



The printed portions of this form, except differentiated additions, have been approved by the Colorado Real Estate Commission (SPD29-8-10) (Mandatory 1-11)

THIS FORM HAS IMPORTANT LEGAL CONSEQUENCES AND THE PARTIES SHOULD CONSULT LEGAL AND TAX OR OTHER COUNSEL BEFORE SIGNING.

SELLER'S PROPERTY DISCLOSURE  
 (RESIDENTIAL)

THIS DISCLOSURE SHOULD BE COMPLETED BY SELLER, NOT BY BROKER.

Seller states that the information contained in this Disclosure is correct to Seller's CURRENT ACTUAL KNOWLEDGE as of this Date. Any changes will be disclosed by Seller to Buyer promptly after discovery. Seller hereby receipts for a copy of this Disclosure. If the Property is part of a Common Interest Community, this Disclosure is limited to the Property or Unit itself, except as stated in Section L. Broker may deliver a copy of this Disclosure to prospective buyers.

**Note: If an item is not present at the Property or if an item is not to be included in the sale, mark the "NA" column. The Contract to Buy and Sell Real Estate, not this Disclosure form, determines whether an item is included or excluded; if there is an inconsistency between this form and the Contract, the Contract controls.**

Date: **6/11/2011**

Property Address: **3968 VRAIN DENVER CO 80212**

Seller: **CLAY STREET LLC**

I. IMPROVEMENTS							
<b>A. STRUCTURAL CONDITIONS</b>	Do any of the following conditions <b>now exist or have they ever existed:</b>						COMMENTS
	Yes	No	Do Not Know	N/A			
1	Structural problems		<input checked="" type="checkbox"/>				
2	Moisture and/or water problems		<input checked="" type="checkbox"/>				
3	Damage due to termites, other insects, birds, animals or rodents		<input checked="" type="checkbox"/>				
4	Damage due to hail, wind, fire or flood		<input checked="" type="checkbox"/>				
5	Cracks, heaving or settling problems		<input checked="" type="checkbox"/>				
6	Exterior wall or window problems		<input checked="" type="checkbox"/>				
7	Exterior Artificial Stucco (EIFS)		<input checked="" type="checkbox"/>				
8	Any additions or alterations made		<input checked="" type="checkbox"/>				
9	Building code, city or county violations		<input checked="" type="checkbox"/>				
<b>B. ROOF</b>	Do any of the following conditions <b>now exist:</b>						COMMENTS
	Yes	No	Do Not Know	N/A			
1	Roof problems		<input checked="" type="checkbox"/>				
2	Roof material <b>TPO</b> Age <b>NEW</b>						
3	Roof material Age						
3	Roof leak: Past		<input checked="" type="checkbox"/>				
4	Roof leak: Present		<input checked="" type="checkbox"/>				
5	Damage to roof: Past		<input checked="" type="checkbox"/>				
6	Damage to roof: Present		<input checked="" type="checkbox"/>				
7	Roof under warranty until <b>12</b> Transferable <b>YES</b>	<input checked="" type="checkbox"/>					
8	Roof work done while under current roof warranty		<input checked="" type="checkbox"/>				
9	Skylight problems		<input checked="" type="checkbox"/>				
10	Gutter or downspout problems		<input checked="" type="checkbox"/>				
			<b>IN WORKING CONDITION</b>				
<b>C. APPLIANCES</b>	Are the following <b>now</b> in working condition:						COMMENTS
	Yes	No	Do Not Know	Age If Known	N/A		
1	Built-in vacuum system & accessories				<input checked="" type="checkbox"/>		
2	Clothes dryer				<input checked="" type="checkbox"/>		
3	Clothes washer				<input checked="" type="checkbox"/>		
4	Dishwasher	<input checked="" type="checkbox"/>					

Buyer(s) Initials \_\_\_\_\_

Seller(s) Initials \_\_\_\_\_

5	Disposal	<input checked="" type="checkbox"/>								
6	Freezer								<input checked="" type="checkbox"/>	
7	Gas grill									
8	Hood	<input checked="" type="checkbox"/>								
9	Microwave oven	<input checked="" type="checkbox"/>								
10	Oven	<input checked="" type="checkbox"/>								
11	Range	<input checked="" type="checkbox"/>								
12	Refrigerator	<input checked="" type="checkbox"/>								
13	T.V. antenna <input type="checkbox"/> Owned <input type="checkbox"/> Leased									
14	Satellite system or DSS dish <input type="checkbox"/> Owned <input type="checkbox"/> Leased									
15	Trash compactor									

**IN WORKING CONDITION**

D. ELECTRICAL & TELECOMMUNICATIONS	Are the following <b>now</b> in working condition:	Yes	No	Do Not Know	Age If Known	N/A	COMMENTS
1	Security system: <input type="checkbox"/> Owned <input checked="" type="checkbox"/> Leased	<input checked="" type="checkbox"/>					
2	Smoke/fire detectors: <input type="checkbox"/> Battery <input checked="" type="checkbox"/> Hardwire						
3	Carbon Monoxide Alarm <input type="checkbox"/> Battery <input checked="" type="checkbox"/> Hardwire						
4	Light fixtures	<input checked="" type="checkbox"/>					
5	Switches & outlets	<input checked="" type="checkbox"/>					
6	Aluminum wiring (110)						
7	Electrical: Amps <u>200</u>						
8	Telecommunications (T1, fiber, cable, satellite)	<input checked="" type="checkbox"/>					
9	Inside telephone wiring & blocks/jacks	<input checked="" type="checkbox"/>					
10	Ceiling fans	<input checked="" type="checkbox"/>					
11	Garage door opener	<input checked="" type="checkbox"/>					
12	Garage door control(s) # <u>2</u>						
13	Intercom/doorbell	<input checked="" type="checkbox"/>					
14	In-wall speakers						
15	220 volt service	<input checked="" type="checkbox"/>					
16	Landscape lighting					<input checked="" type="checkbox"/>	

**IN WORKING CONDITION**

E. MECHANICAL	Are the following <b>now</b> in working condition:	Yes	No	Do Not Know	Age If Known	N/A	COMMENTS
1	Air conditioning:						
	Evaporative cooler						
	Window units						
	Central	<input checked="" type="checkbox"/>					
2	Attic/whole house fan						
3	Vent fans	<input checked="" type="checkbox"/>					
4	Humidifier						
5	Air purifier						
6	Sauna						
7	Hot tub or spa						
8	Steam room/shower						
9	Pool						
10	Heating system: Type <u>Forced Air</u> Fuel <u>Natural Gas</u> Type Fuel	<input checked="" type="checkbox"/>					
11	Water heater: Number of <u>1</u> Fuel type <u>Gas</u> Capacity <u>50 gal</u>	<input checked="" type="checkbox"/>					
12	Fireplace: Type <u>gas</u> Fuel <u>Natural Gas</u>	<input checked="" type="checkbox"/>					
13	Fireplace insert						
14	Stove: Type Fuel						
15	When was fireplace/wood stove, chimney/flue last cleaned: Date: <input type="checkbox"/> Do not know						
16	Fuel tanks: <input type="checkbox"/> Owned <input type="checkbox"/> Leased						
17	Radiant heating system <input type="checkbox"/> Interior <input type="checkbox"/> Exterior Hose Type						
18	Overhead door						

Buyer(s) Initials \_\_\_\_\_

Seller(s) Initials \_\_\_\_\_

19	Entry gate system						
20	Elevator						
		<b>IN WORKING CONDITION</b>					
<b>F.</b>	<b>WATER, SEWER &amp; OTHER UTILITIES</b>	<b>Yes</b>	<b>No</b>	<b>Do Not Know</b>	<b>Age If Known</b>	<b>N/A</b>	<b>COMMENTS</b>
Are the following <b>now</b> in working condition:							
1	Water filter system <input type="checkbox"/> Owned <input type="checkbox"/> Leased					<input checked="" type="checkbox"/>	
2	Water softener <input type="checkbox"/> Owned <input type="checkbox"/> Leased					<input checked="" type="checkbox"/>	
3	Sewage problems <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Do not know						
4	Lift station (sewage ejector pump)	<input checked="" type="checkbox"/>					
5	Drainage, storm sewers, retention ponds	<input checked="" type="checkbox"/>					
6	Grey water storage/use		<input checked="" type="checkbox"/>				
7	Plumbing problems <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Do not know						
8	Sump pump	<input checked="" type="checkbox"/>					
9	Underground sprinkler system	<input checked="" type="checkbox"/>					
10	Fire sprinkler system		<input checked="" type="checkbox"/>				
11	Polybutylene pipe <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Do not know						
12	Galvanized pipe <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Do not know						
13	Backflow prevention device <input type="checkbox"/> Domestic <input checked="" type="checkbox"/> Irrigation <input type="checkbox"/> Fire <input checked="" type="checkbox"/> Sewage	<input checked="" type="checkbox"/>					
14	Irrigation pump					<input checked="" type="checkbox"/>	
15	Well pump					<input checked="" type="checkbox"/>	
		<b>IN WORKING CONDITION</b>					
<b>G.</b>	<b>OTHER DISCLOSURES—IMPROVEMENTS</b>	<b>Yes</b>	<b>No</b>	<b>Do Not Know</b>	<b>N/A</b>	<b>COMMENTS</b>	
1	Included fixtures and equipment <b>now</b> in working condition	<input checked="" type="checkbox"/>					
2							
3							
4							

<b>II. GENERAL</b>							
<b>H.</b>	<b>USE, ZONING &amp; LEGAL ISSUES</b>	<b>Yes</b>	<b>No</b>	<b>Do Not Know</b>	<b>N/A</b>	<b>COMMENTS</b>	
Do any of the following conditions <b>now exist</b> :							
1	Zoning violation, variance, conditional use, violation of an enforceable PUD or non-conforming use		<input checked="" type="checkbox"/>				
2	Notice or threat of condemnation proceedings		<input checked="" type="checkbox"/>				
3	Notice of any adverse conditions from any governmental or quasi-governmental agency that have not been resolved		<input checked="" type="checkbox"/>				
4	Violation of restrictive covenants or owners' association rules or regulations		<input checked="" type="checkbox"/>				
5	Any building or improvements constructed within the past one year from this Date without approval by the Association or the designated approving body		<input checked="" type="checkbox"/>				
6	Notice of zoning action related to the Property		<input checked="" type="checkbox"/>				
7	Other legal action		<input checked="" type="checkbox"/>				
<b>I.</b>	<b>ACCESS, PARKING, DRAINAGE &amp; SIGNAGE</b>	<b>Yes</b>	<b>No</b>	<b>Do Not Know</b>	<b>N/A</b>	<b>COMMENTS</b>	
Do any of the following conditions <b>now exist</b> :							
1	Any access problems		<input checked="" type="checkbox"/>				
2	Roads, driveways, trails or paths through the Property used by others		<input checked="" type="checkbox"/>				
3	Public highway or county road bordering the Property		<input checked="" type="checkbox"/>				
4	Any proposed or existing transportation project that affects or is expected to affect the Property		<input checked="" type="checkbox"/>				
5	Encroachments, boundary disputes or unrecorded easements		<input checked="" type="checkbox"/>				
6	Shared or common areas with adjoining properties	<input checked="" type="checkbox"/>					

Buyer(s) Initials \_\_\_\_\_

Seller(s) Initials \_\_\_\_\_

7	Requirements for curb, gravel/paving, landscaping		<input checked="" type="checkbox"/>			
8	Flooding or drainage problems: Past		<input checked="" type="checkbox"/>			
9	Flooding or drainage problems: Present		<input checked="" type="checkbox"/>			
<b>J. WATER &amp; SEWER SUPPLY</b>						
	Do any of the following conditions <b>now exist</b> :	Yes	No	Do Not Know	N/A	COMMENTS
1	Water Rights Type		<input checked="" type="checkbox"/>			
2	Water tap fees paid in full	<input checked="" type="checkbox"/>				
3	Sewer tap fees paid in full	<input checked="" type="checkbox"/>				
4	Subject to augmentation plan		<input checked="" type="checkbox"/>			
5	Well required to be metered		<input checked="" type="checkbox"/>			
6	Type of water supply: <input checked="" type="checkbox"/> Public <input type="checkbox"/> Community <input type="checkbox"/> Well <input type="checkbox"/> Shared Well <input type="checkbox"/> Cistern <input type="checkbox"/> None If the Property is served by a Well, a copy of the Well Permit <input type="checkbox"/> Is <input type="checkbox"/> Is Not attached. Well Permit #: _____ <input type="checkbox"/> Drilling Records <input type="checkbox"/> Are <input type="checkbox"/> Are Not attached. Shared Well Agreement <input type="checkbox"/> Yes <input type="checkbox"/> No . The <b>Water Provider</b> for the Property can be contacted at: Name: <u>Denver Water</u> Address: _____ Web Site: _____ Phone No.: _____ <input type="checkbox"/> There is neither a Well nor a Water Provider for the Property. The source of potable water for the Property is [describe source]:  <b>SOME WATER PROVIDERS RELY, TO VARYING DEGREES, ON NONRENEWABLE GROUND WATER. YOU MAY WISH TO CONTACT YOUR PROVIDER (OR INVESTIGATE THE DESCRIBED SOURCE) TO DETERMINE THE LONG-TERM SUFFICIENCY OF THE PROVIDER'S WATER SUPPLIES.</b>					
7	Type of sanitary sewer service: <input checked="" type="checkbox"/> Public <input type="checkbox"/> Community <input type="checkbox"/> Septic System <input type="checkbox"/> None <input type="checkbox"/> Other <input type="checkbox"/> If the Property is served by an on-site septic system, supply to buyer a copy of the permit. Type of septic system: <input type="checkbox"/> Tank <input type="checkbox"/> Leach <input type="checkbox"/> Lagoon					
<b>K. ENVIRONMENTAL CONDITIONS</b>						
	Do any of the following conditions <b>now exist or have they ever existed</b> :	Yes	No	Do Not Know	N/A	COMMENTS
1	Hazardous materials on the Property, such as radioactive, toxic, or biohazardous materials, asbestos, pesticides, herbicides, wastewater sludge, radon, methane, mill tailings, solvents or petroleum products		<input checked="" type="checkbox"/>			
2	Underground storage tanks		<input checked="" type="checkbox"/>			
3	Aboveground storage tanks		<input checked="" type="checkbox"/>			
4	Underground transmission lines		<input checked="" type="checkbox"/>			
5	Pets kept on the Property		<input checked="" type="checkbox"/>			
6	Property used as, situated on, or adjoining a dump, land fill or municipal solid waste land fill		<input checked="" type="checkbox"/>			
7	Monitoring wells or test equipment		<input checked="" type="checkbox"/>			
8	Sliding, settling, upheaval, movement or instability of earth or expansive soils of the Property		<input checked="" type="checkbox"/>			
9	Mine shafts, tunnels or abandoned wells on the Property		<input checked="" type="checkbox"/>			
10	Within governmentally designated geological hazard or sensitive area		<input checked="" type="checkbox"/>			
11	Within governmentally designated flood plain or wetland area		<input checked="" type="checkbox"/>			
12	Dead, diseased or infested trees or shrubs		<input checked="" type="checkbox"/>			
13	Environmental assessments, studies or reports done involving the physical condition of the Property		<input checked="" type="checkbox"/>			
14	Property used for any mining, graveling, or other natural resource extraction operations such as oil and gas wells		<input checked="" type="checkbox"/>			
15	Interior of Improvements of Property tobacco smoke-free		<input checked="" type="checkbox"/>			
16	Other environmental problems		<input checked="" type="checkbox"/>			
<b>L. COMMON INTEREST COMMUNITY ASSOCIATION PROPERTY</b>						
	Do any of the following conditions <b>now exist</b> :	Yes	No	Do Not Know	N/A	COMMENTS
1	Property is part of an owners' association		<input checked="" type="checkbox"/>			
2	Special assessments or increases in regular assessments approved by owners' association but not yet implemented		<input checked="" type="checkbox"/>			
3	Has the Association made demand or commenced a lawsuit against a builder or contractor alleging defective construction of improvements of the Association Property		<input checked="" type="checkbox"/>			

(common area or property owned or controlled by the Association but outside the Seller's Property or Unit).

M.	OTHER DISCLOSURES — GENERAL Do any of the following conditions <b>now exist</b> :	Yes	No	Do Not Know	N/A	COMMENTS
1	Any part of the Property leased to others (written or oral)		<input checked="" type="checkbox"/>			
2	Written reports of any building, site, roofing, soils or engineering investigations or studies of the Property		<input checked="" type="checkbox"/>			
3	Any property insurance claim submitted (whether paid or not)		<input checked="" type="checkbox"/>			
4	Structural, architectural and engineering plans and/or specifications for any existing improvements		<input checked="" type="checkbox"/>			
5	Property was previously used as a methamphetamine laboratory and not remediated to state standards		<input checked="" type="checkbox"/>			
6	Government special improvements approved, but not yet installed, that may become a lien against the Property		<input checked="" type="checkbox"/>			

Seller and Buyer understand that the real estate brokers do not warrant or guarantee the above information on the Property. Property inspection services may be purchased and are advisable. This form is not intended as a substitute for an inspection of the Property.

ADVISORY TO SELLER:

Failure to disclose a known material defect may result in legal liability.

The information contained in this Disclosure has been furnished by Seller, who certifies to the truth thereof based on Seller's CURRENT ACTUAL KNOWLEDGE.

Date: 6/13/2011

Seller: **CLAY STREET LLC**  
By: **DARRYN MCLAUGHLAN**

Seller: \_\_\_\_\_ Date: \_\_\_\_\_

ADVISORY TO BUYER:

1. Even though Seller has answered the above questions to Seller's current actual knowledge, Buyer should thoroughly inspect the Property and obtain expert assistance to accurately and fully evaluate the Property to confirm the status of the following matters:

- a. the physical condition of the Property;
- b. the presence of mold or other biological hazards;
- c. the presence of rodents, insects and vermin including termites;
- d. the legal use of the Property and legal access to the Property;
- e. the availability and source of water, sewer, and utilities;
- f. the environmental and geological condition of the Property;
- g. the presence of noxious weeds; and
- h. any other matters that may affect Buyer's use and ownership of the Property that are important to Buyer as Buyer decides whether to purchase the Property

2. Seller states that the information is correct to "Seller's current actual knowledge" as of the date of this form. The term "current actual knowledge" is intended to limit Seller's disclosure only to facts actually known by the Seller and does not include "constructive knowledge" or "common knowledge" or what Seller "should have known" about the Property. The Seller has no duty to inspect the Property when this Disclosure is filled in and signed.

3. Valuable information may be obtained from various local/state/federal agencies, and other experts may assist Buyer by performing more specific evaluations and inspections of the Property.

4. Boundaries, location and ownership of fences, driveways, hedges, and similar features of the Property may become the subjects of a dispute between a property owner and a neighbor. A survey may be used to determine the likelihood of such problems.

5. Whether any item is included or excluded is determined by the contract between Buyer and Seller and not this Seller's Property Disclosure.

Buyer(s) Initials \_\_\_\_\_

Seller(s) Initials \_\_\_\_\_

6. Buyer acknowledges that Seller does not warrant that the Property is fit for Buyer's intended purposes or use of the Property. Buyer acknowledges that Seller's indication that an item is "working" is not to be construed as a warranty of its continued operability or as a representation or warranty that such item is fit for Buyer's intended purposes.

7. Buyer hereby receipts for a copy of this Disclosure.

*Tracie T. Barnes*

Date: 6/15/2011

Buyer: **TRACIE T. BARNES**

*Dave A. Barnes*

Date: 6/15/2011

Buyer: **DAVE A BARNES**

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SPD29-8-10 SELLER'S PROPERTY DISCLOSURE (RESIDENTIAL)

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