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TENNESSEE RESIDENTIAL PROPERTY CONDITION DISCLOSURE

1 PROPERTY ADDRESS 1986 Plymouth St. CITY Chattanooga

2 SELLER'S NAME(S) Mark Mowery & Karen Mowery PROPERTY AGE 4

3 DATE SELLER ACQUIRED THE PROPERTY 9/10/08 DO YOU OCCUPY THE PROPERTY? Yes

4 IF NOT OWNER-OCCUPIED, HOW LONG HAS IT BEEN SINCE THE SELLER OCCUPIED THE PROPERTY?

5 (Check the one that applies) The property is a ☒ site-built home ☐ non-site-built home

6 The Tennessee Residential Property Disclosure Act requires sellers of residential real property with one to four dwelling
7 units to furnish to a buyer one of the following: (1) a residential property disclosure statement (the "Disclosure"), or (2) a
8 residential property disclaimer statement (permitted only where the buyer waives the required Disclosure). Some property
9 transfers may be exempt from this requirement (see Tenn. Code Ann. § 66-5-209). The following is a summary of the
10 buyers' and sellers' rights and obligations under the Act. A complete copy of the Act may be found at
11 <http://www.tn.gov/commerce/boards/trec/law.shtml>.

12 1. Sellers must disclose all known material defects and must answer the questions on the Disclosure form in good faith to
13 the best of the seller's knowledge as of the Disclosure date.

14 2. Sellers must give the buyers the Disclosure form before the acceptance of a purchase contract.

15 3. Sellers must inform the buyers, at or before closing, of any inaccuracies or material changes in the condition that have
16 occurred since the time of the initial Disclosure, or certify that there are no changes.

17 4. Sellers may give the buyers a report or opinion prepared by a professional inspector or other expert(s) or certain
18 information provided by a public agency, in lieu of responding to some or all of the questions on the form (See Tenn.
19 Code Ann. § 66-5-204).

20 5. Sellers are not required to have a home inspection or other investigation in order to complete the Disclosure form.

21 6. Sellers are not required to repair any items listed on the Disclosure form or on any past or future inspection report unless
22 agreed to in the purchase contract.

23 7. Sellers involved in the first sale of a dwelling must disclose the amount of any impact fees or adequate facility taxes
24 paid.

25 8. Sellers are not required to disclose if any occupant was HIV-positive, or had any other disease not likely to be
26 transmitted by occupying a home, or whether the home had been the site of a homicide, suicide or felony, or act or
27 occurrence which had no effect on the physical structure of the property.

28 9. Sellers may provide an "as is", "no representations or warranties" disclaimer statement in lieu of the Disclosure form
29 only if the buyer waives the right to the required disclosure, otherwise the sellers must provide the completed Disclosure
30 form (See Tenn. Code Ann. § 66-5-202).

31 10. Sellers may be exempt from having to complete the Disclosure form in certain limited circumstances (e.g. public
32 auctions, court orders, some foreclosures and bankruptcies, new construction with written warranty or owner has not
33 resided on the property at any time within the prior 3 years. See Tenn. Code Ann. § 66-5-209).

34 11. Buyers are advised to include home and wood infestation, well, water sources, septic system, lead-based paint, radon,
35 mold, and other appropriate inspection contingencies in the contract, as the Disclosure form is not a warranty of any kind
36 by the seller, and is not a substitute for any warranties or inspections the buyer may desire to purchase.

37 12. Any repair of disclosed defects must be negotiated and addressed in the Purchase and Sale Agreement; otherwise, seller
38 is not required to repair any such items.

39 13. Buyers may, but do not have to, waive their right to receive the Disclosure form from the sellers if the sellers provide a
40 disclaimer statement with no representations or warranties (see Tenn. Code Ann. § 66-5-202).



- 41 14. Remedies for misrepresentations or nondisclosure in a Property Condition Disclosure statement may be available to
42 buyer and are set out fully in Tenn. Code Ann. § 66-5-208. Buyer should consult with an attorney regarding any such
43 matters.
- 44 15. Representations in the Disclosure form are those of the sellers only, and not of any real estate licensee, although
45 licensees are required to disclose to all parties adverse facts of which the licensee has actual knowledge or notice.
- 46 16. Pursuant to Tenn. Code Ann. § 47-18-104(b), sellers of newly constructed residences on a septic system are prohibited
47 from knowingly advertising or marketing a home as having more bedrooms than are permitted by the subsurface sewage
48 disposal system permit.
- 49 17. Sellers must disclose the presence of any known exterior injection well, the results of any known percolation test or soil
50 absorption rate performed on the property that is determined or accepted by the Department of Environment and
51 Conservation, and whether the property is located within a Planned Unit Development as defined by Tenn. Code Ann. §
52 66-5-213 and, if requested, provide buyers with a copy of the development's restrictive covenants, homeowner bylaws
53 and master deed. Sellers must also disclose if they have knowledge that the residence has ever been moved from an
54 existing foundation to another foundation.

55 The Buyers and Sellers involved in the current or prospective real estate transaction for the property listed above
56 acknowledge that they were informed of their rights and obligations regarding Residential Property Disclosures, and that this
57 information was provided by the real estate licensee(s) prior to the completion or reviewing of a Tennessee Residential
58 Property Condition Disclosure, a Tennessee Residential Property Condition Disclaimer Statement, or a Tennessee Residential
59 Property Condition Exemption Notification. Buyers and Sellers also acknowledge that they were advised to seek the advice
60 of an attorney on any legal questions they may have regarding this information or prior to taking any legal actions.

61 The Tennessee Residential Property Disclosure Act states that anyone transferring title to residential real property must
62 provide information about the condition of the property. This completed form constitutes that disclosure by the Seller. The
63 information contained in the disclosure is the representation of the owner and not the representation of the real estate licensee
64 or sales person, if any. This is not a warranty or a substitute for any professional inspections or warranties that the purchasers
65 may wish to obtain.

66 **Buyers and Sellers should be aware that any sales agreement executed between the parties will supersede this form as**
67 **to the terms of sale, property included in the sale and any obligations on the part of the seller to repair items identified**
68 **below and/or the obligation of the buyer to accept such items "as is."**

69 **INSTRUCTIONS TO THE SELLER**

70 Complete this form yourself and answer each question to the best of your knowledge. If an answer is an estimate, clearly
71 label it as such. The Seller hereby authorizes any agent(s) representing any party in this transaction to provide a copy of this
72 statement to any person or entity in connection with any actual or anticipated sale of the subject property.

73 **A. THE SUBJECT PROPERTY INCLUDES THE ITEMS CHECKED BELOW:**

- | | | |
|--|--|--|
| 74 <input checked="" type="checkbox"/> Range | <input type="checkbox"/> Wall/Window Air Conditioning | <input checked="" type="checkbox"/> Garage Door Opener(s) (Number of openers <u>1</u>) |
| 75 <input checked="" type="checkbox"/> Ice Maker Hookup | <input type="checkbox"/> Window Screens | <input checked="" type="checkbox"/> <u>1</u> Garage Door Remote(s) |
| 76 <input type="checkbox"/> Oven | <input checked="" type="checkbox"/> Fireplace(s) (Number) <u>2</u> | <input checked="" type="checkbox"/> Intercom |
| 77 <input checked="" type="checkbox"/> Microwave | <input type="checkbox"/> Gas Starter for Fireplace | <input checked="" type="checkbox"/> TV Antenna/Satellite Dish (excluding components) |
| 78 <input checked="" type="checkbox"/> Garbage Disposal | <input checked="" type="checkbox"/> Gas Fireplace Logs | <input type="checkbox"/> Central Vacuum System and attachments |
| 79 <input type="checkbox"/> Trash Compactor | <input checked="" type="checkbox"/> Smoke Detector/Fire Alarm | <input checked="" type="checkbox"/> Spa/Whirlpool Tub |
| 80 <input type="checkbox"/> Water Softener | <input type="checkbox"/> Patio/Decking/Gazebo | <input type="checkbox"/> Hot Tub |
| 81 <input checked="" type="checkbox"/> 220 Volt Wiring | <input type="checkbox"/> Installed Outdoor Cooking Grill | <input checked="" type="checkbox"/> Washer/Dryer Hookups |
| 82 <input type="checkbox"/> Sauna | <input checked="" type="checkbox"/> Irrigation System | <input type="checkbox"/> Pool <input type="checkbox"/> In-ground <input type="checkbox"/> Above-ground |
| 83 <input checked="" type="checkbox"/> Dishwasher | <input checked="" type="checkbox"/> A key to all exterior doors | <input checked="" type="checkbox"/> Access to Public Streets |
| 84 <input checked="" type="checkbox"/> Sump Pump | <input checked="" type="checkbox"/> Rain Gutters | <input checked="" type="checkbox"/> All Landscaping and all outdoor lighting |
| 85 <input checked="" type="checkbox"/> Burglar Alarm/Security System Components and controls | | |
| 86 <input type="checkbox"/> Current Termite contract with _____ | | |



87 ☒ Heat Pump Unit #1 4 Age (Approx)

88 ☒ Heat Pump Unit #2 4 Age (Approx)

89 ☐ Heat Pump Unit #3 _____ Age (Approx)

90 ☐ Central Heating Unit #1 _____ Age ☐ Electric ☐ Gas ☐ Other

91 ☐ Central Heating Unit #2 _____ Age ☐ Electric ☐ Gas ☐ Other

92 ☐ Central Heating Unit #3 _____ Age ☐ Electric ☐ Gas ☐ Other

93 ☐ Central Air Conditioning #1 _____ Age ☐ Electric ☐ Gas ☐ Other

94 ☐ Central Air Conditioning #2 _____ Age ☐ Electric ☐ Gas ☐ Other

95 ☐ Central Air Conditioning #3 _____ Age ☐ Electric ☐ Gas ☐ Other

96 ☒ Water Heater #1 4 Age ☒ Electric ☐ Gas ☐ Solar ☐ Other _____

97 ☒ Water Heater #2 4 Age ☒ Electric ☐ Gas ☐ Solar ☐ Other _____

98 ☐ Other _____ ☐ Other _____

99 Garage ☒ Attached ☐ Not Attached ☐ Carport

100 Water Supply ☒ City ☐ Well ☐ Private ☐ Utility ☐ Other _____

101 Gas Supply ☐ Utility ☐ Bottled ☐ Other

102 Waste Disposal ☒ City Sewer ☐ Septic Tank ☐ Other _____

103 Roof(s): Type Architectural Shingle Age (approx): 4

104 Other Items:

105

106

107

108 To the best of your knowledge, are any of the above NOT in operating condition? ☐ YES ☒ NO

109 If YES, then describe (attach additional sheets if necessary):

110

111

112

113

114

115

116 **Leased Items:** Leased items that remain with the Property are (e.g. security systems, water softener systems, etc.): Propane Tank

117

118

119

120 If leases are not assumable, it will be Seller's responsibility to pay balance.

121 **B. ARE YOU (SELLER) AWARE OF ANY DEFECTS/MALFUNCTIONS IN ANY OF THE FOLLOWING?**

	YES	NO	UNKNOWN		YES	NO	UNKNOWN
122 Interior Walls	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Roof Components	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
123 Ceilings	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Basement	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
124 Floors	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Foundation	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
125 Windows	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Slab	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
126 Doors	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Driveway	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
127 Insulation	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Sidewalks	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
128 Plumbing System	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Central Heating	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>



		YES	NO	UNKNOWN		YES	NO	UNKNOWN
129	Sewer/Septic	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Heat Pump	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
130	Electrical System	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Central Air Conditioning	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
131	Exterior Walls	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Double Paned or Insulated Window and/or Doors	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

132
133 If any of the above is/are marked YES, please explain:
134

135 Please describe any repairs made by you or any previous owners of which you are aware (use separate sheet if necessary).
136

137 **C. ARE YOU (SELLER) AWARE OF ANY OF THE FOLLOWING:** YES NO UNKNOWN

- 138 1. Substances, materials or products which may be environmental hazards
139 such as, but not limited to: asbestos, radon gas, lead-based paint, fuel
140 or chemical storage tanks, methamphetamine, contaminated soil or
141 water, and/or known existing or past mold presence on the subject
142 property? ☐ ☒ ☐
- 143 2. Features shared in common with adjoining land owners, such as walls, but
144 not limited to, fences, and/or driveways, with joint rights and obligations
145 for use and maintenance? ☐ ☒ ☐
- 146 3. Any authorized changes in roads, drainage or utilities affecting the
147 property, or contiguous to the property? ☐ ☒ ☐
- 148 4. Any changes since the most recent survey of the property was done?
149 Most recent survey of the property: ☐ (check here if unknown) ☐ ☒ ☐
- 150
- 151 5. Any encroachments, easements, or similar items that may affect your
152 ownership interest in the property? ☐ ☒ ☐
- 153 6. Room additions, structural modifications or other alterations or
154 repairs made without necessary permits? ☐ ☒ ☐
- 155 7. Room additions, structural modifications or other alterations or
156 repairs not in compliance with building codes? ☐ ☒ ☐
- 157 8. Landfill (compacted or otherwise) on the property or any portion
158 thereof? ☐ ☒ ☐
- 159 9. Any settling from any cause, or slippage, sliding or other soil problems? ☐ ☒ ☐
- 160 10. Flooding, drainage or grading problems? ☒ ☐ ☐
- 161 11. Any requirement that flood insurance be maintained on the property? ☐ ☒ ☐
- 162 12. Is any of the property in a flood plain? ☐ ☒ ☐
- 163 13. Any past or present interior water intrusions(s), standing water within
164 foundation and/or basement? ☒ ☐ ☐
- 165 If yes, please explain. If necessary, please attach an additional sheet
166 and any available documents pertaining to these repairs/corrections.
167 *Sump Pump to remove water from Home Foundation after*
168 *extremely heavy rain*
169
- 170 14. Property or structural damage from fire, earthquake, floods, landslides,
171 tremors, wind, storm or wood destroying organisms? ☐ ☒ ☐
- 172 If yes, please explain (use separate sheet if necessary).
173
174
175
176 If yes, has said damage been repaired? ☐ ☐ ☐



		YES	NO	UNKNOWN
177	15. Any zoning violations, nonconforming uses and/or violations of	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
178	"setback" requirements?			
179	16. Neighborhood noise problems or other nuisances?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
180	17. Subdivision and/or deed restrictions or obligations?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
181	18. A Condominium/Homeowners Association (HOA) which has any authority	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
182	over the subject property?			
183	Name of HOA: _____	HOA Address: _____		
184	HOA Phone Number: _____	Monthly Dues: _____		
185	Special Assessments: _____	Transfer Fees: _____		
186	Management Company: _____	Phone: _____		
187	Management Co. Address: _____			
188	19. Any "common area" (facilities such as, but not limited to, pools, tennis	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
189	courts, walkways or other areas co-owned in undivided interest with others)?			
190	20. Any notices of abatement or citations against the property?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
191	21. Any lawsuit(s) or proposed lawsuit(s) by or against the seller which affects	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
192	or will affect the property?			
193	22. Is any system, equipment or part of the property being leased?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
194	If yes, please explain, and include a written statement regarding payment			
195	information. \$ 60 per yr			
196				
197				
198	23. Any exterior wall covering of the structure(s) covered with exterior	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
199	insulation and finish systems (EIFS), also known as "synthetic stucco"?			
200	If yes, has there been a recent inspection to determine whether the structure	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
201	has excessive moisture accumulation and/or moisture related damage?			
202	(The Tennessee Real Estate Commission urges any buyer or seller who encounters this product to have a qualified			
203	professional inspect the structure in question for the preceding concern and provide a written report of the			
204	professional's finding.)			
205	If yes, please explain. If necessary, please attach an additional sheet.			
206				
207				
208	24. Is heating and air conditioning supplied to all finished rooms?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
209	If the same type of system is not used for all finished rooms, please explain.			
210				
211				
212				
213	25. If septic tank or other private disposal system is marked under item (A), does	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
214	it have adequate capacity and approved design to comply with present state			
215	and local requirements for the actual land area and number of bedrooms and NA			
216	facilities existing at the residence?			
217	26. Is the property affected by governmental regulations or restrictions requiring	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
218	approval for changes, use, or alterations to the property?			
219	27. Is this property in a historical district or has it been declared historical by	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
220	any governmental authority such that permission must be obtained before			
221	certain types of improvements or aesthetic changes to the property are made?			
222	28. Does this property have an exterior injection well located anywhere on it?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
223	29. Is seller aware of any percolation tests or soil absorption rates being	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
224	performed on the property that are determined or accepted by			
225	the Tennessee Department of Environment and Conservation?			
226	If yes, results of test(s) and/or rate(s) are attached.			



- | | | YES | NO | UNKNOWN |
|-----|---|--------------------------|-------------------------------------|--------------------------|
| 227 | 30. Has any residence on this property ever been moved from its original | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 228 | foundation to another foundation? | | | |
| 229 | 31. Is this property in a Planned Unit Development? Planned Unit Development | <input type="checkbox"/> | <input checked="" type="checkbox"/> | |
| 230 | is defined pursuant to Tenn. Code Ann. § 66-5-213 as "an area of land, | | | |
| 231 | controlled by one (1) or more landowners, to be developed under unified | | | |
| 232 | control or unified plan of development for a number of dwelling units, | | | |
| 233 | commercial, educational, recreational or industrial uses, or any combination | | | |
| 234 | of the foregoing, the plan for which does not correspond in lot size, bulk or | | | |
| 235 | type of use, density, lot coverage, open space, or other restrictions to the | | | |
| 236 | existing land use regulations." Unknown is not a permissible answer under | | | |
| 237 | the statute. | | | |

238 **D. CERTIFICATION.** I/We certify that the information herein, concerning the real property located at
 239 1986 Plymouth St., Chattanooga, TN 37421
 240 is true and correct to the best of my/our knowledge as of the date signed. Should any of these conditions change prior to
 241 conveyance of title to this property, these changes will be disclosed in an addendum to this document.

242 Transferor (Seller) Mark Mowery Date 7/27/12 Time 2:00 PM
 243 Transferor (Seller) Karen Mowery Date 7-27-12 Time _____
 244 Karen Mowery

245 Parties may wish to obtain professional advice and/or inspections of the property and to negotiate
 246 appropriate provisions in the purchase agreement regarding advice, inspections or defects.
 247
 248

249 **Transferee/Buyer's Acknowledgment:** I/We understand that this disclosure statement is not intended as a substitute for any
 250 inspection, and that I/we have a responsibility to pay diligent attention to and inquire about those material defects which are
 251 evident by careful observation. **I/We acknowledge receipt of a copy of this disclosure.**

252 Transferee (Buyer) _____ Date _____ Time _____

253 Transferee (Buyer) _____ Date _____ Time _____

254 If the property being purchased is a condominium, the transferee/buyer is hereby given notice that the transferee/buyer is
 255 entitled, upon request, to receive certain information regarding the administration of the condominium from the developer or
 256 the condominium association as applicable, pursuant to Tennessee Code Annotated §66-27-502.

NOTE: This form is provided by TAR to its members for their use in real estate transactions and is to be used as is. This form contains language that is in addition to the language mandated by the state of Tennessee pursuant to the disclosure requirements of the "Tennessee Residential Property Disclosure Act." Tennessee Code Annotated § 66-5-201, et seq. By downloading and/or using this form, you agree and covenant not to alter, amend, or edit said form or its contents except as where provided in the blank fields, and agree and acknowledge that any such alteration, amendment or edit of said form is done at your own risk. Use of the TAR logo in conjunction with any form other than standardized forms created by TAR is strictly prohibited. This form is subject to periodic revision and it is the responsibility of the member to use the most recent available form.





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DISCLAIMER NOTICE

The Brokers and their affiliated licensees (hereinafter collectively "Licensees") involved in the Purchase and Sale Agreement (hereinafter "Agreement") regarding real estate located at 1986 Plymouth St., Chattanooga, TN 37421 (hereinafter "Property")

are not attorneys and are not structural or environmental engineers. They are engaged in bringing together buyers and sellers in real estate transactions. Licensees expressly deny any expertise with respect to advice or informed opinions regarding any of the following matters. This Disclaimer Notice is an express warning to all sellers and buyers that they should not rely on any statement, comment or opinion expressed by any Licensee when making decisions about any of the following matters, including the selection of any professional to provide services on behalf of buyers or sellers. Any professional selected by buyers or sellers should be an "independent, qualified professional", who complies with all applicable state/local requirements, which may include licensing, insurance, and bonding requirements. It is strongly recommended that buyers include contingency clauses in their offers to purchase with respect to these or any other matters of concern and that buyers, in writing the offer, allow enough time to get an evaluation of the following matters from an independent, qualified professional. The matters listed below are not an exclusive list of actions or circumstances which are not the responsibility of the Licensees with whom you work. These items are examples and are provided only for your guidance and information.

- 1. THE STRUCTURAL OR OTHER CONDITIONS OF THE PROPERTY.** Consult with professional engineers or other independent, qualified professionals to ascertain the existence of structural issues, the condition of synthetic stucco (E.I.F.S.) and/or the overall condition of the Property.
- 2. THE CONDITION OF ROOFING.** Consult with a bonded roofing company for any concerns about the condition of the roof.
- 3. HOME INSPECTION.** We strongly recommend that you have a home inspection, which is a useful tool for determining the overall condition of a home including, but not limited to, electrical, heating, air conditioning, plumbing, water-heating systems, fireplaces, windows, doors and appliances. Contact several sources (like the Tennessee Department of Commerce & Insurance (www.licrch.state.tn.us), the American Society of Home Inspectors (www.ashi.com), the National Association of Certified Home Inspectors (www.nachi.org), and Home Inspectors of Tennessee (www.hita.us) and independently investigate the competency of an inspector, including whether he has complied with State and/or local licensing and registration requirements in your area. The home inspector may, in turn, recommend further examination by a specialist (heating-air-plumbing, etc.). **Failure to inspect typically means that you are accepting the property "as is."**
- 4. WOOD DESTROYING ORGANISMS, PESTS AND INFESTATIONS.** It is strongly recommended that you use the services of a licensed, professional pest control company to determine the presence of wood destroying organisms (termites, fungus, etc.) or other pests or infestations and to examine the property for any potential damage from such.
- 5. ENVIROMENTAL HAZARDS.** Environmental hazards such as, but not limited to: radon gas, mold, asbestos, lead-based paint, hazardous wastes, landfills, byproducts of methamphetamine production, high-voltage electricity, noise levels, etc., require advanced techniques by environmental specialists to evaluate, remediate and/or repair. It is strongly recommended that you secure the services of knowledgeable professionals and inspectors in all areas of environmental concern.
- 6. SQUARE FOOTAGE.** There are many ways of measuring square footage. Information is sometimes gathered from tax or real estate records on the Property. Square footage provided by builders, real estate licensees, or tax records is only an **estimate** with which to make comparisons, but **it is not guaranteed**. It is advised that you have a licensed appraiser determine actual square footage.



- 43 7. **CURRENT VALUE, INVESTMENT POTENTIAL, OR RESALE VALUE OF THE PROPERTY.** A
44 true estimate of the value can only be obtained through the services of a licensed appraiser. No one, not even
45 a professional appraiser, can know the future value of a property. Unexpected and unforeseeable things
46 happen. **NOTE:** A real estate licensee's Comparative Market Analysis (CMA) or Broker's Price Opinion
47 (BPO), etc., while sometimes used to set an asking price or an offer price, is **not** an appraisal.
- 48 8. **BOUNDARY LINES, EASEMENTS, ENCROACHMENTS, AND ACREAGE.** It is strongly advised
49 that you secure the services of a licensed surveyor for a full-stake boundary survey with all boundary lines,
50 easements, encroachments, flood zones, total acreage, etc., clearly identified. It is also advised that you **not**
51 rely on mortgage loan inspection surveys, previous surveys, plat data, or Multiple Listing Service (MLS) data
52 for this information, even if acceptable to your lender.
- 53 9. **ZONING, CODES, COVENANTS, RESTRICTIONS, AND RELATED ISSUES.** Zoning, codes,
54 covenants, restrictions, home owner association by-laws, special assessments, city ordinances, governmental
55 repair requirements and related issues need to be verified by the appropriate sources in writing. If your
56 projected use requires a zoning or other change, it is recommended that you either wait until the change is **in**
57 **effect** before committing to a property or provide for this contingency in your Purchase and Sale Agreement.
- 58 10. **UTILITY CONNECTIONS, SEPTIC SYSTEM CAPABILITY, AND RELATED SERVICES.** The
59 availability, adequacy, connection and/or condition of waste disposal (sewer, septic system, etc.), water
60 supply, electric, gas, cable, internet, telephone, or other utilities and related services to the Property need to be
61 verified by the appropriate sources in writing. You should have a professional check access and/or
62 connection to public sewer and/or public water source and/or the condition of any septic system(s) and/or
63 wells. To confirm that any septic systems are properly permitted for the actual number of bedrooms, it is
64 recommended that sellers and/or buyers request a copy of the information contained in the file for the
65 Property maintained by the appropriate governmental permitting authority. If the file for this Property cannot
66 be located or you do not understand the information contained in the file, you should seek professional advice
67 regarding this matter. For unimproved land, septic system capability can only be determined by using the
68 services of a professional soil scientist and verifying with the appropriate governmental authorities that a
69 septic system of the desired type, size, location, and cost can be permitted and installed to accommodate the
70 size home that you wish to build.
- 71 11. **FLOODING, DRAINAGE, FLOOD INSURANCE, AND RELATED ITEMS.** It is recommended that
72 you have a civil or geotechnical engineer or other independent expert determine the risks of flooding,
73 drainage or run-off problems, erosion, land shifting, unstable colluvial soil, sinkholes and landfills. The risk
74 of flooding may increase and drainage or storm run-off pathways may change. Be sure to consult with the
75 proper governmental authorities, elevation surveyors, and flood insurance professionals regarding flood and
76 elevation certificates, flood zones, and flood insurance requirements, recommendations and costs.
- 77 12. **SCHOOL DISTRICTS AND OTHER SCHOOL INFORMATION.** It is advised that you independently
78 confirm school zoning with the appropriate school authorities, as school districts are subject to change. Other
79 school information (rankings, curriculums, student-teacher ratios, etc.) should be confirmed by appropriate
80 sources in writing.
- 81 13. **INFORMATION ABOUT CRIMES OR SEX OFFENDERS.** You should consult with local, state and
82 federal law enforcement agencies for information or statistics regarding criminal activity at or near the
83 Property or for the location of sex offenders in a given area.
- 84 14. **LEGAL AND TAX ADVICE.** You should seek the advice of an attorney and/or certified tax specialist on
85 any legal or tax questions concerning any offers, contracts, issues relating to title or ownership of the
86 Property, or any other matters of concern, including those itemized in this Disclaimer Notice. Real estate
87 licensees are **not** legal or tax experts, and therefore cannot advise you in these areas.
- 88 15. **RECOMMENDED INSPECTORS, SERVICE PROVIDERS, OR VENDORS.** The furnishing of any
89 inspector, service provider or vendor named by the real estate licensee is done only as a convenience and a
90 courtesy, and does not in any way constitute any warranty, representation, or endorsement. Buyers and sellers
91 have the option to select any inspectors, service providers or vendors of the buyer's or seller's choice. You
92 are advised to contact several sources and independently investigate the competency of any inspector,



contractor, or other professional expert, service provider or vendor and to determine compliance with any licensing, registration, insurance and bonding requirements in your area.

The buyers and sellers acknowledge that they have not relied upon the advice, casual comments, or verbal representations of any real estate licensee relative to any of the matters itemized above or similar matters. The buyers and sellers understand that it has been strongly recommended that they secure the services of appropriately credentialed experts and professionals of the buyer's or seller's choice for the advice and counsel about these and similar concerns.

The party(ies) below have signed and acknowledge receipt of a copy.

BUYER

BUYER

_____ at _____ o'clock ☐ am/ ☐ pm

_____ at _____ o'clock ☐ am/ ☐ pm

Date

Date

The party(ies) below have signed and acknowledge receipt of a copy.

SELLER Mark Mowery

SELLER Karen Mowery

7/27/12 at 2 o'clock ☐ am/ ☒ pm

7-27-12 at 2:00 o'clock ☐ am/ ☒ pm

Date

Date

NOTE: This form is provided by TAR to its members for their use in real estate transactions and is to be used as is. By downloading and/or using this form, you agree and covenant not to alter, amend, or edit said form or its contents except as where provided in the blank fields, and agree and acknowledge that any such alteration, amendment or edit of said form is done at your own risk. Use of the TAR logo in conjunction with any form other than standardized forms created by TAR is strictly prohibited. This form is subject to periodic revision and it is the responsibility of the member to use the most recent available form.

