


**SELLER'S PROPERTY DISCLOSURE STATEMENT  
(NEW CONSTRUCTION)**  
EXHIBIT " \_\_\_\_\_ "



2021 Printing

This Seller's Property Disclosure Statement ("Statement") is an exhibit to the New Construction Purchase and Sale Agreement with an Offer Date of April 2020 for Property known as or located at 114 Lakota Trail Georgia 30162. This Statement is intended to make a seller 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 in the New Construction Purchase and Sale Agreement;
- (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) Date of final building permit <u>April 2020</u> Date of Certificate of Occupancy _____		
EXPLANATION:		
2. COVENANTS, FEES, and ASSESSMENTS:		
(a) Is the Property subject to a recorded Declaration of Covenants, Conditions, and Restrictions ("CC&Rs") or other similar restrictions?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(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.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
EXPLANATION:		

THIS FORM IS COPYRIGHTED AND MAY ONLY BE USED IN REAL ESTATE TRANSACTIONS IN WHICH \_\_\_\_\_ 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) 441-1831.  
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3. STRUCTURAL ITEMS, ADDITIONS AND ALTERATIONS:		YES	NO
(a)	Has there been any settling, movement, cracking or breakage of the foundations or structural supports of the improvements?		<input checked="" type="checkbox"/>
(b)	Has there been any cracking, settlement or visible movement of retaining walls?		<input checked="" type="checkbox"/>
(c)	Has any work been done where a required building permit was not obtained?		<input checked="" type="checkbox"/>
(d)	Is Seller aware of violations of building codes or zoning regulations or received notice of the same?		<input checked="" type="checkbox"/>
EXPLANATION:			
4. SYSTEMS and COMPONENTS:		YES	NO
(a)	What is/are the heating system(s) serving the Property? <input checked="" type="checkbox"/> Electric <input type="checkbox"/> Gas <input type="checkbox"/>		
(b)	What is/are the air conditioning system(s) (A/C) serving the Property? <input checked="" type="checkbox"/> Electric <input type="checkbox"/> Gas <input type="checkbox"/>		
(c)	What is/are the water heater(s) serving the Property? <input checked="" type="checkbox"/> Electric <input type="checkbox"/> Gas <input type="checkbox"/> Solar		
(d)	Are any fireplaces not vented? <i>NONE</i>		<input checked="" type="checkbox"/>
EXPLANATION:			
5. SEWER/PLUMBING RELATED ITEMS:		YES	NO
(a)	What is the drinking water source? <input checked="" type="checkbox"/> public <input type="checkbox"/> private <input type="checkbox"/> well		
(b)	If the drinking water is from a well, has the water been tested within the past twelve (12) months?		
(c)	What is the sewer system? <input type="checkbox"/> public <input type="checkbox"/> private <input checked="" type="checkbox"/> septic tank		
(d)	Is, or will, the main drain line served by a sewage pump?		
(e)	Is there presently any polybutylene plumbing, other than the primary service line?		<input checked="" type="checkbox"/>
EXPLANATION:			
6. SOIL, TREES, SHRUBS AND BOUNDARIES:		YES	NO
(a)	Is there or will there be any construction or other debris buried on Property?		<input checked="" type="checkbox"/>
(b)	Are there any springs, mine shafts, graves, trash dumps or wells (in use or abandoned) on Property?		<input checked="" type="checkbox"/>
(c)	Are there any diseased or dead trees?		<input checked="" type="checkbox"/>
(d)	Are there any encroachments, boundary line disputes, leases or unrecorded easements?		<input checked="" type="checkbox"/>
(e)	Is any part of the Property or any improvements thereon presently located in a 100 year Special Flood Hazard Area where there is at least a 1% chance of a flood in any given year?		<input checked="" type="checkbox"/>
(f)	Are there any present drainage or flooding problems?		<input checked="" type="checkbox"/>
(g)	Has there ever been any water leakage, accumulation, or dampness within the improvements on Property after its completion?		<input checked="" type="checkbox"/>
EXPLANATION:			

<b>7. TERMITE TREATMENT:</b>		
(a) Is there or will there be a system (meeting the standards of the Georgia Department of Agriculture to control termites and other wood destroying organisms) serving the Property? If yes, check type: <input type="checkbox"/> Soil Treatment <input checked="" type="checkbox"/> Baiting System <input type="checkbox"/> Other	YES	NO
(b) Is there, or will there be, a transferable termite bond on the Property? If yes, check type of coverage: <input type="checkbox"/> re-treatment and repair or <input type="checkbox"/> re-treatment only		
EXPLANATION:		
<b>8. TOXIC SUBSTANCES:</b>		
(a) Are there any underground tanks, toxic or hazardous substances on Property (structure or soil) such as asbestos, urea-formaldehyde, methane gas, radioactive material, radon, mold benzene or other substances or environmental contaminants?	YES	NO
(b) Has Property been tested for radon, mold or any other toxic substances?		
EXPLANATION:		
<b>9. OTHER MATTERS:</b>		
(a) Do you know of any outstanding notices of violations of local, state, or federal laws, codes or regulations with respect to Property?	YES	NO
(b) Is Property currently or has it been the subject of litigation including, but not limited to defective building products, construction defects, termites, and/or title problems?		
(c) Have you signed any release that would limit a future owner from making any claims in connection with Property?		
(d) Are there any other adverse, material facts pertaining to the physical condition of the Property that have not otherwise been disclosed?		
EXPLANATION:		
<b>10. AGRICULTURAL DISCLOSURE:</b>		
(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?	YES	NO
<p>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, operators 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.</p>		
<input type="checkbox"/> Additional pages are attached.		
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**SELLER'S REPRESENTATION REGARDING SELLER'S NEW CONSTRUCTION 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: Mark Phillips Date: March 9 2021  
Seller: \_\_\_\_\_ Date: \_\_\_\_\_

Additional Signature Page (F267) is attached.

**RECEIPT AND ACKNOWLEDGMENT BY BUYER:**  
Buyer acknowledges the receipt of this Seller's New Construction Property Disclosure Statement.

Buyer: \_\_\_\_\_ Date: \_\_\_\_\_  
Buyer: \_\_\_\_\_ Date: \_\_\_\_\_

Additional Signature Page (F267) is attached.

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