

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: 1801 Swagosa Dr., Maquoketa, IA 52060
(Seller(s): please print property address including City, State and Zip Code)

Property Owner: Robert A. Sommers
(Seller(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: 09/25/2020
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): 2016 or 2017
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

RS _____

Buyer(s) Initials

- 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: _____ 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: _____ and results: _____
- 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): _____
- 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: MIGRATION SYSTEM INSTALLED BEFORE PURCHASE
- 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? RESIDENTIAL 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
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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 JACKSON county recorders office

Other: _____

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

RADON TESTED HIGH BEFORE PURCHASE. NEW MITIGATION SYSTEM INSTALLED PRIOR TO CLOSING.

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 checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Smoke Alarms	<input checked="" type="checkbox"/>	<input checked="" 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"/>	# <u>2</u>	<input checked="" 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 checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Window A/C	<input type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input checked="" 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 checked="" type="checkbox"/>	<input checked="" 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Water Softener	<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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
LP Tank	<input type="checkbox"/>	<input 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: 7 or 8 YRS or UNK

24. **Attic Insulation:** Type: _____ 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 mas

Buyer(s) Initials

26. Sewer Type: Type: Public Community Private
27. Septic Tank: Location of Tank: _____ N/A UNK
 Tank Age: _____ 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: _____
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 GAS or UNK Age: _____ or UNK
31. Cooling System(s): Type: CENTRAL AIR 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: LUXURY VINYL TILE (MAIN FLOOR), 2 HIGH RISE TOILETS (MAIN FLOOR),
NEW GAS DRYER, FRONT SIDE WALK (POLY FOAM), INTERIOR / GARAGE PAINTING,
FLOWER BED IMPROVEMENTS
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 MMEU Gas/Propane Service Provider BLACK HILLS Energy
40. Any Transferable Contracts? (e.g. Security System, Home Warranty, CRP, Pest Treatment, etc.) _____
RADON SOLUTIONS

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.

Robert A. Sonnen 6/20/2023
 Seller Date

 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



Notice to Buyer- Emerald Ash Borer



Property Address 1801 Swagosa Dr., Maquoketa, IA 52060

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/foresthalth/emeraldashborer.aspx>

There are confirmed Ash trees on the property:

Yes No Unknown

I acknowledge receipt of this disclosure

Seller Robert A. Lornney Date: 6/10/2023 Buyer Date: _____

Seller Date: _____ Buyer Date: _____