

## SELLER'S RESIDENTIAL REAL ESTATE SALES DISCLOSURE

State Form 46234 (R8 / 8-14)

Date (month, day, year)

April 30, 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)

5189 S. 350 E., Warsaw, IN 46580

1. The following are in the conditions indicated:

A. APPLIANCES	None/Not Included/ Rented	Defective	Not Defective	Do Not Know
Built-In Vacuum System	✓			
Clothes Dryer	✓			
Clothes Washer	✓			
Dishwasher			✓	
Disposal	✓			
Freezer	✓	✓		
Gas Grill		✓		
Hood			✓	
Microwave Oven				
Oven			✓	
Range			✓	
Refrigerator			✓	
Room Air Conditioner(s)	✓			
Trash Compactor	✓			
TV Antenna / Dish	✓			
Other:				

B. ELECTRICAL SYSTEM	None/Not Included/ Rented	Defective	Not Defective	Do Not Know
Air Purifier	✓			
Burglar Alarm	✓			
Celling Fan(s)	✓			
Garage Door Opener / Controls	✓			
Inside Telephone Wiring and Blocks / Jacks			✓	
Intercom	✓			
Light Fixtures			✓	
Sauna	✓			
Smoke / Fire Alarm(s)			✓	
Switches and Outlets			✓	
Vent Fan(s)			✓	
60 / 100 / <del>200</del> Amp Service (Circle one)			✓	
Generator	✓			

**NOTE: "Defect" means a condition that would have a significant 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.**

C. WATER & SEWER SYSTEM	None/Not Included/ Rented	Defective	Not Defective	Do Not Know
Cistern	✓			
Septic Field / Bed			✓	
Hot Tub	✓			
Plumbing	✓			
Aerator System	✓			
Sump Pump	✓			
Irrigation Systems	✓			
Water Heater / Electric			✓	
Water Heater / Gas	✓			
Water Heater / Solar	✓			
Water Purifier	✓			
Water Softener			✓	
Well			✓	
Septic & Holding Tank/Septic Mound			✓	
Geothermal and Heat Pump	✓			
Other Sewer System (Explain)	✓			
Swimming Pool & Pool Equipment	✓			

	Yes	No	Do Not Know
Are the structures connected to a public water system?		✓	
Are the structures connected to a public sewer system?		✓	
Are there any additions that may require improvements to the sewage disposal system?		✓	
If yes, have the improvements been completed on the sewage disposal system?		✓	
Are the improvements connected to a private/community water system?		✓	
Are the improvements connected to a private/community sewer system?		✓	

D. HEATING & COOLING SYSTEM	None/Not Included/ Rented	Defective	Not Defective	Do Not Know
Attic Fan	✓			
Central Air Conditioning			✓	
Hot Water Heat	✓			
Furnace Heat / Gas			✓	
Furnace Heat / Electric	✓			
Solar House-Heating	✓			
Woodburning Stove	✓			
Fireplace	✓			
Fireplace Insert	✓			
Air Cleaner	✓			
Humidifier	✓			
Propane Tank	X			
Other Heating Source	✓			

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
Signature of Seller	Date

Signature of Buyer	Date (mm/dd/yy)
Signature of Buyer	Date (mm/dd/yy)

Signature of Buyer	Date (mm/dd/yy)
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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)
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Signature of Seller (at closing)

Date (mm/dd/yy)



Property address (number and street, city, state, and ZIP code)

5189 S. 350 E., Warsaw, IN 46580

2. ROOF	YES	NO	DO NOT KNOW
Age, if known: <u>1</u> Years.			
Does the roof leak?		<input checked="" type="checkbox"/>	
Is there present damage to the roof?		<input checked="" type="checkbox"/>	
Is there more than one layer of shingles on the house? <u>Steel</u>		<input checked="" type="checkbox"/>	
If yes, how many layers? _____		<input checked="" type="checkbox"/>	
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?		<input checked="" type="checkbox"/>	
Is there contamination caused by the manufacture of a controlled substance on the property that has not been certified as decontaminated by an inspector approved under IC 13-14-1-15?		<input checked="" type="checkbox"/>	
Has there been manufacture of methamphetamine or dumping of waste from the manufacture of methamphetamine in a residential structure on the property?		<input checked="" type="checkbox"/>	
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?		<input checked="" type="checkbox"/>	
Are there any foundation problems with the structures?		<input checked="" type="checkbox"/>	
Are there any encroachments?		<input checked="" type="checkbox"/>	
Are there any violations of zoning, building codes, or restrictive covenants?		<input checked="" type="checkbox"/>	
Is the present use a non-conforming use? Explain:		<input checked="" type="checkbox"/>	
Is the access to your property via a private road?		<input checked="" type="checkbox"/>	
Is the access to your property via a public road?	<input checked="" type="checkbox"/>		
Is the access to your property via an easement?		<input checked="" type="checkbox"/>	
Have you received any notices by any governmental or quasi-governmental agencies affecting this property?		<input checked="" type="checkbox"/>	
Are there any structural problems with the building?		<input checked="" type="checkbox"/>	
Have any substantial additions or alterations been made without a required building permit?		<input checked="" type="checkbox"/>	
Are there moisture and/or water problems in the basement, crawl space area, or any other area?		<input checked="" type="checkbox"/>	
Is there any damage due to wind, flood, termites or rodents?		<input checked="" type="checkbox"/>	
Have any structures been treated for wood destroying insects?		<input checked="" type="checkbox"/>	
Are the furnace/woodstove/chimney/flue all in working order?		<input checked="" type="checkbox"/>	
Is the property in a flood plain?		<input checked="" type="checkbox"/>	
Do you currently pay flood insurance?		<input checked="" type="checkbox"/>	
Does the property contain underground storage tank(s)?		<input checked="" type="checkbox"/>	
Is the homeowner a licensed real estate salesperson or broker?		<input checked="" type="checkbox"/>	
Is there any threatened or existing litigation regarding the property?		<input checked="" type="checkbox"/>	
Is the property subject to covenants, conditions and/or restrictions of a homeowner's association?		<input checked="" type="checkbox"/>	
Is the property located within one (1) mile of an airport?		<input checked="" type="checkbox"/>	

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X Signature of Seller <u>[Signature]</u>	Date (mm/dd/yy) <u>4/30/2020</u>	Signature of Buyer	Date (mm/dd/yy)
X Signature of Seller <u>[Signature]</u>	Date (mm/dd/yy) <u>4/30/2020</u>	Signature of Buyer	Date (mm/dd/yy)
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)





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

260-982-0238



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### Average Utilities

	Company	Average Amount
Gas	Rented from Stumps	\$ = 500-1000 / yr
Electric	REMC.	\$ = 50 / mo.
Water	Well	\$
Other		\$
HOA		\$

\* avg. filled twice

Yellow House: 5189 S. 350 E., Warsaw, IN 46580





## 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] 4.30.2020  
Owner Date

[Signature] 4.30.2020  
Owner Date

\_\_\_\_\_  
Purchaser Date

\_\_\_\_\_  
Purchaser Date