

# Iowa - Residential Property Seller Disclosure Statement

(To be completed by Seller at time of listing; completed form to be provided to Buyer prior to Buyer making a written offer to purchase.)



**Property Address:** 1021 308th Ave., Charlotte, IA 52731  
(Sellers(s): please print property address including City, State and Zip Code)

**Property Owner:** Adam Fier and Lori M. Fier  
(Sellers(s): please print property ownership)

### Purpose:

Use this statement to disclose information as required by Iowa Code chapter 558A. This law requires certain Sellers of residential property that includes at least one and no more than four dwelling units to disclose information about the property to be sold. The following disclosures are made by the Seller(s) and not by an Agent acting on behalf of the Seller(s). **The Agent has no independent knowledge of the condition of the property; the Agent's knowledge is limited to the disclosure made by the Seller(s) on this form.** In no event shall any Agent involved in the sale or purchase of the property or any such Agent's broker be liable for any matters subject to this disclosure. Buyer(s) is advised to obtain such independent inspections of the property as Buyer(s) deems appropriate.

### Exempt Properties:

Properties exempted from the Seller's disclosure requirement include (IA Code 558A): Bare ground; property containing 5 or more dwellings units; court ordered transfers; transfers by a power of attorney; foreclosures; lenders selling foreclosed properties; transfers by a fiduciary in the course of the administration of a decedent's estate, guardianship, conservatorship, or trust. This exemption shall not apply to a transfer of real estate in which the fiduciary is a living natural person and was an occupant in possession of the real estate at any time within the twelve consecutive months immediately preceding the date of transfer; between joint tenants, or tenants in common; to or from any governmental division; quit claim deeds; intra family transfers; between divorcing spouses; commercial or agricultural property which has no dwellings. Seller(s) certifies that the property is exempt from the requirement(s) of Iowa Code 558A because one of the above exemptions apply.

**Seller acknowledges requirement that Buyer be provided with the "Iowa Radon Home-Buyers and Sellers Fact Sheet" prepared by the Iowa Department of Public Health.**

\_\_\_\_\_  
Seller Date

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

\_\_\_\_\_  
Seller Date

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

### INSTRUCTIONS TO SELLER(S):

1. Provide information in good faith and make all reasonable effort to ascertain the required information;
2. Complete this form yourself and fill in all mandatory blanks;
3. Disclose all known conditions materially affecting this property. Additional pages or reports may be attached;
4. If an item does not apply to the property, indicate that it is not applicable ( N/A );
5. Please provide information in good faith and make a reasonable effort to ascertain the required information. If the required information is **unknown** or is **unavailable** following a reasonable effort, use an approximation of the information, or indicate that the information is **unknown ( UNK )**. All **approximations** must be identified as **approximations ( AP )**;
6. Keep a copy of this statement with your other important papers.

### SELLER(S) DISCLOSURE STATEMENT:

Seller discloses the following information regarding the property and certifies this information is true and accurate to the best of Seller's or Seller's Representative's knowledge as of the date signed. Seller authorizes Agent to provide a copy of this statement to any person or entity in connection with actual or anticipated sale of the property or as otherwise provided by law. This statement shall not be a warranty of any kind by Seller or Seller's Agent and shall not be intended as a substitute for any inspection or warranty the purchaser may wish to obtain. The following are representations made by the Seller and are not the representations of Agent.

**The Agent has no independent knowledge of the condition of the property except that which is written on this form. Seller advises Buyer to obtain independent inspections relevant to Buyer**

**State of Iowa mandates ALL Questions in Section 1 Must be Answered**

### SECTION 1 DISCLOSURES:

**Circle Only One Response:**

1. The Seller(s) has owned the property since: Nov 2<sup>nd</sup> 1999
2. **Basement/Foundation:** Any known water or other problems? .....  Yes  No  N/A  UNK
3. **Roof:** Any known problems? .....  Yes  No  N/A  UNK  
Any known repairs? .....  Yes  No  N/A  UNK  
If yes, date of repairs / replacement (circle one): 2006
4. **Sewer System:** Any known problems? .....  Yes  No  N/A  UNK  
Any known repairs? .....  Yes  No  N/A  UNK  
If yes, date of repairs / replacement (circle one): \_\_\_\_\_

To be completed

By Client ONLY

Seller(s) Initials

AF LM

Buyer(s) Initials

\_\_\_\_\_

ADDRESS

5. **Septic Tanks/Drain Fields:** Has the system been inspected by an Iowa DNR certified inspector within 2 years, or pumped/cleaned within the last 3 years?  Yes  No  N/A  UNK  
 Date of inspection: \_\_\_\_\_  N/A  UNK  
 Date tank last cleaned: Spring of 2021  N/A  UNK
6. **Well and Pump:** Any known problems?  Yes  No  N/A  UNK  
 Any known repairs?  Yes  No  N/A  UNK  
 If Yes, date of repairs / replacement (circle one): \_\_\_\_\_  
 Any known water tests?  Yes  No  N/A  UNK  
 If yes, date of last report: unknown and results: Safe
7. **Heating System(s):** Any known problems?  Yes  No  N/A  UNK  
 Any known repairs?  Yes  No  N/A  UNK  
 If Yes, date of repairs / replacement (circle one): 2004
8. **Central Cooling System(s):** Any known problems?  Yes  No  N/A  UNK  
 Any known repairs?  Yes  No  N/A  UNK  
 If Yes, date of repairs / replacement (circle one): \_\_\_\_\_
9. **Plumbing System(s):** Any known problems?  Yes  No  N/A  UNK  
 Any known repairs?  Yes  No  N/A  UNK  
 If Yes, date of repairs / replacement (circle one): \_\_\_\_\_
10. **Electrical System(s):** Any known problems?  Yes  No  N/A  UNK  
 Any known repairs?  Yes  No  N/A  UNK  
 If Yes, date of repairs / replacement (circle one): \_\_\_\_\_
11. **Pest Infestation** (wood destroying insects): Any known current or past problems?  Yes  No  N/A  UNK  
 If yes, date(s) of treatment: \_\_\_\_\_  
 Any known structural damage?  Yes  No  N/A  UNK  
 If Yes, date of repairs / replacement (circle one): \_\_\_\_\_
12. **Asbestos:** Any known to be present in the structure?  Yes  No  N/A  UNK
13. **Radon:** Any known tests for the presence of radon gas?  Yes  No  N/A  UNK  
 If yes, date of last report: \_\_\_\_\_ and results: \_\_\_\_\_
14. **Lead Based Paint:** Any known to be present in the structure?  Yes  No  N/A  UNK
15. **Flood Plain:** Is any of the property located in a flood plain?  Yes  No  N/A  UNK  
 If yes, what is the flood plain designation? \_\_\_\_\_
16. **Zoning:** What is the zoning classification of the property? A9  N/A  UNK
17. **Shared or Co-Owned Features:** Any features of the property known to be shared in common with adjoining landowners, such as walls, fences, roads and driveways whose use or maintenance responsibility may have an effect on the property?  Yes  No  N/A  UNK  
 Any known "common areas" such as pools, tennis courts, walkways or other areas co-owned with others, or a Homeowner's Association which has any authority over the property?  Yes  No  N/A  UNK  
 Any easements or encroachments onto or from the neighboring properties?  Yes  No  N/A  UNK
18. **Physical Problems:** Any known settling, flooding, drainage or grading problems?  Yes  No  N/A  UNK
19. **Structural Damage:** Any known structural damage?  Yes  No  N/A  UNK
20. **Has there been a property/casualty loss resulting in an insurance claim in excess of \$5,000?**  Yes  No  N/A  UNK  
 If yes, indicate Type: \_\_\_\_\_ Date of repairs: \_\_\_\_\_

To be completed  
By Client ONLY

Seller(s) Initials APF / WVF

Buyer(s) Initials  /

ADDRESS

21. **Covenants:** Is the property subject to restrictive covenants? .....  Yes  No  N/A  UNK

If yes, a true, current copy of the covenants can be obtained:

Attached to this property disclosure  At the \_\_\_\_\_ county recorders office

Other: \_\_\_\_\_

You **MUST** explain any "YES" response(s) for above questions. Use additional sheets as necessary:

*Easement to Access Cropland with Kevin Horan*

**SECTION 2, OPTIONAL INFORMATION:** This information is optional and not required by statute. Section II is for the convenience of Buyer/Seller and is not mandatory.

22. **Appliances/Systems/Services** (check all that apply):

	Included?	Working?				Included?	Working?		
		Yes	No	Unk			Yes	No	Unk
Refrigerator	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Lawn Sprinkler System	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Range/Oven	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Pool Heater Wall liner & Equipment	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Microwave	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Satellite Dish	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Dishwasher	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Window Treatments	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Disposal	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Smoke Alarms	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Trash Comp.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Gar. Door Opener	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Hood/Fan	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Gar. Opener Remotes	<input checked="" type="checkbox"/> # 2	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Washer	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Intercom	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Dryer	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Furn. Humidifier	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Gas Grill	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Central Vacuum	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Window A/C	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Water Heater	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sauna/Hot Tub	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Fireplace/Chimney	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Attic Fan	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Windows	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Landscap. Lites	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Alarm System	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ceiling Fan(s)	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Sump Pump	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Water Filter Sys.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Is sump pump properly discharged?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Water Softner	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Is Cable TV available in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
LP Tank	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Invisible Dog Fence Transmitter	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

All Household Appliances are sold in working order except as noted and are not under warranty beyond the date of closing. Warranties may be available for purchase from independent warranty companies.

Please Check Mark or Circle Where Appropriate

23. **Roof:** Type of Exterior Roofing: Asphalt Shingles or UNK  Age: 2006 or UNK

24. **Attic Insulation:** Type: Blanket ..... UNK

Amount: \_\_\_\_\_ ..... UNK

R-Value: \_\_\_\_\_ ..... UNK

25. **Water Supply:** Type:  Public  Community  Private Well  Shared Well

Any known problems? .....  Yes  No  N/A  UNK

To be completed

By Client ONLY

Seller(s) Initials APF VMY

Buyer(s) Initials

ADDRESS

26. Sewer Type: Type:  Public  Community  Private

27. Septic Tank: Location of Tank: Front of House South East side.....N/A UNK

Tank Age: 1999.....N/A UNK

28. Ground Water Hazard Statement: Are there any known (Check all that apply): Wells Solid Waste Disposal  
Hazardous Waste Underground Storage Tanks Private Burial Site

If yes, please explain: water well

29. Mold: Has property been tested for the presence of mold? .....Yes No N/A UNK

If yes, date of test: \_\_\_\_\_ (attach results)

30. Heating System(s): Type: Forced Air or UNK  Age: 2004 or UNK

31. Cooling System(s): Type: Central A.C. or UNK  Age: \_\_\_\_\_ or UNK

32. Radon System: Is a radon system installed?.....Yes No N/A UNK

If yes, is the Radon System:  Passive  Active

33. Any improvements made by seller since purchase? .....Yes No N/A UNK

If yes, please explain: New Kitchen 2012 Updated wiring  
New Bathroom 2016 Updated flooring

34. Is seller or seller's representative related to the listing agent or broker? .....Yes No N/A UNK

35. Has the Seller received any notice of assessment, or have outstanding assessments with a government municipality? .....Yes No N/A UNK

If yes, please explain: \_\_\_\_\_

36. Received notice of code or zoning violations from any municipality? .....Yes No N/A UNK

If yes, please explain: \_\_\_\_\_

37. Association Fees; monthly \$ \_\_\_\_\_ .....N/A UNK

List items covered by fees: \_\_\_\_\_

38. In the last 12 months has the dwelling been or is it currently infested with bats, bed bugs, cock roaches, rodents, etc.? .....Yes No N/A UNK

39. Electric Service Provider R.E.C. Wilson Gas/Propane Service Provider choice

40. Any Transferable Contracts? (e.g. Security System, Home Warranty, CRP, Pest Treatment, etc.) \_\_\_\_\_

None

**Disclosures must be signed by all parties to the transaction**

**SELLER(S) DISCLOSURE:** Seller(s) disclose the information regarding this property based on information known or reasonably available to the Seller(s). The Seller(s) certifies that as of the date signed, this information is true and accurate to the best of my/our knowledge. If any changes occur between the date Seller(s) completes this form and the date of closing which would result in any of the above disclosures being inaccurate, Seller(s) shall immediately disclose such changes to Buyer(s). Seller acknowledges requirement that Buyer be provided with the "Iowa Radon Home-Buyers and Sellers Fact Sheet" prepared by the Iowa Department of Public Health.

Richard Fries 10/3/22  
Seller Date

John Fries 10-3-22  
Seller Date

**BUYER(S) ACKNOWLEDGEMENT:** Buyer(s) acknowledges receipt of a copy of this Real Estate Disclosure Statement. This statement is not intended to be a warranty or to substitute for any inspection the Buyer(s) may wish to obtain. Buyer hereby acknowledges receipt of a copy of this Real Estate Disclosure Statement. This statement is not intended to be a warranty or substitute for any inspection the buyer(s) may wish to obtain. Buyer acknowledges receipt of the "Iowa Radon Home-Buyers and Sellers Fact Sheet" prepared by the Iowa Department of Public Health.

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

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

## Disclosure of Information & Acknowledgment Form - Lead-Based Paint and/or Lead-Based Paint Hazards -

(Seller(s) must read, initial and sign prior to signing Listing Agreement. Buyer(s) must read, initial and sign prior to signing Purchase Agreement. Seller and Buyer agree that this form shall be an attachment to any Purchase Agreement between them for this property.)

Property: 1021 308th Ave., Charlotte, IA 52731

Address

City

State

ZIP

### LEAD WARNING STATEMENT:

Every Buyer of any interest in residential real property on which a residential dwelling was built prior to 1978 is notified that such property may present exposure to lead from lead-based paint that may place young children at risk of developing lead poisoning. Lead poisoning in young children may produce permanent neurological damage, including learning disabilities, reduced intelligence quotient, behavioral problems, and impaired memory. Lead poisoning also poses a particular risk to pregnant women. The Seller of any interest in residential real property is required to provide the Buyer with any information on lead-based paint hazards from risk assessments or inspections in the Seller's possession and notify the Buyer of any known lead-based paint hazards. A risk assessment or inspection for possible lead-based paint hazards is recommended prior to purchase.

### SELLER'S DISCLOSURE (Seller(s) MUST Initial Both A and B, and Check (i) or (ii) under Both A and B):

/  A. Presence of lead-based paint and/or lead-based paint hazards (check (i) or (ii) below):  
 (i) Known lead-based paint and/or lead-based paint hazards are present in the housing (explain):

(ii) Seller has no knowledge of lead-based paint and/or lead-based paint hazards in the housing.

/  B. Records and Reports available to the Seller (check (i) or (ii) below):

(i) Seller has provided the Purchaser with all available records and reports pertaining to lead-based paint and/or lead-based paint hazards in the housing (list documents below):

(ii) Seller has no reports or records pertaining to lead-based paint and/or lead-based paint hazards in the housing.

### BUYER'S ACKNOWLEDGMENT (buyer(s) MUST Initial C and Check (i) or (ii) under C. Buyer(s) MUST Initial Both D and E and Check (i) or (ii) under E):

/  C.  (i) Buyer has received copies of all information listed above, OR  
 (ii) No records or reports were available.

/  D. Buyer has received the pamphlet Protect Your Family From Lead in Your Home.

/  E. Buyer has (check (i) or (ii) below):

(i) Received a 10 calendar day opportunity (or mutually agreed upon period) to conduct a risk assessment or inspection for the presence of lead-based paint and/or lead-based paint hazards; OR

(ii) Waived the opportunity to conduct a risk assessment or inspection for the presence of lead-based paint and/or lead-based paint hazards.

### AGENT'S ACKNOWLEDGMENT (Listing Agent MUST Initial as Noted):

F. Listing Agent has informed the Seller of the Seller's obligations under 42 U.S.C. 4852d and is aware of his/her responsibility to ensure compliance.

### CERTIFICATION OF ACCURACY:

The following parties have reviewed the information above and certify, to the best of their knowledge, that the information they have provided is true and accurate.

Seller: Richard Fied Date: 10/3/22 Buyer: \_\_\_\_\_ te: \_\_\_\_\_

Seller: Laurie Date: 10-3-22 Buyer: \_\_\_\_\_ ate: \_\_\_\_\_

Seller Agent: Chuck Schwager te: 10/3/22 Buyer A: \_\_\_\_\_



## Notice to Buyer- Emerald Ash Borer

Property Address 1021 308th Ave., Charlotte, IA 52731

Potentially significant costs and aesthetics of a property are at risk due to the Emerald Ash Borer (EAB) – a threat to the ash tree population in Iowa and surrounding states. Trees add significant value to a property, and transaction values will be greatly impacted by the loss of any tree. The cost for preventative treatments (approximately \$100 - \$5000) may need to be considered, as well as the potential costs for removal (approximately \$200- \$4000 depending on size and location) of a tree which is infected with EAB, or is already dying. These factors may need to be evaluated by any potential purchaser of property with ash trees.

Emerald Ash Borer (*Agrilus planipennis*) is a small green invasive wood boring beetle that attacks and kills ash trees. The adults live on the outside of ash trees feeding on the leaves during summer months. The larvae look similar to white grubs and feed on the living plant tissue (phloem and cambium) underneath the bark of the ash trees. The trees are killed by the tunneling activity of the larvae under the tree's bark, which disrupts the vascular flow.

The Iowa Department of Natural Resources (DNR) announced quarantine for the entire state of Iowa. Preventative treatment of ash trees with 15 miles of a known case of EAB is recommended. Even though Iowa has been quarantined statewide, Iowans are encouraged not to transport firewood across county or state lines, since moving firewood poses the greatest threat to quickly spreading EAB or possibly other pests even further.

The metallic green beetle is native to East Asia and was imported to the United States within the wood of shipping crates from China. EAB was first discovered in North America near Detroit, Michigan in 2002. Since the first discovery it has also been found in 18 states and Canada.

EAB attacks native ash trees of any size, age or stage of health. Millions of ash trees have already been killed in infested areas. Much of Iowa and surrounding states forestland is densely populated with ash trees, and Iowa's community street trees are heavily planted with ash cultivars. Early inventory data indicates that there are 52 million woodland ash trees and 3.1 million urban ash trees. Many ash trees are in your yard, neighborhood, community and woodlands. Imagine those areas without ash trees. Trees that have been attacked EAB can die within two years.

Some benefits of urban trees include helping clean the air, slow storm water runoff, raise property values, sequester carbon and reduce energy costs.

As REALTORS we are not trained in identifying trees. Sellers/Buyers are encouraged to identify the species of trees on their and nearby property and take particular note of any ash trees. **CONTACT AN EXPERT (local arborist, tree salesperson or service) to correctly determine the type of trees on your property.**

Much more information can be found at <http://www.iowadnr.gov/environment/forestry/foresthealth/emeraldashborer.aspx>

There are confirmed Ash trees on the property:

Yes  No  Unknown

I acknowledge receipt of this disclosure

Seller [Signature] Date: 10/3/22 Buyer [Signature] Date: \_\_\_\_\_

Seller [Signature] Date: 10/3/22 Buyer [Signature] Date: \_\_\_\_\_