



**SELLER'S PROPERTY DISCLOSURE STATEMENT
(LOT/LAND) EXHIBIT " _____ "**



2020 Printing

This Seller's Property Disclosure Statement ("Statement") is an exhibit to the Purchase and Sale Agreement with an Offer Date of _____ for Property known as or located at: .84 +/- acres E. Franklin St
Hartwell Georgia 30643. This Statement is intended to make it easier for Seller to fulfill Seller's legal duty to disclose hidden defects in the Property of which Seller is aware. Seller is obligated to disclose such defects even when the Property is being sold "as-is."

A. INSTRUCTIONS TO SELLER IN COMPLETING THIS DISCLOSURE STATEMENT. In completing this Disclosure Statement, Seller agrees to:

- (1) answer all questions in reference to the Property and the Improvements thereon;
- (2) answer all questions fully, accurately and to the actual knowledge and belief of all Sellers;
- (3) provide additional explanations to all "yes" answers in the corresponding Explanation section below each group of questions, unless the "yes" answer is self-evident;
- (4) promptly revise the Statement if there are any material changes in the answers to any of the questions prior to closing and provide a copy of the same to the Buyer and any Broker involved in the transaction.

B. HOW THIS STATEMENT SHOULD BE USED BY BUYER. Caveat emptor or "buyer beware" is the law in Georgia. Buyer should conduct a thorough inspection of the Property. If Seller has not occupied the Property recently, Seller's knowledge of the Property's condition may be limited. Buyer is expected to use reasonable care to inspect the Property and confirm that is suitable for Buyer's purposes. If an inspection of the Property reveals problems or areas of concern that would cause a reasonable Buyer to investigate further, Buyer should investigate further. A "yes" or "no" answer to a question means "yes" or "no" to the actual knowledge and belief of all Sellers of the Property.

C. SELLERS DISCLOSURES.

1. GENERAL:	YES	NO
(a) Is the Property vacant?	✓	
If yes, how long has it been since the Property has been occupied? _____		
(b) Is the Property or any portion thereof leased?		✓
EXPLANATION:		

2. COVENANTS, FEES, and ASSESSMENTS:	YES	NO
(a) Is the Property subject to a recorded Declaration of Covenants, Conditions, and Restrictions ("CC&Rs") or other similar restrictions?		✓
(b) Is the Property part of a condominium or community in which there is a community association? IF YES, SELLER TO COMPLETE AND PROVIDE BUYER WITH A "COMMUNITY ASSOCIATION DISCLOSURE EXHIBIT" GAR F322.		✓
EXPLANATION:		

THIS FORM IS COPYRIGHTED AND MAY ONLY BE USED IN REAL ESTATE TRANSACTIONS IN WHICH Reese Oglesby IS INVOLVED AS A REAL ESTATE LICENSEE. UNAUTHORIZED USE OF THE FORM MAY RESULT IN LEGAL SANCTIONS BEING BROUGHT AGAINST THE USER AND SHOULD BE REPORTED TO THE GEORGIA ASSOCIATION OF REALTORS® AT (770) 451-1831.

3. THE PROPERTY:	YES	NO
(a) How many acres are in Property? <u>.87</u>		
(b) What is the current zoning of Property? _____		
(c) Will conveyance of Property include any mineral, oil, and timber rights?		✓
(d) Are there any governmental allotments committed?		✓
(e) Have any licenses or usage permits been granted for, but not limited to, crops, minerals, hunting, water, grazing or timber?		✓
EXPLANATION:		

4. SOIL, TREES, SHRUBS AND BOUNDARIES:	YES	NO
(a) Is there any fill dirt on Property?		✓
(b) Are there any landfills (other than foundation backfill), graves, burial pits, caves, mine shafts, trash dumps or wells (in use or abandoned)?		✓
(c) Is there now or has there ever been any visible soil settlement or movement?	✓	
(d) Is any part of Property located in a 100 year Special Flood Hazard Area where there is at least a 1% chance of a flood in any given year?		✓
(e) Are there any drainage or flooding problems on Property?		✓
(f) Are there any diseased or dead trees?		✓
(g) Are there presently any encroachments, unrecorded easements or boundary line disputes with a neighboring property owner?		✓
EXPLANATION: <u>see next page.</u>		

5. TOXIC SUBSTANCES:	YES	NO
(a) Are there any underground tanks or toxic or hazardous substances such as asbestos?		✓
(b) Has Property ever been tested for radon or any other environmental contaminants?		✓
EXPLANATION:		

6. OTHER MATTERS:	YES	NO
(a) Have there been any inspections in the past year?		✓
If yes, by whom and of what type? _____		
(b) Are there any violations of local, state or federal laws, codes or regulations with respect to Property?		✓
(c) Have you received notices by governmental or quasi-governmental agency affecting Property?		✓
(d) Are there any existing or threatened legal actions affecting Property?		✓
(e) Is there any system or item on Property which is leased or which has a fee associated with its use?		✓
(f) Are there any private or undedicated roadways for which owner may have financial responsibility?		✓
(g) If Property is served by well water, is the well on Property?		✓
(h) Has the Property been enrolled in a Conservation Use Program?		✓
If yes, when was the Property enrolled? _____		
(i) Are there any other latent or hidden defects that have not otherwise been disclosed?		✓
EXPLANATION:		

7. AGRICULTURAL DISCLOSURE:

YES

NO

(a) Is Property within, partially within, or adjacent to any property zoned or identified on an approved county land use plan as agricultural or forestry use?

It is the policy of this state and this community to conserve, protect, and encourage the development and improvement of farm and forest land for the production of food, fiber, and other products, and also for its natural and environmental value. This notice is to inform prospective property owners or other persons or entities leasing or acquiring an interest in real property that property in which they are about to acquire an interest lies within, partially within, or adjacent to an area zoned, used, or identified for farm and forest activities and that farm and forest activities occur in the area. Such farm and forest activities may include intensive operations that cause discomfort and inconveniences that involve, but are not limited to, noises, odors, fumes, dust, smoke, insects, operations of machinery during any 24 hour period, storage and disposal of manure, and the application by spraying or otherwise of chemical fertilizers, soil amendments, herbicides, and pesticides. One or more of these inconveniences may occur as the result of farm or forest activities which are in conformance with existing laws and regulations and accepted customs and standards.

8. UTILITIES:

Seller warrants that the following utilities serve Property. (The term "serve" shall mean: the indicated utilities and services are available and functional at the property line.) Check (✓) only those utilities below that are included in the sale of Property.

[The utilities listed below that are not checked do not serve Property.]

- | | |
|--|--|
| <input checked="" type="checkbox"/> Electricity | <input checked="" type="checkbox"/> Public Sewer |
| <input checked="" type="checkbox"/> Natural Gas | <input checked="" type="checkbox"/> Public Water |
| <input checked="" type="checkbox"/> Telephone | <input type="checkbox"/> Private/Well Water |
| <input checked="" type="checkbox"/> Cable Television | <input type="checkbox"/> Shared Well Water |
| <input checked="" type="checkbox"/> Garbage Collection | <input type="checkbox"/> Other _____ |

Additional pages are attached.

4c. many years ago, there was an old well that was filled in and it settled and was filled in again.

SELLER'S REPRESENTATION REGARDING SELLER'S LOT/LAND PROPERTY DISCLOSURE STATEMENT:

Seller represents that Seller has followed the Instructions to Seller in Completing This Disclosure Statement set forth in Paragraph A above and will follow the same in updating this Disclosure Statement as needed from time to time.

Seller: *Peggy Kesler* Date: *2-7-2020*
Peggy Kesler
 Seller: *Ann Neese by Peggy Kesler (POA)* Date: *2-10-2020*
Ann Neese

Additional Signature Page (F267) is attached.

RECEIPT AND ACKNOWLEDGMENT BY BUYER:

Buyer acknowledges the receipt of this Seller's Lot/Land Property Disclosure Statement.

Buyer: _____ Date: _____
 Buyer: _____ Date: _____

Additional Signature Page (F267) is attached.

After Recording, Return To:
Ridgway & Ridgway, LLP
Attorneys at Law
P. O. Box 710
Hartwell, GA 30643

FILED IN OFFICE
HART SUPERIOR COURT

2018 APR 13 PM 1:56

Frankie H. Gray
FRANKIE H. GRAY, CLERK

RECORDED
Book 840 Page 608-611
Date 4-13-2018
Frankie Gray, Clerk

Hart County, Georgia
Real Estate Transfer Tax
Paid 0
Date 4-13-2018
Frankie Gray, Clerk

{Use Above Space For Recording Data}

Warranty Deed

(No Title Examination Performed or Title Opinion Rendered by Ridgway & Ridgway, LLP)

State of Georgia,
County of Hart

THIS INDENTURE, made and entered into on April 12, 2018, between

MARGARET W. BROWN, a/k/a MARGARET LOUISE W. BROWN

of 170 Azalea Drive, Hartwell, GA 30643, as party of the first part, hereinafter referred to as Grantor, and

**PEGGY B. KESLER AND ANN B. NEESE, AS TRUSTEES OF
THE MARGARET BROWN FAMILY TRUST DATED APRIL 12, 2018**

of 170 Azalea Drive, Hartwell, GA 30643, as party of the second part, hereinafter referred to as Grantee (the words "Grantor" and "Grantee" to include their respective heirs, executors, administrators, successors and assigns where the context requires or permits, and, when appropriate, any kind of entity, either gender, and both singular and plural).

WITNESSETH: That the said Grantor, for and in consideration of the sum of **TEN AND NO/100 DOLLARS (\$10.00) AND FOR THE PURPOSE OF ESTATE PLANNING FOR GRANTOR AND GRANTOR'S BENEFICIARIES**, in hand paid to the said Grantor by the said Grantee at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged, has given, granted, assigned, confirmed and conveyed, and by these presents does hereby give, grant, assign and convey unto the said Grantee, the following described property, to-wit:

~~**TRACT ONE:** All that tract or parcel of land, with improvements thereon, lying and being in the City of Hartwell, 1112th Georgia Militia District of Hart County, Georgia, containing 0.60 of an acre, more or less, and being known and designated as **LOT FIFTEEN (15) OF LAUREL GLEN SUBDIVISION**, and being bounded, now or formerly, substantially as follows: on the Northwest by Lot 14 of said subdivision; on the Southeast by Lots 120, 121 and 122 of the F. B. Hodges Estate Subdivision; on the Southwest by Lot 16 of said subdivision; and on the West by a cul-de-sac of the right of way of Azalea Drive; and being~~

more particularly shown and delineated on a plat of a survey prepared by Moreland Altobelli Associates, Inc., Registered Land Surveyors, dated July 12, 2002, recorded in Plat Book 2-H, Page 280 in the Office of the Clerk of the Superior Court of Hart County, Georgia, which plat and the recordation thereof are by reference incorporated herein to aid in this description.

ALSO CONVEYED HEREIN, is a perpetual non-exclusive right of way easement so as to provide a way of ingress and egress from and to the above-described property with Laurel Drive by way of Azalea Drive, as shown on the aforementioned plat.

This deed is made and aid property conveyed subject to setback lines as shown on the aforementioned plat, as well as subject to that Declaration of Protective Covenants dated October 22, 2002, recorded in Deed Book 427, Pages 697-701, Hart County, Georgia Records, as amended by Amendment To Declaration of Protective Covenants for Laurel Glen Subdivision dated April 16, 2004, recorded in Deed Book 483, Page 726, Hart County, Georgia Records.

This is the same property conveyed to G. Truitte Brown and Margaret W. Brown by warranty deed dated October 26, 2004, from Olsen Crafted Homes, Inc., recorded in Deed Book 501, pages 369-370, said Clerk's Office.

TRACT TWO:

All that lot or parcel of land lying and being in the 1112th District, G. M. of Hart County, Georgia, at the northeastern corner of the intersection of East Howell Street and College Avenue (formerly Hodges Street) in the city of Hartwell, Georgia, containing 0.48 of an acre, more or less, and being bounded now or formerly substantially as follows: on the North by property of Ethridge and property of Carnes; on the East by property of Robert C. White; on the South by East Howell Street; and on the West by College Avenue.

Said property is more particularly shown and described on plat prepared by Bauknight & Associates, Land Surveyors, dated September 21, 1994, recorded in Plat Book 29, Page 606 in the Office of the Clerk of the Superior Court of Hart County, Georgia, which plat and the recordation thereof are by reference incorporated herein to aid in this description.

This is the same property conveyed to G. Truitte Brown and Margaret W. Brown by warranty deed dated February 6, 1995, from H. Eugene Ethridge, et. al, recorded in Deed Book 267, pages 339-341, said Clerk's Office.

LESS AND EXCEPT:

All that tract or parcel of land lying and being in the 1112th District, G. M., of Hart County, Georgia, containing 0.020 of an acre or 864 square feet, and being more particularly described as follows: BEGINNING at a point at the intersection of the southwest existing right of way of SR 8/US 29 and the southeast existing right of way of College Avenue, said point being 25 feet right of Georgia Highway Project PPL-8 (120) Survey Centerline Station 168+20, and running thence S77 degrees 39 minutes East along the existing right of way of

SR8/US 29 a combined distance of 112.70 feet to a point on the boundary of a tract of land now or formerly owned by H. S. Cleveland, said point being 25 feet right of Survey Centerline Station 169+32; thence S 13 degrees West along said boundary 5.00 feet to a point 30 feet right of Survey Centerline Station 169+31.81; thence northwesterly along an arc 23.61 feet to a point 30 feet right of Survey Station 169+08.9; thence N 77 degrees 39 minutes West 49.03 feet to a point 30 feet right of Survey Centerline Station 168+60; thence S81 degrees 54 minutes 07 seconds West 42.93 feet to a point on the existing right of way of college Avenue; thence N13 degrees East along the existing right of way 20 feet to the point of BEGINNING.

Being the property conveyed to Georgia Department of Transportation by Deed dated June 7, 1988, from George Truite Brown and Margaret Louise W. Brown, recorded in Deed book 202, pages 289-291, Hart County, Georgia Records.

TRACT THREE:

All that lot or parcel of land lying and being in the City of Hartwell, Hart County, Georgia, situate at the intersection of the east side of College Avenue, with the south side of East Franklin Street, and being more particularly described as to courses and distances in the following manner:

BEGINNING at a point situate on the south side of East Franklin Street, at the northwest corner of the lot herein described, said beginning corner being the point whereat the east side of College Avenue intersects with the south side of East Franklin Street, and running thence along the south side of East Franklin Street South 77 degrees East 120 feet to a point; thence South 13 degrees West 132 feet to a point; thence North 77 degrees West 120 feet to a point situate on the east side of College Avenue; thence along the East side of College Avenue North 13 degrees East 130 feet to a point situate on the South side of East Franklin Street, the beginning corner.

This lot of land is bounded now or formerly substantially as follows: on the East by property of Cleveland; on the South by property of Ethridge; on the West by College Avenue; and on the North by East Franklin Street.

This is the same property conveyed to George Truite Brown and Margaret Louise W. Brown by deed dated September 19, 1963, from the Estate of Otto Young McLees, et. al, recorded in Deed Book 79, Page 519, Hart County, Georgia Records.

The trust instrument under which the Grantee herein holds title is a "Grantor Trust" as defined under IRS Regulations and it provides for the power of the trustee to sell, mortgage, transfer, lease and otherwise convey full and legal title to the above property upon such terms and conditions as the then acting Trustee deems appropriate under all circumstances, without the approval or consent by any court or any beneficiary named in the trust. The trust also provides for successor trustees in the event of the death or disability of a named Trustee, for the delegation of duties between and among multiple trustees and for the power to grant attorney in fact status between and among multiple trustees.

TO HAVE AND TO HOLD the said bargained premises, together with all and singular the rights, members and appurtenances thereof, to the same being, belonging or in any wise appertaining, to the only proper use, benefit and behoof of the said Grantee, in fee simple. And the said Grantor, for themselves, their executors, administrators, successors, and assigns, shall and will warrant and forever defend, by virtue of these presents, the right and title to the above described property unto the said Grantee against the claims of all persons whomsoever.

IN WITNESS WHEREOF, the said Grantor has signed and sealed this deed, the day and year first herein written.

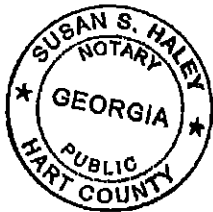
Margaret W. Brown (SEAL)
MARGARET W. BROWN, A/K/A MARGARET
LOUISE BROWN
Signed by Peggy B. Kesler for Margaret W. Brown
at Margaret W. Brown's direction

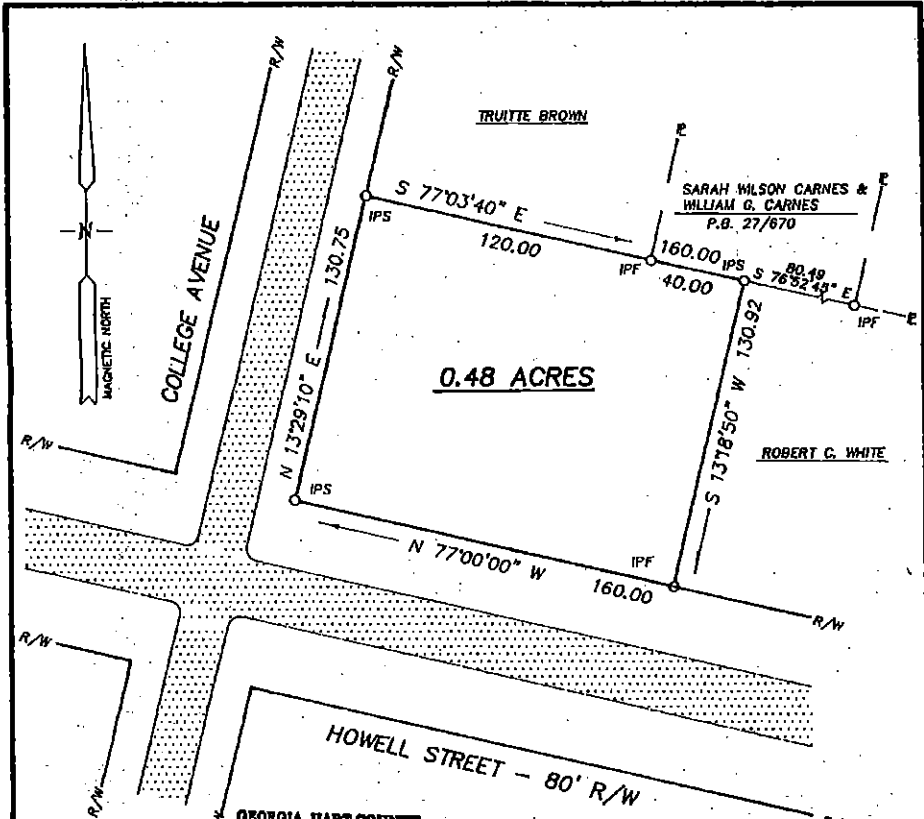
Signed, sealed and delivered
in the presence of:

[Signature]
Unofficial Witness

[Signature]
Notary Public

My Commission expires: 5/5/2020





GEORGIA, HART COUNTY
 CLERK'S OFFICE, SUPERIOR COURT
 FILED FOR RECORD Oct. 19
 AT 9:30 O'CLOCK A.M.
 RECORDED Oct. 19 94
 ON BOOK NO. 28 PAGE 606
W. Slate Bauknight

NOTE: THIS PROPERTY IS NOT
 LOCATED IN A FEDERAL FLOOD
 AREA AS INDICATED BY FIAA
 OFFICIAL FLOOD HAZARD MAPS.

THE FIELD EQUIPMENT USED FOR THIS SURVEY
 WAS A TOPCON GTS 303 TOTAL STATION
 THE FIELD DATA UPON WHICH THIS PLAT IS
 BASED HAS A CLOSURE PRECISION OF ONE
 FOOT IN 10,000 FEET AND AN ANGULAR
 ERROR OF 2 SEC PER ANGLE POINT AND
 WAS ADJUSTED USING THE RULE THIS
 PLAT HAS BEEN CALCULATED FOR CLOSURE
 AND FOUND TO BE ACCURATE WITHIN ONE
 FOOT IN 10,000 FEET.

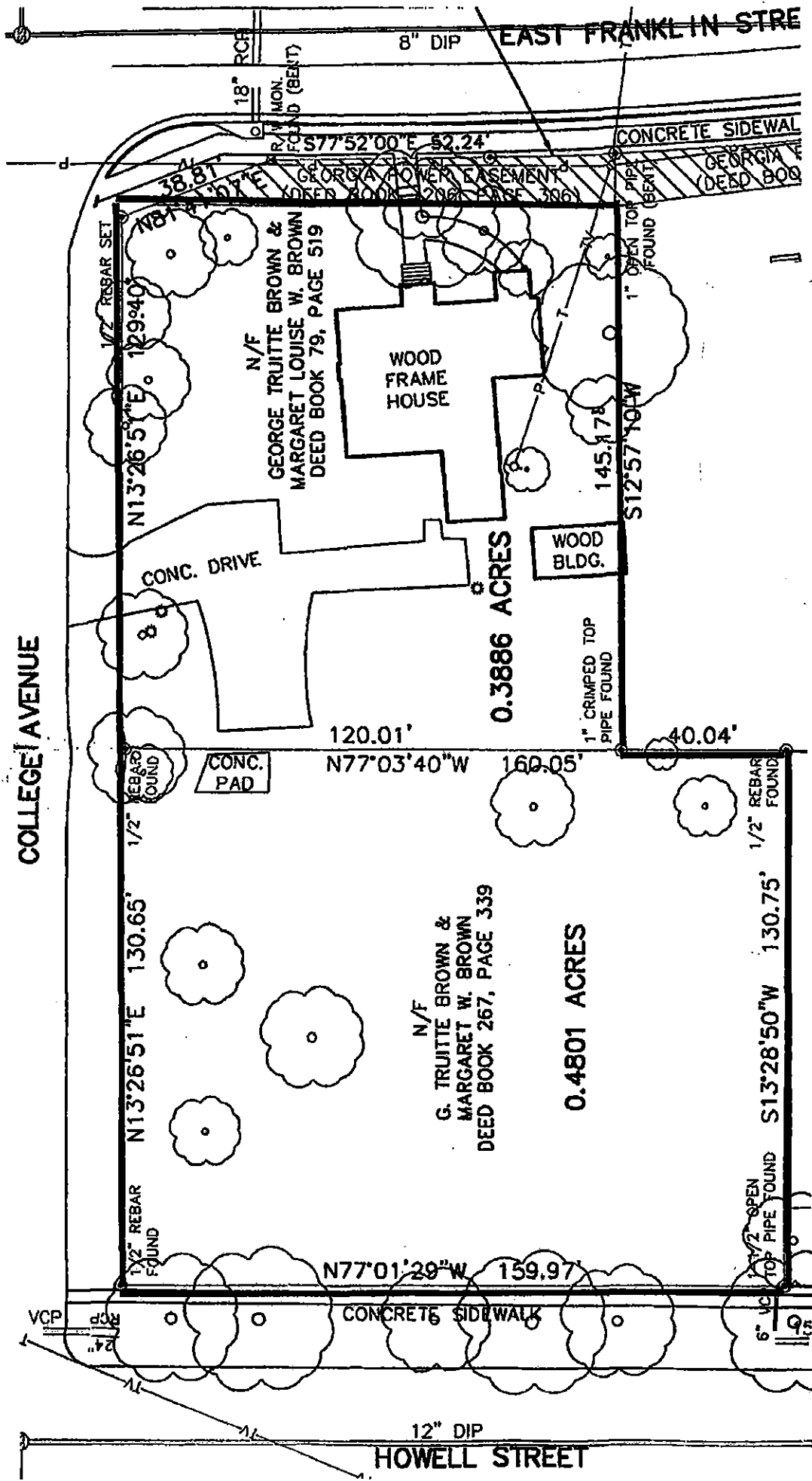
I HEREBY CERTIFY, THAT IN MY OPINION
 THIS IS A CORRECT REPRESENTATION OF THE
 LAND PLATTED AND HAS BEEN PREPARED IN
 CONFORMITY WITH THE ETHRIDGE STANDARDS
 AND REQUIREMENTS OF LAW.

W. SLATE BAUKNIGHT
 GEORGIA REG. LAND SURVEYOR



KEY
 I.P.F. = IRON PIN FOUND
 I.P.S. = 1/2" REBAR SET
 R/L = PROPERTY LINE
 O/S = OFFSET
 C = CENTERLINE
 C.M.F. = CONCRETE MARKER FOUND
 T/A = TRAVERSE LINE
 N/S = NAIL SET
 N/F = NAIL FOUND
 P.O.B. = POINT OF BEGINNING

SURVEY FOR: <h2 style="text-align: center;">ETHRIDGE BROTHERS</h2>		LOCATION MAP: 	
COUNTY: HART	CITY OF: HARTWELL	GRID: 1112	STATE: GEORGIA
DATE: SEPTEMBER 21, 1994	SCALE: 1" = 50'	DRAWN BY: D.T.F.	APPROVED BY: W.S.B.
SURVEYED BY: BAUKNIGHT & ASSOCIATES, LAND SURVEYORS W. SLATE BAUKNIGHT - GA. RLS # 2534 RT. 1 BOX 63 CANON, GEORGIA 30520 PHONE: 706-376-5946		DRAWING NUMBER: ETHRIDGE D11	FIELD BOOK: 24/21



COLLEGE AVENUE

EAST FRANKLIN STRE

HOWELL STREET

N/F
GEORGE TRUITTE BROWN &
MARGARET LOUISE W. BROWN
DEED BOOK 79, PAGE 519

WOOD
FRAME
HOUSE

WOOD
BLDG.

0.3886 ACRES

N/F
G. TRUITTE BROWN &
MARGARET W. BROWN
DEED BOOK 267, PAGE 339

0.4801 ACRES

N13°26'51"E 129.40'

N13°26'51"E 130.65'

120.01'

N77°03'40"W 160.05'

N77°01'29"W 159.97'

145.178'

S12°57'10"W

40.04'

S13°28'50"W 130.75'

18" RCP

8" DIP

1/2" REBAR SET

1/2" REBAR FOUND

CONC. PAD

VCP

18" RCP

CONCRETE SIDEWALK

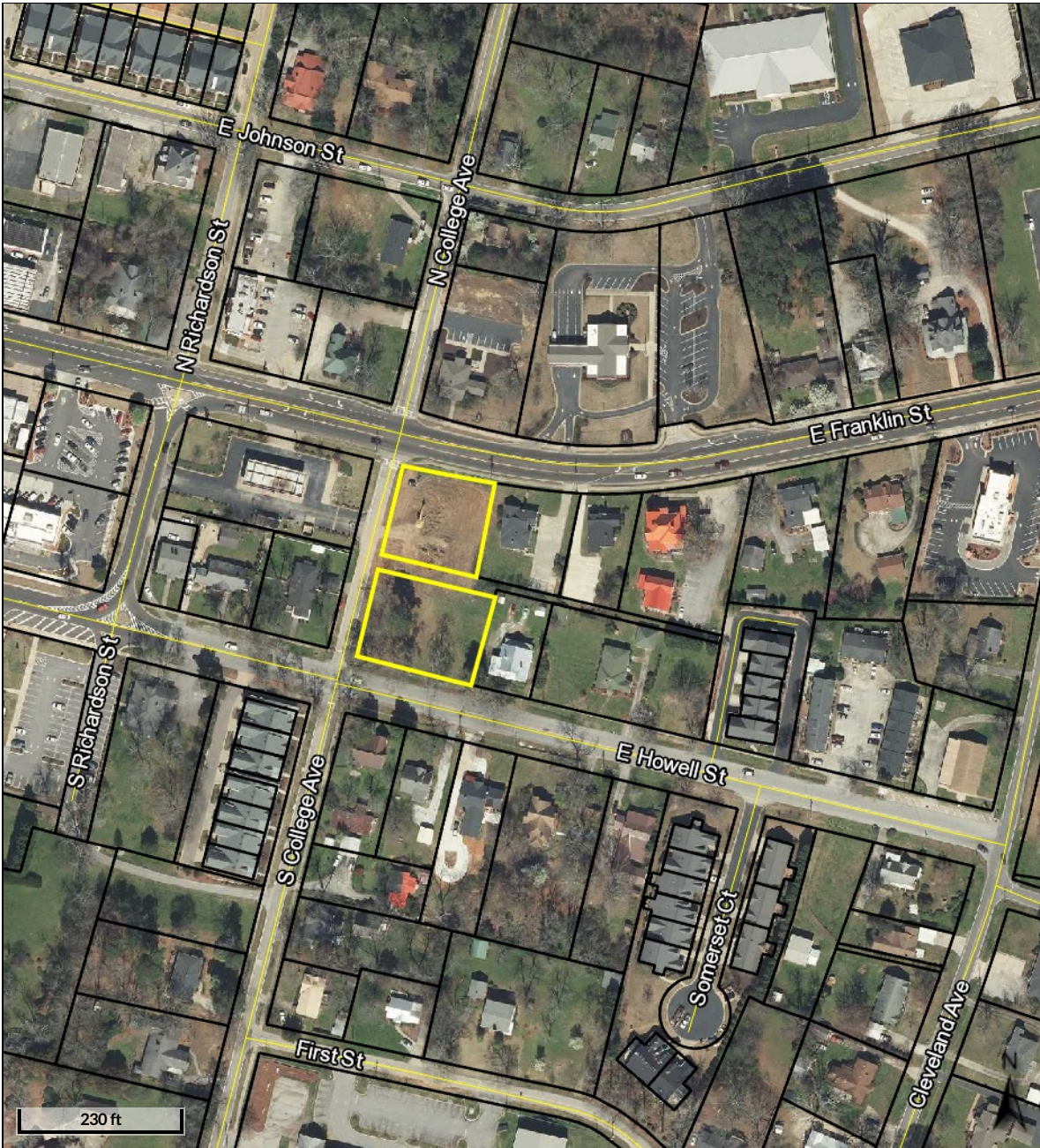
CONCRETE SIDEWALK

6" VCP TOP PIPE FOUND

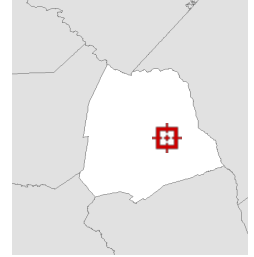
1" OPEN TOP PIPE FOUND (BENT)

1" CRIMPED TOP PIPE FOUND


not recorded



Overview



Legend

-  Parcels
-  Roads

Date created: 2/10/2020
Last Data Uploaded: 2/10/2020 6:30:53 AM

Developed by  Schneider
GEOSPATIAL