



# SELLER'S RESIDENTIAL REAL ESTATE SALES DISCLOSURE

State Form 46234 (R6/6-14)

Date (month, day, year)

May 28, 2020

Note: This form has been modified from the version currently found at 876 IAC 9-1-2 to include questions regarding disclosure of contamination related to controlled substances or methamphetamine as required by

P.L. 180-2014. Rule revisions will be made to 876 IAC 9-1-2 to include these changes in the near future, however the Commission has made this information available now through this updated form.

Seller states that the information contained in this Disclosure is correct to the best of Seller's CURRENT ACTUAL KNOWLEDGE as of the above date. The prospective buyer and the owner may wish to obtain professional advice or inspections of the property and provide for appropriate provisions in a contract between them concerning any advice, inspections, defects, or warranties obtained on the property. The representations in this form are the representations of the owner and are not the representations of the agent, if any. This information is for disclosure only and is not intended to be a part of any contract between the buyer and the owner. Indiana law (IC 32-21-5) generally requires sellers of 1-4 unit residential property to complete this form regarding the known physical condition of the property. An owner must complete and sign the disclosure form and submit the form to a prospective buyer before an offer is accepted for the sale of the real estate.

Property address (number and street, city, state, and ZIP code) 3990 S. Whitley Rd, S. Whitley, IN 46787

1. The following are in the conditions indicated:

A. APPLIANCES	None/Not Included/Rented	Defective	Not Defective	Do Not Know	C. WATER & SEWER SYSTEM	None/Not Included/Rented	Defective	Not Defective	Do Not Know	
Built-in Vacuum System	X				Cistern	X				
Clothes Dryer	X				Septic Field/Bed			X		
Clothes Washer	X				Hot Tub	X				
Dishwasher			X		Plumbing			X		
Disposal	X				Aerator System	X				
Freezer	X				Sump Pump	X				
Gas Grill	X				Irrigation Systems	X				
Hood			X		Water Heater/Electric			X		
Microwave Oven			X		Water Heater/Gas	X				
Oven			X		Water Heater/Solar	X				
Range			X		Water Purifier			X		
Refrigerator			X		Water Softener			X		
Room Air Conditioner(s)	X				Well 4"			X		
Trash Compactor	X				Septic and Holding Tank/Septic Mound			X		
TV Antenna/Dish	X				Geothermal and Heat Pump	X				
Other:					Other Sewer System (Explain)	X				
					Swimming Pool & Pool Equipment	X				
								Yes	No	Do Not Know
					Are the structures connected to a public water system?			X		
					Are the structures connected to a public sewer system?			X		
					Are there any additions that may require improvements to the sewage disposal system?			X		
					If yes, have the improvements been completed on the sewage disposal system?			X		
					Are the improvements connected to a private/community water system?			X		
					Are the improvements connected to a private/community sewer system?			X		
<b>B. Electrical System</b>	<b>None/Not Included/Rented</b>	<b>Defective</b>	<b>Not Defective</b>	<b>Do Not Know</b>	<b>D. HEATING &amp; COOLING SYSTEM</b>	<b>None/Not Included/Rented</b>	<b>Defective</b>	<b>Not Defective</b>	<b>Do Not Know</b>	
Air Purifier	X				Attic Fan	X				
Burglar Alarm	X				Central Air Conditioning			X		
Ceiling Fan(s)			X		Hot Water Heat	X				
Garage Door Opener / Controls			X		Furnace Heat/Gas			X		
Inside Telephone Wiring and Blocks/Jacks			X		Furnace Heat/Electric	X				
Intercom	X				Solar House-Heating	X				
Light Fixtures			X		Woodburning Stove	X				
Sauna	X				Fireplace			X		
Smoke/Fire Alarm(s)			X		Fireplace Insert	X				
Switches and Outlets			X		Air Cleaner	X				
Vent Fan(s)			X		Humidifier	X				
60/100/200 Amp Service (Circle one)			X		Propane Tank	X				
Generator	X				Other Heating Source	X				

NOTE: Means a condition that would have a significant "Defect" adverse effect on the value of the property, that would significantly impair the health or safety of future occupants of the property, or that if not repaired, removed or replaced would significantly shorten or adversely affect the expected normal life of the premises.

The information contained in this Disclosure has been furnished by the Seller, who certifies to the truth thereof, based on the Seller's CURRENT ACTUAL KNOWLEDGE. A disclosure form is not a warranty by the owner or the owner's agent, if any, and the disclosure form may not be used as a substitute for any inspections or warranties that the prospective buyer or owner may later obtain. At or before settlement, the owner is required to disclose any material change in the physical condition of the property or certify to the purchaser at settlement that the condition of the property is substantially the same as it was when the disclosure form was provided. Seller and Purchaser hereby acknowledge receipt of this Disclosure by signing below.

Signature of Seller	Date (mm/dd/yy)	Signature of Buyer	Date (mm/dd/yy)
<i>[Signature]</i>	5/28/2020		
Signature of Seller	Date (mm/dd/yy)	Signature of Buyer	Date (mm/dd/yy)
	5/28/2020		
The Seller hereby certifies that the condition of the property is substantially the same as it was when the Seller's Disclosure form was originally provided to the Buyer.			
Signature of Seller (at closing)	Date (mm/dd/yy)	Signature of Seller (at closing)	Date (mm/dd/yy)

Property address (number and street, city, state, and ZIP code) **3990 S. Whitley Rd., S. Whitley, IN 46787**

2. ROOF	YES	NO	DO NOT KNOW
Age, if known <b>5-6</b> Years.			
Does the roof leak?		X	
Is there present damage to the roof?		X	
Is there more than one layer of shingles on the house?		X	
If yes, how many layers?			

3. HAZARDOUS CONDITIONS	YES	NO	DO NOT KNOW
Have there been or are there any hazardous conditions on the property, such as methane gas, lead paint, radon gas in house or well, radioactive material, landfill, mineshaft, expansive soil, toxic materials, mold, other biological contaminants, asbestos insulation, or PCB's?			✓
Is there any contamination caused by the manufacture or a controlled substance on the property that has not been certified as decontaminated by an inspector approved under IC 13-14-1-15?			✓
Has there been manufacture of methamphetamine or dumping of waste from the manufacture of methamphetamine in a residential structure on the property?			✓

Explain:

**E. ADDITIONAL COMMENTS AND/OR EXPLANATIONS:**  
(Use additional pages, if necessary)

4. OTHER DISCLOSURES	YES	NO	DO NOT KNOW
Do structures have aluminum wiring?		X	
Are there any foundation problems with the structures?		X	
Are there any encroachments?		✓	
Are there any violations of zoning, building codes, or restrictive covenants?		X	
Is the present use of non-conforming use? Explain:			✓
Is the access to your property via a private road?		✓	
Is the access to your property via a public road?	X		
Is the access to your property via an easement?		X	
Have you received any notices by any governmental or quasi-governmental agencies affecting this property?		X	
Are there any structural problems with the building?		X	
Have any substantial additions or alterations been made without a required building permit?		X	
Are there moisture and/or water problems in the basement, crawl space area, or any other area?		X	
Is there any damage due to wind, flood, termites, or rodents?		X	
Have any structures been treated for wood destroying insects?		✓	
Are the furnace/woodstove/chimney/flue all in working order?	X		
Is the property in a flood plain?		X	
Do you currently pay for flood insurance?		X	
Does the property contain underground storage tank(s)?		X	
Is the homeowner a licensed real estate salesperson or broker?		✓	
Is there any threatened or existing litigation regarding the property?		✓	
Is the property subject to covenants, conditions and/or restrictions of a homeowner's association?		X	
Is the property located within one (1) mile of an airport?		✓	

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Signature of Seller	Date (mm/dd/yy) <b>5/28/2020</b>	Signature of Buyer	Date (mm/dd/yy)
<b>The Seller hereby certifies that the condition of the property is substantially the same as it was when the Seller's Disclosure form was originally provided to the Buyer.</b>			
Signature of Seller (at closing)	Date (mm/dd/yy)	Signature of Seller (at closing)	Date (mm/dd/yy)



FORM #03.





**Metzger** PROPERTY SERVICES, LLC  
 CHAD METZGER CAL, CAGA

260-982-0238

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### Average Utilities

	Company	Average Amount
Gas	Rented through United - 500 gal.	\$ fills 3-4 times/yr.
Electric	REMC	\$ ≈ 125/mo.
Water	Well	\$
Other		\$
HOA		\$



# Metzger Property Services, LLC

## Agency Disclosure Form

Real estate licensees are considered to be an agent of the property owner unless there is an agreement stating otherwise and all parties are aware of said agreement. While the duties of a licensee acting as an agent for the owner are extensive, some of said duties include but are not limited to:

- Representing the client without discriminating in any form on the basis of race, color, religion, national origin, sex, marital status, familial status, mental or physical handicap
- Handling each transaction honestly and fairly
- Assist in negotiating, completing real estate forms, communicating, presenting offers timely, conducting counteroffers, notices and various addenda relating to the offers and counteroffers until a purchase agreement is signed and or all contingencies are satisfied or waived
- Keeping the best interest of the owner at the forefront of each transaction
- Obtain the best price possible for the owner
- Disclose all information and facts to the owner which may influence he or she's decisions
- Timely and openly present all offers to the owner

Indiana and Michigan law states that all real estate licensed persons are required to disclose which party they represent in a real estate transaction. All prospective purchasers must have agency disclosure made to them by a licensee with whom they work. By signing below, you are fulfilling the terms set forth by Indiana and Michigan law.

### Agency Disclosure Statement

The listing broker, Metzger Property Services, LLC, and all agents associated with the listing broker solely represent the owner.

Metzger Property Services, LLC and Chad Metzger represent,  
(MPS, LLC Agent)

The Owner: X      The Purchaser: \_\_\_\_\_ (check which applies)

If dual and or limited agent representation occurs, where the broker and or agent is representing both the purchaser and the owner, said agent must give signed documentation of such an agreement signed by both the purchaser and the owner conceding their knowledge of such transaction.

Your signature below confirms that you have received, read and understand the information within Metzger Property Services, LLC's Agency Disclosure Form and that this information was provided to you before signing a contract to purchase real estate.

[Signature]  
Owner

5-28-2020  
Date

[Signature]      5-28-2020  
Owner      Date

\_\_\_\_\_  
Purchaser      Date

\_\_\_\_\_  
Purchaser      Date



## Lead-Based Paint & Lead-Based Paint Hazards Disclosure of Information

**Lead Warning Statement:**

Every purchaser 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 but not limited to; learning disabilities, behavioral problems, reduced intelligence quotient 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. A risk assessment or inspection of possible lead-based paint hazards is recommended prior to purchase.

**Seller's Disclosure (initially)**

**Initial:** JK

Check below which best applies:

- I. Presence of lead-based paint and or lead-based hazards:  
 Known lead-based paint and/or lead-based paint hazards are present in the housing.  
 Explain: \_\_\_\_\_
- Seller has no knowledge of lead-based paint or lead-based paint hazards in the housing
- II. Reports & Records available to the seller  
 Seller has provided the purchaser with all available records & reports pertaining to lead-based paint and/or lead-based paint hazards. Please list below  
 List: \_\_\_\_\_
- Seller has no reports or records pertaining to lead-based paint & hazards in the housing.

**Purchaser's Acknowledgement (initial)**

**Initial:** \_\_\_\_\_

- III. Purchaser has received copies of all information listed above
- IV. Purchaser has received the pamphlet "Protect Your Family from Lead in Your Home"
- V. Purchaser has: (check which applies)  
 Received a 10-day opportunity, or mutually agreed upon time period, to conduct a risk assessment or inspection for the presence of lead-based paint &/or hazards or have  
 Waived the opportunity to conduct a risk assessment or inspection for the presence of lead-based paint &/or lead-based paint hazards

**Agent's Acknowledgment (initial)**

JK Agent has informed the seller of the seller's obligation under 42 U.S.C. 4852(d) and is aware of his or 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 provided is true and accurate.

<u>[Signature]</u> Seller's Signature	<u>5-28-2020</u> Date	<u>[Signature]</u> Seller's Signature	<u>5-28-2020</u> Date
<u>[Signature]</u> Agent's Signature	<u>5-28-2020</u> Date	_____ Agent's Signature	_____ Date
_____ Purchaser's Signature	_____ Date	_____ Purchaser's Signature	_____ Date