



KELLER WILLIAMS®

R E A L T Y

RESIDENTIAL PROPERTY DISCLOSURE AND DISCLAIMER STATEMENT

Property Address: 352 Rubens Circle, MARTINSBURG, WV 25401
Legal Description: _____

NOTICE TO OWNERS: Complete and sign this statement only if you elect to disclose defects or other information about the condition of the property actually known by you; otherwise, sign the Residential Property Disclaimer Statement. You may wish to obtain professional advice or inspections of the property; however, you are not required to undertake or provide any independent investigation or inspection of the property in order to make the disclosure set forth below. The disclosure is based on your personal knowledge of the condition of the property at the time of the signing of this statement.

NOTICE TO PURCHASERS: The information provided is the representation of the Owners and is based upon the actual knowledge of Owners as of the date noted. Disclosure by the Owners is not a substitute for an inspection by an independent home inspection company, and you may wish to obtain such an inspection. The information contained in this statement is not a warranty by the Owners as to the condition of the property of which the Owners have no knowledge or other conditions of which the Owners have no actual knowledge.

How long have you owned the property? 2 yrs

Property System: Water, Sewage, Heating & Air Conditioning (Answer all that apply)

Water Supply	<input checked="" type="checkbox"/> Public	<input type="checkbox"/> Well	<input type="checkbox"/> Other _____
Sewage Disposal	<input checked="" type="checkbox"/> Public	<input type="checkbox"/> Septic System approved for (_____ # bedrooms)	
Garbage Disposal	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	
Dishwasher	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	
Heating	<input type="checkbox"/> Oil	<input checked="" type="checkbox"/> Natural Gas	<input type="checkbox"/> Electric <input type="checkbox"/> Heat Pump Age _____ <input type="checkbox"/> Other _____
Air Conditioning	<input type="checkbox"/> Oil	<input type="checkbox"/> Natural Gas	<input checked="" type="checkbox"/> Electric <input type="checkbox"/> Heat Pump Age _____ <input type="checkbox"/> Other _____
Hot Water	<input type="checkbox"/> Oil	<input checked="" type="checkbox"/> Natural Gas	<input type="checkbox"/> Electric Capacity _____ Age _____ <input type="checkbox"/> Other _____

Please indicate your actual knowledge with respect to the following:

1. Foundation: Any settlement or other problems? Yes No Unknown
Comments: _____

2. Basement: Any leaks or evidence of moisture? Yes No Unknown Does Not Apply
Comments: _____

3. Roof: Any leaks or evidence of moisture? Yes No Unknown
Type of roof: _____ Age: _____
Comments: _____

Is there any existing fire retardant treated plywood? Yes No Unknown
Comments: _____

4. Other Structural Systems, including exterior walls and floors:
Comments: _____

Any Defects (structural or otherwise)? Yes No Unknown
Comments: _____

5. Plumbing system: Is the system in operating condition? Yes No Unknown

Comments: _____

6. Heating Systems: Is heat supplied to all finished rooms? Yes No Unknown

Comments: _____

Is the system in operating conditions? Yes No Unknown

Comments: _____

7. Air Conditioning System: Is cooling supplied to all finished rooms? Yes No Unknown Does not apply

Comments: _____

Is the system in operating conditions? Yes No Unknown Does Not Apply

Comments: _____

8. Electric Systems: Are there any problems with electrical fuses, circuit breakers, outlets or wiring?
 Yes No Unknown

Comments: _____

Will the smoke detectors provide an alarm in the event of a power outage? Yes No Does Not Apply

9. Septic Systems: Is the septic system functioning properly? Yes No Unknown Does Not Apply

Comments: _____

When was the system last pumped? Date _____ Unknown

10. Water Supply: Any problem with water supply? Yes No Unknown

Comments: _____

Home Water Treatment System: Yes No Unknown

Comments: _____

Fire sprinkler system: Yes No Unknown Does Not Apply

Comments: _____

Are the systems in operating condition? Yes No Unknown

Comments: _____

11. Insulation:
In exterior walls? Yes No Unknown
In ceiling/attic? Yes No Unknown
In any other areas? Yes No Unknown
Where? _____

Comments: _____

12. Exterior Drainage: Does water stand on the property for more than 24 hours after a heavy rain?
 Yes No Unknown

Comments: _____

Are gutters and downspouts in good repair? Yes No Unknown

Comments: _____

13. Wood-destroying insects: Any infestation and/or prior damage: Yes No Unknown

Comments: _____

Any treatments or repairs? Yes No Unknown
Any warranties? Yes No Unknown

Comments: _____

14. Are there any hazardous or regulated material (including, but not limited to, licensed landfills, asbestos, radon gas, lead-based paint, underground storage tanks, or other contamination) on the property? Yes No Unknown

Comments: _____

15. Are there any zoning violations, nonconforming uses, violation or building restrictions or setback requirements or any recorded or unrecorded easement, except for utilities, on or affecting the property? Yes No Unknown

Comments: _____

16. Is the property located in a flood zone, conservation area, wetland area, or Designated Historic District?
 Yes No Unknown If yes, specify below:

Comments: _____

17. Is the property subject to any restriction imposed by a Home Owners Association or any other type of community association?
 Yes No Unknown If yes, specify below:

Comments: _____

18. Are there any other material defects affecting the physical condition of the property? Yes No Unknown

Comments: _____

The foregoing answers and explanations are true and complete to the best of my/our knowledge, I/we have authority to complete this disclosure form, and I/we have retained a copy hereof. I/we herewith authorize Keller Williams Realty the broker in this transaction, to disclose the information set forth above to other real estate brokers, real estate agents, and prospective buyers of the property.

Seller agrees to hold harmless all brokers and agents in the transaction and to defend and indemnify them from any claim, demand, action or proceedings resulting from any omission or alleged omission by Seller in this Disclosure Statement.

This PROPERTY CONDITION DISCLOSURE STATEMENT consists of 3 pages, including attachments.

SELLER:

[Signature] 2/3/2008
Signature Date

[Signature] 2/3/2008
Signature Date

The purchaser(s) are satisfied with the above PROPERTY CONDITION DISCLOSURE STATEMENT.

PURCHASER:

Signature Date

Signature Date

NOTICE OF AGENCY RELATIONSHIP

When working with a real estate agent in buying or selling real estate West Virginia Law requires that you be informed of whom the agent is representing in the transaction.

The agent may represent the seller, the buyer, or both. The party represented by the agent is known as the agent's principal and as such, the agent owes the principal the duty of utmost care, integrity, honesty and loyalty.

Regardless of whom they represent, the agent has the following duties to both the buyer and the seller in any transaction:

- * Diligent exercise of reasonable skill and care in the performance of the agent's duties.
- * A duty of honest and fair dealing and good faith.
- * Must offer all property without regard to race, color, religion, sex, ancestry, physical or mental handicap, national origin or familial status.
- * Must promptly present all written offers to the owner.
- * Must disclose all facts known to the agent materially affecting the value or desirability of the property.
- * Provide a true legible copy of every contract to each person signing the contract.

The agent is not obligated to reveal to either party any confidential information obtained from the other party which does not involve the affirmative duties set forth above.

Should you desire to have a real estate agent represent you as your agent, you should enter into a written contract that clearly establishes the obligations of both parties. If you have any questions about the roles and responsibilities of a real estate agent, they can provide information upon your request.

In compliance with the West Virginia Real Estate License Act, all parties are hereby notified that:

(printed name of agent) Craig Smith, affiliated with
(firm name) Keller Williams Home Towne Realty, is acting as agent of:

The Seller, as listing agent or subagent. The Buyer, as the buyer's agent.
 Both the Seller and Buyer, with the full knowledge and consent of both parties.

CERTIFICATION			
By signing below, the parties certify that they have read and understand the information contained in this disclosure and have been provided with signed copies prior to signing any contract.			
<u>[Signature]</u> Seller	<u>2/3/2008</u> Date	Buyer	Date
<u>[Signature]</u> Seller	<u>2/3/2008</u> Date	Buyer	Date
Seller	Date	Buyer	Date

I hereby certify that I have provided the above named individuals with a copy of this form prior to signing any contract.

Agent's Signature Craig Smith
Date 2-3-08

WV Real Estate Commission
1033 Quarrier St., Suite 400
Charleston, WV 25301-2374
(304) 558-3555
<www.wvrec.org>





Disclosure of Information on Lead-Based Paint and/or Lead-Based Paint Hazards

For the sale of Property at: 352 Rubens Circle Sales Martinsburg, WV 25401

I. SELLER REPRESENTS AND WARRANTS TO KELLER WILLIAMS, INTENDING THAT SUCH BE RELIED UPON REGARDING THE ABOVE PROPERTY, THAT (each Seller initial ONE of the following and state Year Constructed):

Year Constructed 2006

- Property (all portions) was constructed after January 1, 1978.
Property (any portion) was constructed before January 1, 1978.
Seller is unable to represent and warrant the age of the property.

SELLER AGREES TO COMPLY WITH REQUIREMENTS OF THE FEDERAL RESIDENTIAL LEAD-BASED PAINT HAZARD REDUCTION ACT OF 1992

Lead Warning Statement

Every purchaser of any interest in residential real property on which a residential dwelling was built prior to 1978 is notified that such property may present exposure to lead from lead-based paint that may place young children at risk of developing lead poisoning.

II. Seller's Disclosure

- (a) Presence of lead based paint and/or lead based paint hazards (Check one below):
(b) Records and reports available to the seller (Check one below)::

III. Purchaser's Acknowledgment (initial)

- (c) Purchaser has received copies of all information listed above.
(d) Purchaser has received the pamphlet "Protect Your Family from Lead in Your Home".
(e) Purchaser has (check one below):

IV. Agent's Acknowledgment (initial)

- (f) Agent has informed the seller of the seller's obligation under 42U.S.C.4852d and is aware of their responsibility to ensure compliance.

V. Certificate of Accuracy

The following parties have reviewed the information above and certify, to the best of their knowledge, that the information they have provided is true and accurate.

Signatures and dates for Seller, Purchaser, and Agent.