

Compass Colorado, LLC dba Compass.

The printed portions of this form, except differentiated additions, have been approved by the Colorado Real Estate Commission. (SPD19L-6-17) (Mandatory 1-18)

THIS FORM HAS IMPORTANT LEGAL CONSEQUENCES AND THE PARTIES SHOULD CONSULT LEGAL AND TAX OR OTHER COUNSEL BEFORE SIGNING.

SELLER'S PROPERTY DISCLOSURE

(☐ LAND Supplement to Residential)

(☐ LAND - With Improvements)

(☒ LAND - Without Improvements)

THIS DISCLOSURE SHOULD BE COMPLETED BY SELLER, NOT BY BROKER.

Seller states that the information contained in this Disclosure is correct to Seller's **CURRENT ACTUAL KNOWLEDGE** as of this Date. Any changes must be disclosed by Seller to Buyer promptly after discovery. Seller's failure to disclose a known material defect may result in legal liability. If Seller has knowledge of an adverse material fact affecting the Property or occupants, it must be disclosed whether there is a specific item on this Disclosure or not.

Note: The Contract to Buy and Sell Real Estate, not this Disclosure, determines whether an item is included or excluded; if there is an inconsistency between this Disclosure and the Contract, the Contract controls.

Date: _____

Property Address: **BV- 2 E Hwy 145, Telluride, CO 81435**

Seller: 

Year Built: **n/a**

☒ **I. IMPROVEMENTS**
If this box is checked, there are no structures or improvements on the Property; do not complete Parts A-E.

A.	STRUCTURAL CONDITIONS If you know of any of the following problems EVER EXISTING check the "Yes" column::	Yes	Comments
1	Structural problems		
2	Moisture and/or water problems		
3	Damage due to termites, other insects, birds, animals or rodents		
4	Damage due to hail, wind, fire, flood, or other casualty		
5	Cracks, heaving or settling problems		
6			
7			

B.	ROOF If you know of any of the following problems EVER EXISTING check the "Yes" column:	Yes	Comments
1	Roof leak		
2	Damage to roof		
3	Skylight problems		
4	Gutter or downspout problems		
5	Other Roof problems		

B-1.	ROOF - Other Information: Do you know of the following on the Property:	Yes	Comments
1	Roof under warranty until _____ Transferable _____		
2	Roof work done while under current roof warranty		
3	Roof material: _____ Age _____		
4			
5			

C.	ELECTRICAL & TELECOMMUNICATIONS If you know of any problems NOW EXISTING with the following check the "Yes" column:	Yes	Comments
1			
2			

C-1.	ELECTRICAL & TELECOMMUNICATIONS - Other Information: Do you know of the following on the Property:	Yes	Comments
1	220 volt service		
2	Aluminum wiring at the outlets (110)		
3	Electrical Service: Amps _____		
4	Garage door control(s) # _____		
5			
6			

D.	MECHANICAL If you know of any problems NOW EXISTING with the following check the "Yes" column:	Yes	Comments
1			
2			

E.	VENTILATION, AIR, HEAT If you know of any problems NOW EXISTING with the following check the "Yes" column:	Yes	Comments
1	Heating System		
2			
3			

E-1.	VENTILATION, AIR, HEAT - Other Information Do you know of the following on the Property:	Yes	Age If Known	Comments
1	Heating system: Type _____ Fuel _____ Type _____ Fuel _____			
2				
3				

F.	WATER SUPPLY Do you know of the following on the Property:
1	Type of water supply: [] Public [] Community [] Well [] Shared Well [] Cistern [] None If the Property is served by a Well, a copy of the Well Permit [] Is [✓] Is Not attached. Well Permit # <u>255911</u> [] Drilling Records [] Are [✓] Are not attached. Shared Well Agreements [] Yes [] No

G.	WATER If you know of any problems NOW EXISTING with the following check the "Yes" column:	Yes	Comments
1	Water system (including lines and water pressure)		
2	Water heater(s)		
3	Water filter system		
4	Water softener		
5	Well		
6	Water System Pump		
7			
8			

G-1.	WATER - Other Information: Do you know of the following on the Property:	Yes	Age If Known	Comments
1	Water heater: Number of _____ Fuel type _____ Capacity _____			
2	Well Metered			
3	Well - Date of last inspection: _____			
4	Galvanized pipe			
5	Polybutylene pipe			
6				
7				

H.	SEWER If you know of any problems NOW EXISTING with the following check the "Yes" column:	Yes	Comments
1	Sewage system (including sewer lines)		
2	Lift station (sewage ejector pump)		
3	Sump pump(s) # of _____		
4	Grey water storage/use		
5			

H-1.	SEWER - Other Information: Do you know of the following on the Property:
1	Type of sanitary sewer service: [] Public [] Community [] Septic System [] None [] Other _____ If the Property is served by an on-site septic system, supply to buyer a copy of the permit. Type of septic system: [] Tank [] Leach [] Lagoon
2	If a septic system, date latest Individual Use Permit issued: _____
3	If a septic system, date of latest inspection: _____
4	If a septic system, date of latest pumping: _____
5	
6	

I.	DRAINAGE AND FLOODING If you know of any of the following NOW EXISTING on the Property check the "Yes" column:	Yes	Comments
1	Drainage, retention ponds		
2	Flooding or drainage problems		

3			
4			
J.	OTHER DISCLOSURES - INCLUSIONS If you know of any problems NOW EXISTING with the following check the "Yes" column:	Yes	Comments
1	Included fixtures and equipment		
2	Stains on carpet		
3	Floors and sub-floors		
4			
5			

II. GENERAL

K.	USE, ZONING & LEGAL ISSUES If you know of any of the following EVER EXISTING check the "Yes" column:	Yes	Comments
1	Zoning violation, variance, conditional use, violation of an enforceable PUD or non-conforming use		
2	Notice or threat of condemnation proceedings		
3	Notice of any adverse conditions from any governmental or quasi-governmental agency that have not been resolved		
4	Notice of zoning action related to the Property		
5	Building code, city or county violations		
6	Violation of restrictive covenants or owners' association rules or regulations		
7	Any building or improvements constructed within the past one year from this Date without approval by the owner's association or the designated approving body		
8	Any additions or alterations made		
9	Notice of ADA complaint or report		
10	Other legal action		
11	Current use of the Property		
12			
13			

L.	ACCESS & PARKING If you know of any of the following EVER EXISTING check the "Yes" column:	Yes	Comments
1	Any access problems		
2	Roads, driveways, trails or paths through the Property used by others		
3	Public highway or county road bordering the Property		
4	Any proposed or existing transportation project that affects or is expected to affect the Property		
5	Encroachments, boundary disputes or unrecorded easements		
6	Shared or common areas with adjoining properties		

7	Requirements for curb, gravel/paving, landscaping		
8			
9			

M.	ENVIRONMENTAL CONDITIONS If you know of any of the following EVER EXISTING on any part of the Property check the "Yes" column:	Yes	Comments
1	Hazardous materials on the Property, such as radioactive, toxic, or biohazardous materials, asbestos, pesticides, herbicides, wastewater sludge, radon, methane, mill tailings, solvents or petroleum products		
2	Underground storage tanks		
3	Aboveground storage tanks		
4	Underground transmission lines		
5	Used as, situated on, or adjoining a dump, land fill or municipal solid waste land fill		
6	Monitoring wells or test equipment		
7	Sliding, settling, upheaval, movement or instability of earth or expansive soils on the Property		
8	Mine shafts, tunnels or abandoned wells on the Property		
9	Within governmentally designated geological hazard or sensitive area		
10	Within governmentally designated flood plain or wetland area		
11	Dead, diseased or infested trees or shrubs		
12	Environmental assessments, studies or reports done involving the physical condition of the Property		
13	Used for any mining, graveling, or other natural resource extraction operations such as oil and gas wells		
14	Other environmental problems		
15			
16			

N.	OTHER DISCLOSURES - GENERAL If you know of any of the following NOW EXISTING check the "Yes" column:	Yes	Comments
1	Any part of the Property now leased to others (written or oral)		
2	Written reports of any building, site, roofing, soils or engineering investigations or studies of the Property		
3	Any property insurance claim ever submitted for the Property (whether paid or not)		
4	Structural, architectural and engineering plans and/or specifications for any existing improvements		
5	Property was previously used as a methamphetamine laboratory and not remediated to state standards		

6	Government special improvements approved, but not yet installed, that may become a lien against the Property		
7	Signs: ☐ Owned ☐ Leased		
8	Signs: Government or private restriction problems		
9	Pending: (1) litigation or (2) other dispute resolution proceeding regarding the Property		
10			
11			

III. LAND - AGRICULTURAL

Q.	CROPS, LIVESTOCK & LEASES If you know of any of the following conditions that NOW EXIST check the "Yes" column:	Yes	Comments
1	Crops being grown on the Property		
2	Seller owns all crops		
3	Livestock on the Property		
4	Any land leased from others: ☐ State ☐ BLM ☐ Federal ☐ Private ☐ Other _____		
5			
6			

P.	NOXIOUS WEEDS If you know of any of the following conditions NOW EXIST check the "Yes" column:	Yes	Comments
1	Have any noxious weeds on the Property been identified?		
2	Have there been any weed enforcement actions on the Property?		
3	Has a noxious weed management plan for the Property been entered into?		
4	Have noxious weed management actions been implemented?		
5	Have herbicides been applied?		
6			

The Colorado Noxious Weed Management Act (35-5.5-101-119 C.R.S) enables County and City governments to implement noxious weeds management programs to reclaim infested acres and protect weed-free land. For a directory of county weed supervisors call 303-239-4173 or see: www.colorado.gov/ag/weeds.

Q.	OTHER DISCLOSURES - LAND - CONSERVATION If you know of any of the following conditions that NOW EXIST check the "Yes" column:	Yes	Comments
1	Any part of the Property enrolled in any governmental programs such as Conservation Reserve Program (CRP), Wetlands Reserve Program (WRP), etc.		
2	Conservation easement		
3			
4			

Seller and Buyer understand that the real estate brokers do not warrant or guarantee the above information on the Property. Property inspection services may be purchased and are advisable. This Disclosure is **not** intended as a substitute for an inspection of the Property.

ADVISORY TO SELLER:

Seller acknowledges that Broker will disclose to any prospective buyer all adverse material facts actually known by Broker, including but not limited to adverse material facts pertaining to the physical condition of the Property, any material defects in the Property, and any environmental hazards affecting the Property. These types of disclosures may include such matters as structural defects, soil conditions, violations of health, zoning or building laws, and nonconforming uses and zoning variances.

The information contained in this Disclosure has been furnished by Seller, who certifies it was answered truthfully, based on Seller's **CURRENT ACTUAL KNOWLEDGE**.

 
 A17DF7231470420...
 Seller _____ Date _____ Seller _____ Date _____


ADVISORY TO BUYER:

1. Even though Seller has answered the above questions to Seller's current actual knowledge, Buyer should thoroughly inspect the Property and obtain expert assistance to accurately and fully evaluate the Property to confirm the status of the following matters:
 - a. the physical condition of the Property;
 - b. the presence of mold or other biological hazards;
 - c. the presence of rodents, insects and vermin including termites;
 - d. the legal use of the Property and legal access to the Property;
 - e. the availability and source of water, sewer, and utilities;
 - f. the environmental and geological condition of the Property;
 - g. the presence of noxious weeds; and
 - h. any other matters that may affect Buyer's use and ownership of the Property that are important to Buyer as Buyer decides whether to purchase the Property.
2. Seller states that the information is correct to "Seller's current actual knowledge" as of the date of this form. The term "current actual knowledge" is intended to limit Seller's disclosure only to facts actually known by the Seller and does not include "constructive knowledge" or "common knowledge" or what Seller "should have known" about the Property. The Seller has no duty to inspect the Property when this Disclosure is filled in and signed.
3. Valuable information may be obtained from various local/state/federal agencies, and other experts may assist Buyer by performing more specific evaluations and inspections of the Property.
4. Boundaries, location and ownership of fences, driveways, hedges, and similar features of the Property may become the subjects of a dispute between a property owner and a neighbor. A survey may be used to determine the likelihood of such problems.
5. Whether any item is included or excluded is determined by the contract between Buyer and Seller and not this Seller's Property Disclosure.
6. Seller does not warrant that the Property is fit for Buyer's intended purposes or use of the Property. Disclosure of the condition of an item is not to be construed as a warranty of its continued operability or as a representation or warranty that such item is fit for Buyer's intended purposes.
7. Buyer hereby receipts for a copy of this Disclosure.

 
 Buyer _____ Date _____ Buyer _____ Date _____


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THIS FORM HAS IMPORTANT LEGAL CONSEQUENCES AND THE PARTIES SHOULD CONSULT LEGAL AND TAX OR OTHER COUNSEL BEFORE SIGNING.

**SOURCE OF WATER ADDENDUM
TO CONTRACT TO BUY AND SELL REAL ESTATE**

Date: **June 17, 2022**

1. ADDENDUM TO CONTRACT TO BUY AND SELL REAL ESTATE. This Source of Water Addendum (Addendum) is made a part of that Contract to Buy and Sell Real Estate between Seller and Buyer dated **June 16, 2022** (Contract), for the purchase and sale of the Property

known as No. **BV- 2 E Hwy 145** **Telluride** **CO** **81435**
Street Address City State Zip

2. SOURCE OF POTABLE WATER. Seller discloses the following information for the source of potable water for the Property: **[Select and complete 1, 2 or 3 as applicable.]**

X **2.1.** The Property's source of water is a Well. Well Permit #: **355911**
If a well is the source of water for the Property, a copy of the current Well Permit **X Is** **Is Not** attached.

2.2. The Water Provider for the Property can be contacted at:

Name:

Address:

Web Site:

Phone No.:

2.3. There is neither a Well nor a Water Provider for the Property. The source of water for the Property is [describe source]:

NOTE TO BUYER: SOME WATER PROVIDERS RELY, TO VARYING DEGREES, ON NONRENEWABLE GROUND WATER. YOU MAY WISH TO CONTACT YOUR PROVIDER (OR INVESTIGATE THE DESCRIBED SOURCE) TO DETERMINE THE LONG-TERM SUFFICIENCY OF THE PROVIDER'S WATER SUPPLIES.

Authentisign
Buyer Date Buyer Date
DocuSigned by:
Seller Date Seller Date

SWA35-8-10. SOURCE OF WATER ADDENDUM TO CONTRACT TO BUY AND SELL REAL ESTATE