD - 1 UNKNOWN
118 (d) Are you aware of any problems with any item in this section? Yes No
119 If "yes," explain: _____

121 13. HEATING SYSTEM

122 (a) Type(s) of heating fuel(s) (check all that apply): Electric ___ Fuel Oil ___ Natural Gas ___ Propane

123 ___ Coal ___ Wood ___ Other: _____

124 (b) Type(s) of heating system(s) (check all that apply): ___ Forced Hot Air ___ Hot Water ___ Heat Pump

125 Electric Baseboard ___ Steam ___ Wood Stove (How many? ___) ___ Coal Stove (How many? ___)

126 ___ Other: _____

127 (c) Age of Heating System: ORIGINAL Unknown Date last serviced, if known —

128 (d) Are there any fireplaces? Yes ___ No If "yes," how many? 1 Are they working? Yes ___ No

129 (e) Are there any chimneys (from a fireplace, water heater or any other heating system)? Yes ___ No

130 If "yes," how many? 1 When were they last cleaned? ___ Unknown

131 Are they working? Yes ___ No If "no," explain: RARELY USED

132 (f) List any areas of the house that are not heated: BASEMENT

133 (g) Are you aware of any heating fuel tanks on the property? ___ Yes No

134 Location(s), including underground tank(s): _____

135 If you do not own the tanks, explain: _____

136 Are you aware of any problems or repairs needed regarding any item in this section? ___ Yes ___ No

137 If "yes," explain: ONE BASEBOARD HEATING UNIT IN MASTER BEDROOM IS

138 DISCONNECTED

139 14. ELECTRICAL SYSTEM

140 (a) Type of Electrical System: ___ Fuses Circuit Breakers How Many Amps? 200 ___ Unknown

141 (b) Are you aware of any knob and tube wiring in the home? ___ Yes No

142 Are you aware of any problems or repairs needed in the electrical system? ___ Yes No

143 If "yes," explain: _____

144 15. OTHER EQUIPMENT AND APPLIANCES

145 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

146 not mean it is included in the Agreement of Sale. Terms of the Agreement of Sale negotiated between Buyer and Seller will

147 determine which items, if any, are included in the purchase of the Property.

148 (a) 2 Electric Garage Door Opener Number of Transmitters 2 Keyless Entry 1

149 (b) Smoke Detectors How many? 2 Location(s) UPSTAIRS HALL, KITCHEN

150 (c) Security Alarm System Owned ___ Leased (Lease Information _____)

151 (d) ___ Lawn Sprinkler(s) How many? ___ Automatic Timer ___

152 (e) ___ Swimming Pool ___ Hot Tub/Spa ___ Pool/Spa Heater ___ Pool/Spa Cover ___ Whirlpool/Tub

153 ___ Pool/Spa Equipment and Accessories (list): _____

154 (f) ___ Refrigerator(s) Range/Oven NEW Microwave Oven Dishwasher ___ Trash Compactor

155 Garbage Disposal ___ Chest Freezer ___ Washer ___ Dryer ___ Intercom

156 (g) Ceiling Fan(s) How many? 1 Location(s) FAMILY ROOM

157 (h) ___ Awnings ___ Attic Fan(s) ___ Satellite Dish ___ Storage Shed ___ Deck(s) ___ Electric Animal Fence

158 (i) ___ Other: _____

159 Are you aware of any problems or repairs needed regarding any item in this section? ___ Yes No

160 If "yes," explain: _____

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

162 (a) Land/Soils

163 1) Are you aware of any fill or expansive soil on the property? ___ Yes No

164 2) Are you aware of any sliding, settling, earth movement, upheaval, subsidence, or earth stability problems that have

165 occurred on or affect the property? ___ Yes No

166 3) Are you aware of any existing, past or proposed mining, strip-mining, or any other excavations that might affect this

167 property? ___ Yes No

168 *Note to Buyer: The property may be subject to mine subsidence damage. Maps of the counties and mines where mine subsidence*

169 *damage may occur and mine subsidence insurance are available through: Department of Environmental Protection, Mine Subsidence*

170 *Insurance Fund, 25 Technology Drive, California Technology Park, Coal Center, PA 15423 (800) 922-1678 (within*

171 *Pennsylvania) or (724) 769-1100 (outside Pennsylvania).*

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

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

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

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

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

177 ___ Other _____

178 *Note to Buyer: Pennsylvania has enacted the Right to Farm Act (3 P.S. § 951-957) in an effort to limit the circumstances under*

179 *which agricultural operations may be subject to nuisance suits or ordinances. Buyers are encouraged to investigate whether any*

180 *agricultural operations covered by the Act operate in the vicinity of the property.*

181 Explain any "yes" answers in this section: _____

182

183 Buyer Initials: _____ Date _____ SPD Page 3 of 5 Seller Initials: JTE Date 7/15/05

184 (b) **Flooding/Drainage** 184
185 1) Is any part of this property located in a wetlands area or a FEMA flood zone? ___ Yes No ___ Unknown 185
186 2) Do you know of any past or present drainage or flooding problems affecting the property? ___ Yes No 186
187 Explain any "yes" answers in this section, including dates and extent of flooding: _____ 187
188 _____ 188

189 (c) **Boundaries** 189
190 1) Do you know of any encroachments, boundary line disputes, or easements affecting the property? ___ Yes No 190
191 *Note to Buyer: Most properties have easements running across them for utility services and other reasons. In many cases, the* 191
192 *easements do not restrict the ordinary use of the property, and Seller may not be readily aware of them. Buyers may wish to* 192
193 *determine the existence of easements and restrictions by examining the property and ordering an Abstract of Title or searching* 193
194 *the records in the Office of the Recorder of Deeds for the county before entering into an agreement of sale.* 194
195 2) Do you access the property from a private road or lane? ___ Yes No 195
196 If yes, do you have a recorded right of way or maintenance agreement? ___ Yes ___ No 196
197 3) Are you aware of any shared or common areas (e.g., driveways, bridges, docks, walls, etc.) or maintenance agreements? 197
198 ___ Yes No 198
199 Explain any "yes" answers in this section: _____ 199
200 _____ 200

201 17. **HAZARDOUS SUBSTANCES AND ENVIRONMENTAL ISSUES** 201
202 (a) Are you aware of any underground tanks (other than home heating fuel or septic tanks disclosed above)? ___ Yes No 202
203 (b) Are you aware of any past or present hazardous substances present on the property (structure or soil) such as, but not limited 203
204 to, asbestos or polychlorinated biphenyls (PCBs), etc.? ___ Yes No 204
205 (c) Are you aware of sewage sludge (other than commercially available fertilizer products) being spread on the property, or have you 205
206 received written notice of sewage sludge being spread on an adjacent property? ___ Yes No 206
207 (d) Are you aware of any tests for mold, fungi, or indoor air quality in the property? ___ Yes No 207
208 (e) Other than general household cleaning, have you taken any efforts to control or remediate mold or mold-like substances in the 208
209 property? ___ Yes No 209
210 *Note to Buyer: Individuals may be affected differently, or not at all, by mold contamination. If mold contamination or indoor air qual-* 210
211 *ity is a concern, buyers are encouraged to engage the services of a qualified professional to do testing. Information on this issue is* 211
212 *available from the United States Environmental Protection Agency and may be obtained by contacting IAQ INFO, P.O. Box 37133,* 212
213 *Washington, D.C. 20013-7133, 1-800-438-4318.* 213
214 (f) Are you aware of any dumping on the property? ___ Yes No 214
215 (g) Have you received written notice regarding the presence of an environmental hazard or biohazard on your property or any 215
216 adjacent property? ___ Yes No 216
217 (h) Are you aware of any tests for radon gas that have been performed in any buildings on the property? ___ Yes No 217
218 If "yes," list date, type, and results of all tests below: 218
219 DATE TYPE OF TEST RESULTS (picocuries/liter or working levels) NAME OF TESTING SERVICE 219
220 _____ 220
221 _____ 221
222 (i) Are you aware of any radon removal system on the property? ___ Yes No 222
223 If "yes," list date installed and type of system, and whether it is in working order below: 223
224 DATE INSTALLED TYPE OF SYSTEM PROVIDER WORKING ORDER? 224
225 ___ Yes ___ No 225
226 ___ Yes ___ No 226
227 (j) If property was constructed, or if construction began, before 1978, you must disclose any knowledge of lead-based paint on the 227
228 property. Are you aware of any lead-based paint or lead-based paint hazards on the property? ___ Yes No 228
229 If "yes," explain how you know of it, where it is, and the condition of those lead-based paint surfaces: _____ 229
230 _____ 230
231 (k) If property was constructed, or if construction began, before 1978, you must disclose any reports or records of lead-based paint 231
232 or lead-based paint hazards on the property. Are you aware of any reports or records regarding lead-based paint or lead-based 232
233 paint hazards on the property? ___ Yes No 233
234 If "yes," list all available reports and records: _____ 234
235 (l) Are you aware of testing on the property for any other hazardous substances or environmental concerns? ___ Yes No 235
236 (m) Are you aware of any other hazardous substances or environmental concerns that might impact upon the property? 236
237 ___ Yes No 237
238 Explain any "yes" answers in this section: _____ 238
239 _____ 239
240 _____ 240
241 _____ 241

243 18. CONDOMINIUMS AND OTHER HOMEOWNER ASSOCIATIONS (Complete only if applicable) 243

244 Type: ___ Condominium ___ Cooperative ___ Homeowner Association or Planned Community 244
245 Other: _____ 245

246 Notice regarding Condominiums, Cooperatives, and Planned Communities: A buyer of a resale unit in a condominium, coopera- 246
247 tive, or planned community must receive a copy of the declaration (other than the plats and plans), the by-laws, the rules or regula- 247
248 tions, and a certificate of resale issued by the association in the condominium, cooperative, or planned com- 248
249 munity. Buyers may be responsible for capital contributions, initiation fees or similar one-time fees in addition to regular monthly 249
250 maintenance fees. The buyer will have the option of canceling the agreement with the return of all deposit monies until the certificate 250
251 has been provided to the buyer and for five days thereafter or until conveyance, whichever occurs first. 251

252 19. MISCELLANEOUS 252

253 (a) Are you aware of any historic preservation restriction or ordinance or archeological designation associated with the property? 253
254 ___ Yes No 254

255 (b) Are you aware of any existing or threatened legal action affecting the property? ___ Yes No 255

256 (c) Are you aware of any violations of federal, state, or local laws or regulations relating to this property? ___ Yes No 256

257 (d) Are you aware of any public improvement, condominium or homeowner association assessments against the property that remain 257
258 unpaid or of any violations of zoning, housing, building, safety or fire ordinances that remain uncorrected? ___ Yes No 258

259 (e) Are you aware of any judgment, encumbrance, lien (for example, co-maker or equity loan), overdue payment on a support obli- 259
260 gation, or other debt against this property that cannot be satisfied by the proceeds of this sale? ___ Yes No 260

261 (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 261
262 property? ___ Yes No 262

263 (g) Are you aware of any insurance claims filed relating to the property? ___ Yes No 263

264 (h) Are you aware of any material defects to the property, dwelling, or fixtures which are not disclosed elsewhere on this form? 264
265 ___ Yes No 265

266 A material defect is a problem with a residential real property or any portion of it that would have a significant adverse impact 266
267 on the value of the property or that involves an unreasonable risk to people on the property. The fact that a structural element, 267
268 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 268
269 itself a material defect 269

270 Explain any "yes" answers in this section: _____ 270
271 _____ 271

272 The undersigned Seller represents that the information set forth in this disclosure statement is accurate and complete to the best 272
273 of Seller's knowledge. Seller hereby authorizes the Listing Broker to provide this information to prospective buyers of the prop- 273
274 erty and to other real estate licensees. SELLER ALONE IS RESPONSIBLE FOR THE ACCURACY OF THE INFORMATION 274
275 CONTAINED IN THIS STATEMENT. Seller shall cause Buyer to be notified in writing of any information supplied on this form 275
276 which is rendered inaccurate by a change in the condition of the property following completion of this form. 276

277 WITNESS _____ SELLER John T. Cummings DATE 7/15/05 277
278 WITNESS _____ SELLER _____ DATE _____ 278
279 WITNESS _____ SELLER _____ DATE _____ 279

280 EXECUTOR, ADMINISTRATOR, TRUSTEE SIGNATURE BLOCK 280
281 According to the provisions of the Real Estate Seller Disclosure Law, the undersigned executor, administrator or trustee is not required 281
282 to fill out a Seller's Property Disclosure Statement. The executor, administrator or trustee, must, however, disclose any known mate- 282
283 rial defect(s) of the property. 283
284 _____ DATE _____ 284

285 RECEIPT AND ACKNOWLEDGEMENT BY BUYER 285
286 The undersigned Buyer acknowledges receipt of this Disclosure Statement. Buyer acknowledges that this Statement is not a 286
287 warranty and that, unless stated otherwise in the sales contract, Buyer is purchasing this property in its present condition. It 287
288 is Buyer's responsibility to satisfy himself or herself as to the condition of the property. Buyer may request that the property 288
289 be inspected, at Buyer's expense and by qualified professionals, to determine the condition of the structure or its components. 289
290 WITNESS _____ BUYER _____ DATE _____ 290
291 WITNESS _____ BUYER _____ DATE _____ 291
292 WITNESS _____ BUYER _____ DATE _____ 292

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.