

R RESIDENTIAL SELLER'S PROPERTY DISCLOSURE STATEMENT (SPDS) (To be completed by Seller)

Document updated:
February 2023



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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 on page 9, 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, surveys, 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).

PROPERTY AND OWNERSHIP

- 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. **LEGAL OWNER(S) OF PROPERTY:** Carruthers Family Trust attn: Susanna Goss
 4. Trustee Date Acquired: _____

5. **PROPERTY ADDRESS:** 2148 E Camino La Zorrera Tucson AZ 85718
(STREET ADDRESS) (CITY) (STATE) (ZIP)

6. Does the Property include any leased land? Yes No

7. Explain: _____

8. **NOTICE TO SELLER: Arizona law imposes certain requirements on the sale or lease of subdivided and unsubdivided land or lots. If a sale involves six or more parcels, lots, or fractional interests being sold, certain requirements are imposed on the Seller for a Subdivision Public Report. Information may be obtained by contacting the Arizona Department of Real Estate. A.R.S. 32-2101 (56) and (57).**

11. Are you aware if the Property is 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.

13. The Property is currently (Check all that apply): Owner-occupied Rental/Leased Estate Vacant If vacant, how long? 6 wk

14. Other: _____ Explain: _____

15. If a rental property, how long? 6+ years Expiration date of current lease: no lease (Attach a copy of the lease if available.)

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

18. Are you aware of any regulations surrounding length of time for rentals? Yes No Explain: Please see June 2022 CCP amendments at cat8.org. Leases must be longer than 90 days.

20. Is the legal owner(s) of the Property a foreign person pursuant to the Foreign Investment in Real Property Tax Act (FIRPTA)?

21. Yes No If yes, consult a tax advisor; mandatory withholding may apply.

22. Is the Property located in a community defined as an age restricted community? Yes No

23. Explain: _____

24. Approximate year built: 1979. If the Property was built prior to 1978, Seller must furnish the Buyer with a lead-based paint disclosure form.

25. Are you aware if the Property is designated as a historic home or located in a historic district? (A.A.C. R12-8-301) Yes No

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NOTICE TO BUYER: If the Property is in a subdivision, a subdivision 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. www.azre.gov

- | | YES | NO | |
|-----|-------------------------------------|-------------------------------------|---|
| 29. | <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: _____ |
| 30. | | | |
| 31. | <input checked="" type="checkbox"/> | <input type="checkbox"/> | Are you aware if there are any association(s) regulating the Property? If yes, <input checked="" type="checkbox"/> Mandatory <input type="checkbox"/> Voluntary (If no, skip to line 40.) |
| 32. | | | If yes, provide contact(s) information: Name: <u>Cindy Kline</u> Phone #: <u>520-795-6500 x1038</u> |
| 33. | | | Name: _____ Phone #: _____ |
| 34. | <input checked="" type="checkbox"/> | <input type="checkbox"/> | If yes, are there any fees? How much? \$ <u>230</u> How often? <u>yearly</u> |
| 35. | | | How much? \$ _____ How often? _____ |
| 36. | <input type="checkbox"/> | <input checked="" type="checkbox"/> | Are you aware if the Property has any association(s) notices of potential violation(s) or unresolved violation(s)? |
| 37. | | | Explain: _____ |
| 38. | <input type="checkbox"/> | <input checked="" type="checkbox"/> | Are you aware of any pending or anticipated disputes or litigation regarding the Property or the association(s)? |
| 39. | | | Explain: _____ |
| 40. | <input type="checkbox"/> | <input checked="" type="checkbox"/> | Are you aware of any of the following recorded against the Property? (Check all that apply): |
| 41. | | | <input type="checkbox"/> Judgment liens <input type="checkbox"/> Tax liens <input type="checkbox"/> Notice of Default <input type="checkbox"/> Other non-consensual liens |
| 42. | | | Explain: _____ |
| 43. | <input type="checkbox"/> | <input checked="" type="checkbox"/> | Are you aware of any assessments affecting the Property? (Check all that apply): |
| 44. | | | <input type="checkbox"/> Paving <input type="checkbox"/> Sewer <input type="checkbox"/> Water <input type="checkbox"/> Electric <input type="checkbox"/> Other |
| 45. | | | Explain: _____ |
| 46. | <input type="checkbox"/> | <input checked="" type="checkbox"/> | Are you aware of any of the following title issues affecting the Property? (Check all that apply): |
| 47. | | | <input type="checkbox"/> Recorded easements <input type="checkbox"/> Use restrictions <input type="checkbox"/> Lot line disputes <input type="checkbox"/> Encroachments <input type="checkbox"/> Variance(s) |
| 48. | | | <input type="checkbox"/> Unrecorded easements <input type="checkbox"/> Use permits <input type="checkbox"/> Other _____ |
| 49. | | | Explain: _____ |
| 50. | <input type="checkbox"/> | <input type="checkbox"/> | Are you aware if the Property is located within the boundaries of a Community Facilities District (CFD)? (If no, skip to line 54.) |
| 51. | | | If yes, provide the name of the CFD: <u>I don't know</u> |
| 52. | <input type="checkbox"/> | <input type="checkbox"/> | If yes, are there any fees? How much? \$ _____ How often? _____ |
| 53. | | | The CFD fees are <input type="checkbox"/> Included in the Property Taxes <input type="checkbox"/> Paid Separately |
| 54. | <input type="checkbox"/> | <input type="checkbox"/> | Are you aware of any public or private use paths or roadways on or across the Property? Explain: _____ |
| 55. | | | <u>I don't know</u> |
| 56. | <input type="checkbox"/> | <input checked="" type="checkbox"/> | Are you aware of any problems with legal or physical access to the Property? Explain: _____ |
| 57. | | | _____ |
| 58. | | | The road/street access to the Property is maintained by the <input type="checkbox"/> County <input type="checkbox"/> City <input type="checkbox"/> Homeowners' Association |
| 59. | | | <input type="checkbox"/> Privately <input type="checkbox"/> Not Maintained |
| 60. | <input type="checkbox"/> | <input type="checkbox"/> | If privately maintained, is there a road maintenance agreement? (Attach agreement if available.) |
| 61. | | | Explain: <u>I don't know</u> |
| 62. | <input type="checkbox"/> | <input type="checkbox"/> | Are you aware of any notices of potential violation(s) or unresolved violation(s) of any of the following? (Check all that apply): |
| 63. | | | <input type="checkbox"/> Zoning <input type="checkbox"/> Building Codes <input type="checkbox"/> Utility Service <input type="checkbox"/> Sanitary health regulations <input type="checkbox"/> Municipal Ordinances |
| 64. | | | <input type="checkbox"/> Covenants, Conditions, Restrictions (CC&R's) <input type="checkbox"/> Other _____ (Attach a copy of notice(s) if available.) |
| 65. | | | Explain: <u>I don't know</u> |

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NOTICE TO BUYER: Your claims history, your credit report, the Property's claims history, occupancy and other factors may affect the insurability of the Property and at what cost. Under Arizona law, your insurance company may cancel your homeowner's insurance within 60 days after the effective date. Contact your insurance company.

69. Are you aware of any homeowner's insurance claims having been filed against the Property?
70. Explain: _____

BUILDING AND SAFETY INFORMATION

YES NO

71. ROOF / STRUCTURAL:

72. NOTICE TO BUYER: Contact a professional to verify the condition of the roof.

73. Approximate age of roof? 30, new roofing materials cost \$8K in 2022

74. Are you aware of any past or present roof leaks? Explain: I don't know

75. Water seepage, I don't know

76. Are you aware of any other past or present roof problems? Explain: I don't know

77. _____

78. Are you aware of any roof repairs? Explain: We spent \$8165 in 2022

79. _____

80. Is there a roof warranty? (Attach a copy of warranty if available.) I don't know

81. If yes, is the roof warranty transferable? Cost to transfer: _____

82. Are you aware of any interior wall/ceiling/door/window/floor problems? Explain: We replaced glass

83. in two windows in August 2024

84. Are you aware of any past or present cracks or settling involving the foundation, exterior walls or slab? Explain: _____

85. The slab cracked, we replaced all pipes, cost \$12,680 in 2023

86. Are you aware of any chimney or fireplace problems, if applicable? Explain: _____

87. _____

88. Are you aware of any damage to any structure on the Property by any of the following? (Check all that apply):

89. Flood Fire Wind Expansive soil(s) Water Hail Other _____

90. Explain: I don't know

91. WOOD INFESTATION:

92. NOTICE TO BUYER: Contact Office of Pest Management for past termite reports or treatment history on file.
93. <https://agriculture.az.gov>

94. Are you aware of any of the following:

95. Past presence of termites or other wood destroying organisms on the Property?

96. Current presence of termites or other wood destroying organisms on the Property? I don't know

97. Past or present damage to the Property by termites or other wood destroying organisms?

98. Explain: Our inspection found termites. We just got them treated on Aug 1

99. 2024

100. Are you aware of past or present treatment(s) of the Property for termites or other wood destroying organisms? (If no, skip to line 105.)

101. If yes, date last treatment was performed: August 1 2024

102. Name of treatment provider(s): Unified Services Pest Control

103. Is there a treatment warranty? (Attach a copy of warranty if available.) one year

104. If yes, is the treatment warranty transferable? Cost to transfer: _____

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YES NO

105. **HEATING & COOLING:**
106. Heating: Type(s) electric
107. Approximate Age(s) heat pump split systems 2016 and 2019
108. Cooling: Type(s) central air
109. Approximate Age(s) _____
110. Are you aware of any past or present problems with the heating or cooling system(s)?
111. Explain: HVAC control board replaced in 2022 Inspected and in good working order August 2024
112. **PLUMBING:**
113. Are you aware of the type of water pipes, such as galvanized, copper, PVC, CPVC, PEX or polybutylene?
114. If yes, identify: Viega PEX
115. Are you aware of any past or present plumbing problems? Explain: Re-plumb by Cummings 520-293-6900 in Sept 2023
116. _____
117. Are you aware of any water pressure problems? Explain: _____
118. Type of water heater(s): Gas Electric Solar Tankless Approx. Age(s): 2019
119. Are you aware of any past or present water heater problems? Explain: _____
120. I don't know
121. Is there a landscape watering system? If yes, type: Automatic Timer Manual Both
122. If yes, are you aware of any past or present problems with the landscape watering system?
123. Explain: I don't know
124. Are there any water treatment systems? (Check all that apply):
125. Water Filtration Reverse Osmosis Water Softener Other I don't know
126. Is water treatment system(s) Owned Leased (Attach a copy of lease if available.)
127. Are you aware of any past or present problems with the water treatment system(s)?
128. Explain: _____
129. **SWIMMING POOL/SPA/HOT TUB/SAUNA/WATER FEATURE:**
130. Does the Property contain any of the following? (Check all that apply):
131. Swimming pool Spa Hot tub Sauna Water feature
132. If yes, are either of the following heated? Swimming pool Spa If yes, type of heat: _____
133. Are you aware of any past or present problems relating to the swimming pool, spa, hot tub, sauna or water feature?
134. Explain: light is broken, pool heater not tested "as is"
135. Are you aware if a swimming pool was: Removed Capped/decked over Filled
136. Explain: _____
137. Do you lease any pool equipment? Explain: _____
138. _____
139. **ELECTRICAL AND OTHER RELATED SYSTEMS:**
140. Are you aware of the type of wiring? (Check all that apply): Copper Aluminum Other _____
141. Are you aware of any past or present problems with the electrical system? Explain: Pool GFI outlet was broken, trying to fix
142. _____
143. Is there a charging station for an electric vehicle? If yes, Owned Leased (Attach a copy of lease if available.)
144. Is there a security system? If yes, is it (Check all that apply):
145. Owned Leased (Attach a copy of lease if available.) Monitored Other _____
146. Are you aware of any past or present problems with the security system? Explain: _____
147. _____

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YES NO

148. Does the Property contain any of the following systems or detectors? (Check all that apply):
 149. Smoke/fire detection Fire suppression (sprinklers) Carbon monoxide detector
 150. If yes, are you aware of any past or present problems with the above systems? Explain:
 151. Smoke detectors needed new batteries, now fixed

MISCELLANEOUS:

152. Are you aware of any animals/pets that have resided in the Property? If yes, what kind: I don't know
how many, when, what kind etc.
 153. Are you aware of or have you observed any of the following anywhere on the Property? (Check all that apply):
 154. Scorpions Rabid animals Bee swarms Rodents Reptiles Bed Bugs Other _____
 155. Explain: prior tenants had a tortoise
 156. Has the Property been serviced or treated for pests, reptiles, insects, birds or animals? If yes, how often: _____
 157. Name of service provider(s): Southwest Pest Date of last service: Oct 2023?

NOTICE TO SELLER AND BUYER: A contractor's license is required for work performed on a property unless the aggregate contract price, including labor and material, is less than \$1,000, the work performed is of a "casual or minor nature," and no building permit is required. An unlicensed property owner may also perform work themselves if the property is intended for occupancy solely by the owner. If, however, the property is listed or offered for sale or rent within one year of the completed work, it is considered prima facie evidence that the owner performed the work for purposes of sale or rent. Owners of property who are acting as developers, who improve structures or appurtenances to structures on their property for the purpose of sale or rent, and who contract with a licensed general contractor must identify the licensed contractors' names and license numbers in all sales documents. (A.R.S. § 32-1121)

158. Are you aware of any work performed on the Property, such as building, plumbing, electrical or other improvements or alterations or room conversions? (If no, skip to line 186.)
 159. Are you aware if permits for the work were obtained? Explain: please ask Blue Fox
 160. Was the work performed by a person licensed to perform the work? Explain: Cummings is licensed
 161. Was approval for the work required by any association governing the Property? Explain: No
 162. If yes, was approval granted by the association? Explain: the HOA regulates exteriors
 163. Was the work completed? Explain: _____

List the names and license numbers of all contractors and scope of work that has been performed on the Property in the past year:

| Contractor Name | License Number | Scope of Work |
|--------------------------|-------------------------------|------------------------------|
| <u>Cummings Plumbing</u> | <u>R39R 117825 C39 117826</u> | <u>re-plumb all plumbing</u> |
| | <u>KB2 154634 C37 113428</u> | <u>that ran through the</u> |
| | <u>R37R 113429</u> | <u>slab</u> |

164. Explain: This rental property has been managed by Blue Fox for 5 years. They hired many plumbers and electricians for repairs. Hopefully it was done correctly. They don't provide invoices for most of it.
 165. Are there any security bars or other obstructions to door or window openings? Explain: I don't know
 166. If there are security bars, are quick releases installed in the bedrooms? Explain: _____
 167. Are you aware of any past or present problems with any built-in appliances? Explain: April 2024 the dishwasher soap dispenser was repaired. Stove hood fan fixed

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UTILITIES/SERVICES

190. DOES THE PROPERTY CURRENTLY RECEIVE THE FOLLOWING SERVICES?

YES NO

NAME OF PROVIDER

- 191. Cable / Satellite: I don't know
- 192. Electricity: Tucson Electric Power
- 193. Fire: Rural Metro Fire
- 194. Public Private
- 195. Flood Irrigation: _____
- 196. Fuel: Natural gas Propane Oil Southwest Gas, pool only, off
- 197. If propane tank, Owned Leased (Attach a copy of lease if available.)
- 198. Garbage Collection: Western Disposal, run by HOA Cat 8, org
- 199. Public Private
- 200. Internet: I don't know
- 201. Telephone: I don't know
- 202. Water Source: Tucson water
- 203. Public Private water co. Hauled water _____
- 204. Private well Shared well If water source is a private or shared well, complete and attach Domestic Water Well/Water Use Addendum.
- 205. _____

NOTICE TO BUYER: If the Property is served by a well, private water company or a municipal water provider, the Arizona Department of Water Resources may not have made a water supply determination. For more information about water supply, or any of the above services, contact the provider.

- 209. Are you aware of any past or present drinking water problems? Explain: I don't know
- 210. _____
- 211. U.S. Postal Service delivery is available at: Property Post Office Other I don't know
- 212. Cluster Mailbox, Box Number _____ Location _____
- 213. Are there any alternate power systems serving the Property? (If no, skip to line 224.)
- 214. If yes, indicate type (Check all that apply):
- 215. Solar Wind Generator Other _____
- 216. Are you aware of any past or present problems with the alternate power system(s)? Explain: _____
- 217. _____
- 218. Are any alternate power systems serving the Property leased? Explain: _____
- 219. _____
- 220. If yes, provide name and phone number of the leasing company (Attach copy of lease if available.): _____
- 221. _____

NOTICE TO BUYER: If the Property is served by a solar system, Buyer is advised to read all pertinent documents and review the cost, insurability, operation, and value of the system, among other items.

SEWER/WASTEWATER TREATMENT

YES NO

- 224. Is the entire Property connected to a sewer?
- 225. If no, is a portion of the Property connected to a sewer? Explain: _____
- 226. _____
- 227. If the entire Property or a portion of the Property is connected to a sewer, are you aware if a professional verified the sewer connection? If yes, how and when: _____
- 228. _____
- 229. Is there a lift pump? Explain: _____

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230. **NOTICE TO BUYER: Contact a professional to conduct a sewer verification test.**

231. YES NO
 Type of sewer: Public Private Planned and approved sewer system, but not connected

232. Name of Provider: Tucson

233. Are you aware of any past or present problems with the sewer? Explain: I don't know

234. Is the Property served by a septic/On-Site Wastewater Treatment Facility? (If no, skip to line 250.)

235. If yes, the Facility is: Conventional septic system Alternative system; type: _____

236. Number of Facilities: _____

237. If the Facility is an alternative system, is it currently being serviced under a maintenance contract?

238. If yes, name of contractor: _____ Phone #: _____

239. Approximate year Facility was installed: _____ (Attach copy of permit if available.)

240. Are you aware of any repairs or alterations made to this Facility since original installation?

241. Explain: _____

242. _____

243. Approximate date of last Facility inspection and/or pumping of septic tank: _____

244. Are you aware of any past or present problems with the Facility? Explain: _____

245. _____

246. Are you aware if a Facility was: Abandoned Capped Removed

247. Explain: _____

248. **NOTICE TO SELLER AND BUYER: The Arizona Department of Environmental Quality requires a Pre-Transfer Inspection of On-Site Wastewater Treatment Facilities on re-sale properties.**

249.

ENVIRONMENTAL INFORMATION

250. 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):

251. Soil settlement/expansion Drainage/grade Erosion Fissures Dampness/moisture Other

252. Explain: _____

253. Are you aware of any past or present issues or problems in close proximity to the Property related to any of the following? (Check all that apply):

254. Soil settlement/expansion Drainage/grade Erosion Fissures Other _____

255. Explain: _____

256. _____

257. **NOTICE TO BUYER: The Arizona Department of Real Estate provides earth fissure maps to any member of the public in printed or electronic format upon request and on its website at www.azre.gov.** where?

258.

259. Are you aware if the Property is subject to any present or proposed effects of any of the following? (Check all that apply):

260. Airport noise Traffic noise Rail line noise Neighborhood noise Landfill Toxic waste disposal

261. Odors Nuisances Sand/gravel operations Other _____

262. Explain: I don't know

263. Are you aware if any portion of the Property has ever been used as a "Clandestine drug laboratory" (manufacture of, or storage of, chemicals or equipment used in manufacturing methamphetamine, ecstasy or LSD)?

264.

265. Are you aware if the Property is located in the vicinity of a public or private airport?

266. Explain: probably not

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YES NO

267.
268.
269.
270.
271.

NOTICE TO SELLER AND BUYER: Pursuant to Arizona law a Seller shall provide a written disclosure to the Buyer if the Property is located in territory in the vicinity of a military airport or ancillary military facility as delineated on a map prepared by the State Land Department. The Department of Real Estate also is obligated to record a document at the County Recorder's Office disclosing if the Property is under restricted air space and to maintain the State Land Department Military Airport Map on its website at www.azre.gov.

272.

Is the Property located in the vicinity of a military airport or ancillary military facility?

273.

Explain: _____

274.

Are you aware of the presence of any of the following on the Property, past or present? (Check all that apply):

275.

Asbestos Radon gas Lead-based paint Pesticides Underground storage tanks Fuel/chemical storage

276.

Explain: _____

277.

Are you aware if the Property is located within or subject to any of the following ordinances? (Check all that apply):

278.

Superfund / WQARF / CERCLA Wetlands area Natural Area Open Spaces

279.

Are you aware of any open mine shafts/tunnels or abandoned wells on the Property?

280.

If yes, describe location: _____

281.

Are you aware if any portion of the Property is in a flood plain/way? Explain: _____

282.

Are you aware of any portion of the Property ever having been flooded? Explain: _____

283.

Are you aware of any water damage or water leaks of any kind on the Property? Explain: There have

284.

been plumbing leaks, all repaired

285.

Are you aware of any past or present mold growth on the Property? Explain: Mostly repaired, but

286.

possible mold under sink in kitchen

287.

288.

NOTICE TO BUYER: Your mortgage lender [may] [will] require you to purchase flood insurance in connection with your purchase of this property. The National Flood Insurance Program provides for the availability of flood insurance and establishes flood insurance policy premiums based on the risk of flooding in the area where properties are located. Recent changes to federal law (The Biggert-Waters Flood Insurance Reform Act of 2012 and the Homeowner Flood Insurance Affordability Act of 2014, in particular) will result in changes to flood insurance premiums that are likely to be higher, and in the future may be substantially higher, than premiums paid for flood insurance prior to or at the time of sale of the property. As a result, purchasers of property should not rely on the premiums paid for flood insurance on this property previously as an indication of the premiums that will apply after completion of the purchase. In considering purchase of this property you should consult with one or more carriers of flood insurance for a better understanding of flood insurance coverage, current and anticipated future flood insurance premiums, whether the prior owner's policy may be assumed by a subsequent purchaser of the property, and other matters related to the purchase of flood insurance for the property. You may also wish to contact the Federal Emergency Management Agency (FEMA) for more information about flood insurance as it relates to this property.

OTHER CONDITIONS AND FACTORS

303. What other material (important) information are you aware of concerning the Property that might affect the Buyer's decision-making

304. process, the value of the Property, or its use? Explain: _____

305. _____

ADDITIONAL EXPLANATIONS

306. I have never lived in Arizona. I saw the house briefly in April 2018.

307. All information given above is second hand and mostly financial

308. _____

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