

SELLER'S PROPERTY DISCLOSURE STATEMENT (Page 1)

Not a Warranty
(ORS 105.464)

If required under ORS 105.465, a seller shall deliver in substantially the following form the seller's property disclosure statement to each buyer who makes a written offer to purchase real property in this state:

Instructions to the Seller

Please complete the following form. Do not leave any spaces blank. Please refer to the line number(s) of the question(s) when you provide your explanation(s). If you are not claiming an exclusion or refusing to provide the form under ORS 105.475(4), you should date and sign each page of this disclosure statement and each attachment.

Each seller of residential property described in ORS 105.465 must deliver this form to each buyer who makes a written offer to purchase. Under ORS 105.475(4), refusal to provide this form gives the buyer the right to revoke the offer at any time prior to closing the transaction. Use only the section(s) of the form that apply to the transaction for which the form is used. If you are claiming an exclusion under ORS 105.470, fill out only Section 1.

An exclusion may be claimed only if the seller qualifies for the exclusion under the law. If not excluded, the seller must disclose the condition of the property or the buyer may revoke their offer to purchase anytime prior to closing the transaction. Questions regarding the legal consequences of the seller's choice should be directed to a qualified attorney.

Section 1. Exclusion from ORS 105.465 to 105.490 – DO NOT Fill Out This Section Unless You Are Claiming an Exclusion Under ORS 105.470.

You may claim an exclusion under ORS 105.470 only if you qualify under the statute. If you are not claiming an exclusion, you must fill out Section 2 of this form completely.

Initial only the exclusion you wish to claim.

- This is the first sale of a dwelling never occupied. The dwelling is constructed or installed under building or installation permit(s) #-----, issued by -----
- This sale is by a financial institution that acquired the property as custodian, agent or trustee, or by foreclosure or deed in lieu of foreclosure.
- The seller is a court appointed receiver, personal representative, trustee, conservator or guardian.
- This sale or transfer is by a governmental agency.

Signature of Seller Claiming Exclusion	Print or Type Name	Date
Signature of Seller Claiming Exclusion	Print or Type Name	Date
Signature of Buyer to Acknowledge Seller's Claim	Print or Type Name	Date
Signature of Buyer to Acknowledge Seller's Claim	Print or Type Name	Date

Section 2. Seller's Property Disclosure Statement – If You Did Not Claim an Exclusion in Section 1, You Must Fill Out This Section.

NOTICE TO THE BUYER: THE FOLLOWING REPRESENTATIONS ARE MADE BY THE SELLER(S) CONCERNING THE CONDITION OF THE PROPERTY LOCATED AT 1705 Commercial Street SE, Salem, Marion County, Oregon ("THE PROPERTY").

DISCLOSURES CONTAINED IN THIS FORM ARE PROVIDED BY THE SELLER ON THE BASIS OF SELLER'S ACTUAL KNOWLEDGE OF THE PROPERTY AT THE TIME OF DISCLOSURE. YOU HAVE FIVE DAYS FROM THE SELLER'S DELIVERY OF THIS SELLER'S DISCLOSURE STATEMENT TO REVOKE YOUR OFFER BY DELIVERING YOUR SEPARATE SIGNED WRITTEN STATEMENT OF REVOCATION TO THE SELLER DISAPPROVING THE SELLER'S DISCLOSURE STATEMENT, UNLESS YOU WAIVE THIS RIGHT AT OR PRIOR TO ENTERING INTO A SALE AGREEMENT.

FOR A MORE COMPREHENSIVE EXAMINATION OF THE SPECIFIC CONDITION OF THIS PROPERTY, YOU ARE ADVISED TO OBTAIN AND PAY FOR THE SERVICES OF A QUALIFIED SPECIALIST TO INSPECT THE PROPERTY ON YOUR BEHALF, INCLUDING, FOR EXAMPLE, ONE OR MORE OF THE FOLLOWING: ARCHITECTS, ENGINEERS, PLUMBERS, ELECTRICIANS, ROOFERS, ENVIRONMENTAL INSPECTORS, BUILDING INSPECTORS, CERTIFIED HOME INSPECTORS, OR PEST AND DRY ROT INSPECTORS.

Seller ☐ is ☒ is not (indicate which) occupying the property.

I. Seller's Representations:

The following are representations made by the seller and are not the representations of any financial institution that may have made or may make a loan pertaining to the property, or that may have or take a security interest in the property, or any real estate licensee engaged by the seller or the buyer.

1. TITLE
- A. Do you have legal authority to sell the property? ☒ Yes ☐ No ☐ Unknown
- * B. Is title to the property subject to any of the following: ☐ Yes ☒ No ☐ Unknown
- (1) First right of refusal?
- (2) Option?
- (3) Lease or rental agreement?
- (4) Other listing?
- (5) Life estate?
- * C. Is the property being transferred an unlawfully established unit of land? ☒ Yes ☐ No ☐ Unknown
- * D. Are there any encroachments, boundary agreements, boundary disputes or recent boundary changes? ☐ Yes ☒ No ☐ Unknown
- * E. Are there any rights of way, easements, licenses, access limitations or claims that may affect your interest in the property? ☐ Yes ☒ No ☐ Unknown
- * F. Are there any agreements for joint maintenance of an easement or right of way? ☐ Yes ☒ No ☐ Unknown
- * G. Are there any governmental studies, designations, zoning overlays, surveys or notices that would affect the property? ☐ Yes ☒ No ☐ Unknown
- * H. Are there any pending or existing governmental assessments against the property? ☐ Yes ☒ No ☐ Unknown
- * I. Are there any zoning violations or nonconforming uses? ☐ Yes ☒ No ☐ Unknown
- * J. Is there a boundary survey for the property? ☐ Yes ☒ No ☐ Unknown
- * K. Are there any covenants, conditions, restrictions or private assessments that affect the property? ☐ Yes ☒ No ☐ Unknown
- * L. Is the property subject to any special tax assessment or tax treatment that may result in levy of additional taxes if the property is sold? ☐ Yes ☒ No ☐ Unknown

2. WATER

A. Household water

- (1) The source of the water is (check ALL that apply): ☐ Public ☐ Community ☐ Private ☐ Other

Seller's Signature	William C. Davis, Jr.	3-15-2010
	Print or Type Name	Date
Seller's Signature	Sara Davis	3-15-2010
	Print or Type Name	Date

*If yes, attach a copy or explain on attached sheet.

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2. WATER (Continued)

(2) Water source information:

* a. Does the water source require a water permit?

If yes, do you have a permit? ☐ YES ☐ NO

b. Is the water source located on the property?

* If not, are there any written agreements for a shared water source?

* c. Is there an easement (recorded or unrecorded) for your access to or maintenance of the water source?

d. If the source of water is from a well or spring, have you had any of the following in the past 12 months? ☐ Flow test ☐ Bacteria test ☐ Chemical contents test

* e. Are there any water source plumbing problems or needed repairs?

(3) Are there any water treatment systems for the property? ☐ Leased ☐ Owned

B. Irrigation

(1) Are there any ☐ water rights or ☐ other irrigation rights for the property?

* (2) If any exist, has the irrigation water been used during the last five-year period?

* (3) Is there a water rights certificate or other written evidence available?

C. Outdoor sprinkler system

(1) Is there an outdoor sprinkler system for the property?

(2) Has a back flow valve been installed?

(3) Is the outdoor sprinkler system operable?

☐ Yes ☒ No ☐ Unknown

☐ Yes ☒ No ☐ Unknown

☐ Yes ☒ No ☐ Unknown ☐ N/A

☐ Yes ☒ No ☐ Unknown

☐ Yes ☐ No ☐ Unknown ☒ N/A

☐ Yes ☒ No ☐ Unknown

☐ Yes ☒ No ☐ Unknown

☐ Yes ☒ No ☐ Unknown

☐ Yes ☐ No ☐ Unknown ☒ N/A

☐ Yes ☒ No ☐ Unknown ☐ N/A

☐ Yes ☒ No ☐ Unknown

☐ Yes ☐ No ☐ Unknown ☒ N/A

☐ Yes ☐ No ☐ Unknown ☒ N/A

3. SEWAGE SYSTEM

A. Is the property connected to a public or community sewer system?

B. Are there any new public or community sewage systems proposed for the property?

C. Is the property connected to an on-site septic system?

If yes, was it installed by permit?

* Has the system been repaired or altered?

Has the condition of the system been evaluated and a report issued?

Has it ever been pumped?

If yes, when? _____

* D. Are there any sewage system problems or needed repairs?

E. Does your sewer system require on-site pumping to another level?

☒ Yes ☐ No ☐ Unknown

☐ Yes ☒ No ☐ Unknown

☐ Yes ☒ No ☐ Unknown

☐ Yes ☐ No ☐ Unknown ☒ N/A

☐ Yes ☐ No ☐ Unknown

☐ Yes ☐ No ☐ Unknown

☐ Yes ☐ No ☐ Unknown ☒ N/A

☐ Yes ☐ No ☐ Unknown

☐ Yes ☒ No ☐ Unknown

☐ Yes ☒ No ☐ Unknown

4. DWELLING INSULATION

A. Is there insulation in the:

(1) Ceiling?

(2) Exterior walls?

(3) Floors?

B. Are there any defective insulated doors or windows?

☒ Yes ☐ No ☐ Unknown

☐ Yes ☐ No ☒ Unknown

☐ Yes ☐ No ☒ Unknown

☐ Yes ☒ No ☐ Unknown

5. DWELLING STRUCTURE

* A. Has the roof leaked?

If yes, has it been repaired?

B. Are there any additions, conversions or remodeling?

If yes, was a building permit required?

If yes, was a building permit obtained?

If yes, was final inspection obtained?

C. Are there smoke alarms or detectors?

D. Is there a woodstove or fireplace insert included in the sale?

* If yes, what is the make? _____

* If yes, was it installed with a permit?

* If yes, is a certification label issued by the United States Environmental Protection Agency (EPA) or the Department of Environmental Quality (DEQ) affixed to it?

* E. Has pest and dry rot, structural or "whole house" inspection been done within the last three years?

* F. Are there any moisture problems, areas of water penetration, mildew odors or other moisture conditions (especially in the basement)?

* If yes, explain on attached sheet the frequency and extent of problem and any insurance claims, repairs or remediation done.

G. Is there a sump pump on the property?

H. Are there any materials used in the construction of the structure that are or have been the subject of a recall, class action suit, settlement or litigation?

If yes, what are the materials? _____

(1) Are there problems with the materials?

(2) Are the materials covered by a warranty?

(3) Have the materials been inspected?

(4) Have there ever been claims filed for these materials by you or by previous owners?

If yes, when? _____

(5) Was money received?

(6) Were any of the materials repaired or replaced?

☐ Yes ☒ No ☐ Unknown

☐ Yes ☐ No ☐ Unknown ☒ N/A

☐ Yes ☐ No ☒ Unknown

☐ Yes ☐ No ☐ Unknown ☒ N/A

☐ Yes ☐ No ☐ Unknown ☒ N/A

☐ Yes ☐ No ☐ Unknown ☒ N/A

☒ Yes ☐ No ☐ Unknown

☐ Yes ☒ No ☐ Unknown

☐ Yes ☐ No ☐ Unknown

☐ Yes ☐ No ☐ Unknown

☐ Yes ☒ No ☐ Unknown

☐ Yes ☒ No ☐ Unknown

☒ Yes ☐ No ☐ Unknown

☐ Yes ☐ No ☒ Unknown

☐ Yes ☐ No ☐ Unknown ☒ N/A

☐ Yes ☐ No ☐ Unknown ☒ N/A

☐ Yes ☐ No ☐ Unknown ☒ N/A

☐ Yes ☐ No ☐ Unknown ☒ N/A

☐ Yes ☐ No ☐ Unknown ☒ N/A

☐ Yes ☐ No ☐ Unknown ☒ N/A

6. DWELLING SYSTEMS AND FIXTURES

If the following systems or fixtures are included in the purchase price, are they in good working order on the date this form is signed?

A. Electrical system, including wiring, switches, outlets and service

B. Plumbing system, including pipes, faucets, fixtures and toilets

C. Water heater tank

D. Garbage disposal

E. Built-in range and oven

F. Built-in dishwasher

G. Sump pump

H. Heating and cooling systems

I. Security system ☐ Owned ☐ Leased

☒ Yes ☐ No ☐ Unknown

☒ Yes ☐ No ☐ Unknown

☒ Yes ☐ No ☐ Unknown

☒ Yes ☐ No ☐ Unknown ☐ N/A

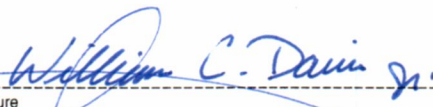
☒ Yes ☐ No ☐ Unknown ☐ N/A

☒ Yes ☐ No ☐ Unknown ☐ N/A

☒ Yes ☐ No ☐ Unknown ☐ N/A

☒ Yes ☐ No ☐ Unknown ☐ N/A

☐ Yes ☐ No ☐ Unknown ☒ N/A


Seller's Signature

William C. Davis, Jr.

Print or Type Name

Sara Davis

Print or Type Name

3-15-2010

Date

3-15-2010

Date

*If yes, attach a copy or explain on attached sheet.

(continued on page 3)

NO PART OF ANY STEVENS-NESS FORM MAY BE REPRODUCED IN ANY FORM OR BY ANY ELECTRONIC OR MECHANICAL MEANS.



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6. DWELLING SYSTEMS AND FIXTURES (Continued)

- J. Are there any materials or products used in the systems and fixtures that are or have been the subject of a recall, class action settlement or other litigations? ☐ Yes ☐ No ☒ Unknown
If yes, what product? _____
(1) Are the problems with the product? ☐ Yes ☐ No ☐ Unknown
(2) Is the product covered by a warranty? ☐ Yes ☐ No ☐ Unknown
(3) Has the product been inspected? ☐ Yes ☐ No ☐ Unknown
(4) Have claims been filed for this product by you or by previous owners? ☐ Yes ☐ No ☐ Unknown
If yes, when? _____
(5) Was money received? ☐ Yes ☐ No ☐ Unknown
(6) Were any of the materials or products repaired or replaced? ☐ Yes ☐ No ☐ Unknown

7. COMMON INTEREST

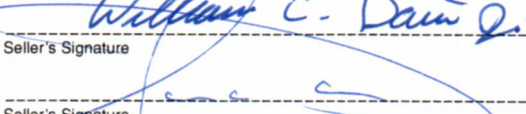
- A. Is there a Home Owners' Association or other governing entity? Name of Association or other governing entity _____
Contact Person _____ Address _____
Phone Number _____
B. Regular periodic assessments: \$ _____ per ☐ Month ☐ Year ☐ Other _____
*C. Are there any pending or proposed special assessments? ☐ Yes ☒ No ☐ Unknown
D. Are there shared "common areas" or joint maintenance agreements for facilities such as walls, fences, pools, tennis courts, walkways or other areas co-owned in undivided interest with others? ☐ Yes ☒ No ☐ Unknown
E. Is the Home Owners' Association or other governing entity a party to pending litigation or subject to an unsatisfied judgment? ☐ Yes ☒ No ☐ Unknown ☐ N/A
F. Is the property in violation of recorded covenants, conditions and restrictions or in violation of other bylaws or governing rules, whether recorded or not? ☐ Yes ☒ No ☐ Unknown ☐ N/A

8. GENERAL

- A. Are there problems with settling soil, standing water or drainage on the property or in the immediate area? ☐ Yes ☒ No ☐ Unknown
B. Does the property contain fill? ☐ Yes ☐ No ☒ Unknown
C. Is there any material damage to the property or any of the structure(s) from fire, wind, floods, beach movements, earthquake, expansive soils or landslides? ☐ Yes ☐ No ☒ Unknown
D. Is the property in a designated flood plain? ☐ Yes ☒ No ☐ Unknown
E. Is the property in a designated slide or other geologic hazard zone? ☐ Yes ☐ No ☒ Unknown
*F. Has any portion of the property been tested or treated for asbestos, formaldehyde, radon gas, lead-based paint, mold, fuel or chemical storage tanks, or contaminated soil or water? ☐ Yes ☐ No ☒ Unknown
G. Are there any tanks or underground storage tanks (e.g., septic, chemical, fuel, etc.) on the property? ☐ Yes ☒ No ☐ Unknown
H. Has the property ever been used as an illegal drug manufacturing site? ☐ Yes ☒ No ☐ Unknown
*If yes, was a Certificate of Fitness issued? ☐ Yes ☐ No ☐ Unknown
*I. Has the property been classified as forestland-urban interface? ☐ Yes ☒ No ☐ Unknown

9. FULL DISCLOSURE BY SELLERS

- *A. Are there any other material defects affecting this property or its value that a prospective buyer should know about? ☐ Yes ☒ No
*If yes, describe the defect on attached sheet and explain the frequency and extent of the problem and any insurance claims, repairs or remediation.
B. Verification:
The foregoing answers and attached explanations (if any) are complete and correct to the best of my/our knowledge and I/we have received a copy of this disclosure statement. I/we authorize my/our agents to deliver a copy of this disclosure statement to all prospective buyers of the property or their agents.

 _____ William C. Davis, Jr. _____ 3-15-2010
Seller's Signature Print or Type Name Date
_____ Sara Davis _____ 3-15-2010
Seller's Signature Print or Type Name Date

*If yes, attach a copy or explain on attached sheet.

II. Buyer's Acknowledgment

- A. As buyer(s), I/we acknowledge the duty to pay diligent attention to any material defects that are known to me/us or can be known by me/us by utilizing diligent attention and observation.
B. Each buyer acknowledges and understands that the disclosures set forth in this statement and in any amendments to this statement are made only by the seller and are not the representations of any financial institution that may have made or may make a loan pertaining to the property, or that may have or take a security interest in the property, or of any real estate licensee engaged by the seller or buyer. A financial institution or real estate licensee is not bound by and has no liability with respect to any representation, misrepresentation, omission, error or inaccuracy contained in another party's disclosure statement required by this section or any amendment to the disclosure statement.
C. Buyer (which term includes all persons signing the "buyer's acknowledgment" portion of this disclosure statement below) hereby acknowledges receipt of a copy of this disclosure statement (including attachments, if any) bearing seller's signature(s).

DISCLOSURES, IF ANY, CONTAINED IN THIS FORM ARE PROVIDED BY THE SELLER ON THE BASIS OF SELLER'S ACTUAL KNOWLEDGE OF THE PROPERTY AT THE TIME OF DISCLOSURE. IF THE SELLER HAS FILLED OUT SECTION 2 OF THIS FORM, YOU, THE BUYER, HAVE FIVE DAYS FROM THE SELLER'S DELIVERY OF THIS DISCLOSURE STATEMENT TO REVOKE YOUR OFFER BY DELIVERING YOUR SEPARATE SIGNED WRITTEN STATEMENT OF REVOCATION TO THE SELLER DISAPPROVING THE SELLER'S DISCLOSURE UNLESS YOU WAIVE THIS RIGHT AT OR PRIOR TO ENTERING INTO A SALE AGREEMENT.
BUYER HEREBY ACKNOWLEDGES RECEIPT OF A COPY OF THIS SELLER'S PROPERTY DISCLOSURE STATEMENT.

Buyer's Signature Print or Type Name Date

Buyer's Signature Print or Type Name Date

Agent receiving disclosure statement on buyer's behalf to sign and date:

Real Estate Licensee's Signature Print or Type Name Real Estate Business Date

