

# NICHOLS REAL ESTATE

6351 Monroe Street Daphne, AL 36526  
Bus. 251-626-2030 Fax 251-626-2053

## Seller Real Property Disclosure

NAME OF SELLER: Horace Allen and Kelly Childress  
PROPERTY ADDRESS: 7881 Barrington Ln. Daphne AL 36526  
LEGAL DESCRIPTION: \_\_\_\_\_  
SELLERS ESTIMATED AGE OF HOUSE: 9 yr.  
AGE OF ADDITIONS: \_\_\_\_\_ BUILDER: \_\_\_\_\_

### NOTICE TO SELLER AND BUYER

With regard to the above property, the undersigned property owner(s) hereby represent and agree that:

- The property is owned solely by the undersigned. If additional owners, please list: \_\_\_\_\_
- The statements and representations made herein are made by the undersigned property owner(s) and are not the representations of Nichols Real Estate, Inc., its associates or employees.
- It is agreed that Nichols Real Estate, Inc. has Seller's permission to provide a copy of this statement to prospective purchasers or other interested parties as a statement by the Seller regarding property condition.
- The property owner gives Nichols Real Estate, Inc. permission to enter the property in the Baldwin & Mobile MLS Systems as a pending sale, once an offer has been accepted.  
Nichols Real Estate, Inc.'s broker places earnest money funds in an escrow account upon receiving an accepted offer. If there is a conflict over earnest money funds and this cannot be solved or agreed upon, broker is obligated to pay funds into the court at the request of either party, until a ruling is made on this matter. (Rule 790-X3-3-.03(2)) If court intervention is required to determine the recipient of any earnest money refund, Nichols Real Estate shall be reimbursed for any attorney fees and/or court costs incurred through the interpleading process and then the remaining funds, if any, shall be disbursed to the appropriate party per the court order.
- Seller understands that communication and cooperation with their real estate agent are of the utmost importance in the successful marketing, negotiating, and closing of their property. Nichols reserves the right to terminate the listing agreement should it become difficult to communicate with the seller and/or the property effectively.

### OCCUPANCY:

Seller is ☒ is not ☐ occupying the property. Seller last occupied the property on \_\_\_\_\_  
Is this property being sold subject to a lease? No ☒ Yes ☐ If yes, explain and attach copy of lease \_\_\_\_\_

**LAWSUITS, CLAIMS, ASSESSMENTS, AND LEGAL ISSUES:** Are there any existing, pending, proposed, or past legal actions, claims, special assessments, current bankruptcy, or past bankruptcy assessments (including homeowner association's maintenance fees, or proposed increases in assessments and/or maintenance fees) affecting the property? No ☒ Yes ☐ Are there any rights of redemption? No ☐ Yes ☐ If yes, explain: \_\_\_\_\_

Have you ever received any notification under the Community Notification Act (Megan's Law) advising you of a sex offender residing in your neighborhood? No ☒ Yes ☐ If yes, explain: \_\_\_\_\_

Is this property involved in any divorce proceedings at this time? No ☒ Yes ☐ If yes, was a quit claim deed prepared? No ☐ Yes ☐  
Homestead exemption filed? No ☐ Yes ☒ Estimated annual taxes? \_\_\_\_\_

### DEED RESTRICTIONS

Are there any deed restrictions? No ☐ Yes ☒ If yes, explain: \_\_\_\_\_

Has there been any proposed change to the restrictions? No ☒ Yes ☐ If yes, explain: \_\_\_\_\_

Are there any resale restrictions? No ☒ Yes ☐ If yes, explain: \_\_\_\_\_

### OWNERS ASSOCIATION

Is there a Home Owners Association? No ☐ Yes ☒ Is membership mandatory? No ☐ Yes ☒  
What are the fees charged by the owners association? 200 per yr. Date Due: \_\_\_\_\_ Transfer fee: \_\_\_\_\_  
Are there any homeowner restrictions? No ☐ Yes ☒ If yes, explain: \_\_\_\_\_

Are there any proposed changes to the restrictions? No ☒ Yes ☐ If yes, explain: \_\_\_\_\_

Is approval of the association required to transfer ownership? No ☒ Yes ☐ What is the Current contact information for the owners association?  
Name \_\_\_\_\_ Phone Number \_\_\_\_\_  
Address \_\_\_\_\_

Can you verify that the development is fully insured through the Owners Association for replacement cost? Explain: \_\_\_\_\_

To your knowledge, is financing of units in the development of subdivision currently approved for FHA, VA, FHMA, FREDDIE MAC financing? No ☐ Yes ☐ (Please circle correct categories)

**ACCESS ROADS** Are access roads public or private? public If private, describe the terms and conditions of the maintenance agreement and where filed: \_\_\_\_\_

**PROPERTY RELATED ITEMS:** Are any walls, driveways, or other features shared in connection with adjoining landowners or are there encroachments, boundary line disputes, setback violations, or easements affecting the property? No ☒ Yes ☐ If yes, explain: \_\_\_\_\_

Has car storage been converted into living square footage against subdivision regulations that require a place for car storage? No ☒ Yes ☐ If so, that is to be clarified between Buyer & Seller. Nichols Real Estate Inc. is to be held harmless in this matter.

Is any portion of the property fenced? No ☐ Yes ☒ If yes, are you aware of any portion of the fence which is shared in common with or owned by adjoining owners, encroachments, boundary line disputes, setback violations, or easements affecting the fence? there is 10 ft. behind fence to property line.

Approximate year and description of any major improvements, additions, repairs, or remodeling: \_\_\_\_\_

Have you ever experienced difficulty in obtaining hazard and/or flood insurance for any building located on this property? If so, explain: \_\_\_\_\_

Property is currently insured by Alfa Ins. insurance company. No guarantee on cost of property insurance can be given. Buyer is encouraged to obtain acceptable insurance quotes prior to submitting an offer on any property.

## THE LAND

Has there been any past settling, soil movement, or sinkhole problems on the property or on adjacent properties? No ☒ Yes ☐ If yes, explain: \_\_\_\_\_

Has there ever been any past or present drainage or flood problem affecting the property or adjacent properties? No ☒ Yes ☐ If yes, explain: \_\_\_\_\_

Has there ever been any significant standing water after heavy rain? Explain: \_\_\_\_\_

Are there any past or present problems with driveways, walkways, patios, seawalls, retaining walls on the property or adjacent properties due to drainage, flooding, or soil movements? No ☒ Yes ☐ If yes, explain: \_\_\_\_\_

Any land fill on the property? Explain: \_\_\_\_\_

Has the property ever been subdivided? No ☒ Yes ☐ If yes, was the subdivision approved by the proper authorities? Explain: \_\_\_\_\_

Please provide documentation.

## ENVIRONMENT

Are there any substances, materials, or products which may be an environmental hazard such as, but not limited to, asbestos, Chinese Drywall, urea formaldehyde, radon gas, lead-based paint, fuel or chemical storage tanks (active or abandoned), or contaminated soil or water on the property? No ☒ Yes ☐ If yes, explain: \_\_\_\_\_

Is there any condition or proposed land use change in the vicinity of the property, such as, but not limited to, proposed development or proposed roadways? No ☒ Yes ☐ If yes, explain: \_\_\_\_\_

Are there any wetlands, archaeological sites, or other environmentally sensitive areas located on the property? No ☒ Yes ☐ If yes, explain: \_\_\_\_\_

## ZONING

Are there any zoning violations, nonconforming uses, or violations of "setback" requirements? No ☒ Yes ☐ If yes, explain: \_\_\_\_\_

Is the property zoned for its current use? Yes ☒ No ☐ If no, explain: \_\_\_\_\_

What is the current zoning for the property? \_\_\_\_\_

Is the property required to have Flood Insurance? No ☒ Yes ☐ If yes, is it zoned A B C Other \_\_\_\_\_

If Flood Insurance is required, do you have an Elevation Certificate stating the height above sea level? Yes ☐ No ☐

Is there any portion of the property seaward of the coastal construction control line? No ☐ Yes ☐

Are there any improvements in violation of current zoning regulations? No ☒ Yes ☐ If yes, explain: \_\_\_\_\_

Fire Class #: \_\_\_\_\_ City Zoning: \_\_\_\_\_ County Zoning: \_\_\_\_\_

## TERMITES/DRY ROT/PESTS:

Do you have any knowledge of termites, dry rot, or pests affecting any improvements located on the property or any structural damage to the property by termites, dry rot, or pests? No ☒ Yes ☐ If yes, explain: \_\_\_\_\_

Do you have a termite contract (don't confuse a termite contract with pest control service)? Yes ☒ No ☐

Do you have a Formosan rider (many termite contracts do not cover Formosan termites without a rider at additional expense)? Yes ☒ No ☐

Is your termite contract for treatment of infestation only or treatment and damage repair? \_\_\_\_\_

Who is your termite company? Waynes

Note: If you are sure you have a termite contract but are unsure what kind, do not answer these questions other than to state that you have a termite contract and the company you have the contract with.

**STRUCTURAL-RELATED ITEMS:** Is there any structural condition or building materials (such as stucco or Masonite) (or, in the case of an owners association, any condition in the common elements) that could affect the value of the property? No ☒ Yes ☐ If yes, explain: \_\_\_\_\_

If Masonite, are you involved in class action suit? Explain: \_\_\_\_\_

Are there any improvements or additions to the property that have been constructed in violation of building codes or set back line violations? No ☒ Yes ☐ If yes, explain: \_\_\_\_\_

Are there any improvements, including additions that have been constructed without necessary permits? No ☒ Yes ☐ If yes, explain: \_\_\_\_\_

Hard-wood flooring under carpet? No ☒ Yes ☐ Other \_\_\_\_\_

Are there any structural damages which may have resulted from events including, but not limited to, fire, wind, flood, hail, landslide, hurricane damage, or flood damage to the property? No ☒ Yes ☐ If yes, explain: \_\_\_\_\_

Are there any potential problems or existing problems, past or present with any of the following components of your property? Please check:

|                                         |                                         |                                    |                                     |                                              |
|-----------------------------------------|-----------------------------------------|------------------------------------|-------------------------------------|----------------------------------------------|
| <input type="checkbox"/> Interior Walls | <input type="checkbox"/> Driveways      | <input type="checkbox"/> Floors    | <input type="checkbox"/> Windows    | <input type="checkbox"/> Wall, Fences        |
| <input type="checkbox"/> Plumbing       | <input type="checkbox"/> Exterior Walls | <input type="checkbox"/> Slab      | <input type="checkbox"/> Foundation | <input type="checkbox"/> Electrical Systems  |
| <input type="checkbox"/> Attic          | <input type="checkbox"/> Insulation     | <input type="checkbox"/> Pool      | <input type="checkbox"/> Basement   | <input type="checkbox"/> Fireplace & Chimney |
| <input type="checkbox"/> Doorbell       | <input type="checkbox"/> Burglar Alarm  | <input type="checkbox"/> Sprinkler | <input type="checkbox"/> Other      |                                              |

Explain: \_\_\_\_\_

Are there any repairs needed now or in the near future? No ☒ Yes ☐ If yes, explain: \_\_\_\_\_

## ROOF/FIREPLACE RELATED ITEMS

Are there any roof defects? No ☒ Yes ☐ If yes, explain: \_\_\_\_\_

Has the roof leaked since you have owned the property? No ☒ Yes ☐ If yes, explain what was done to correct the leak: \_\_\_\_\_

Has the roof been replaced? No ☒ Yes ☐ If yes, when? \_\_\_\_\_

Type of roof or shingle: \_\_\_\_\_ Company? \_\_\_\_\_

Is there a warranty on the roof? No ☐ Yes ☐ If yes, please provide a copy. Is the warranty transferable? No ☐ Yes ☐

Are there any roof inspections within the last 12 months? No ☐ Yes ☒ If yes, explain and provide a copy of the report: \_\_\_\_\_

Number of fireplaces: 1. Have wood burning fireplaces been inspected or cleaned? No ☒ Yes ☐ If yes, dates and company: \_\_\_\_\_

Any leaks associated with fireplace? No ☒ Yes ☐ If yes, describe: \_\_\_\_\_

**PLUMBING-RELATED ITEMS:**

What is your drinking water source? Public ☒ Private Well ☐ Other ☐ Water provided by: City  
 Have you had any problems with your well or pump system? No ☐ Yes ☐ If yes, explain in detail and include corrective action taken: \_\_\_\_\_

If your drinking water is from a well or other private source, when was your water last checked for safety and what was the result of the test? \_\_\_\_\_

Do you have a water softener? No ☒ Yes ☐ If yes, is it: Owned ☐ Leased ☐  
 Do you have? Sewer ☐ Septic System ☐ Date septic tank was last pumped? \_\_\_\_\_ Sewer Pump? City sewer - Grinder Pump  
 Have you experienced any problems with the septic tank, drain field, or sewer system? No ☒ Yes ☐ If yes, explain in detail and include corrective action taken: \_\_\_\_\_

Has home ever been inspected by a licensed inspector for any reason? Yes ☐ No ☒ Results: \_\_\_\_\_

Are there any septic tanks or wells on the property that are not currently being used? No ☒ Yes ☐ If yes, explain: \_\_\_\_\_

Are they filled in? Yes ☐ No ☐

Are there any problems relating to the septic tank drain field, sewer lines, or any other plumbing related items? No ☐ Yes ☐ If yes, explain: \_\_\_\_\_

Average estimated water/sewer bill: \_\_\_\_\_ Company or Public Utility \_\_\_\_\_  
 Where is septic tank located on the property? \_\_\_\_\_

**POOLS/ HOT TUBS/ SPAS**

Does the property have a pool? No ☐ Yes ☒ If yes, is it: In-ground ☐ Above-ground ☒ Liner ☒ Gunite ☐  
 Does the property have a hot tub? No ☐ Yes ☒ If yes, does hot tub remain with property? Yes ☒ No ☐  
 Does the property have a spa? No ☒ Yes ☐ If yes, does spa remain with property? Yes ☐ No ☐  
 Are there any conditions regarding the pool, hot tub, or spa that could affect the value of the property? No ☒ Yes ☐ If yes, explain: \_\_\_\_\_

Diving board? No ☒ Yes ☐ If yes, are owners and owner's insurer satisfied that pool depth and shape are safe for diving? No ☐ Yes ☐

**MAJOR APPLIANCES:** (Note: The disclosure is not intended to be part of any contract for sale and purchase. The parties may wish to negotiate about these items in any contract entered into for sale and purchase.) Indicate existing equipment that conveys with property: Range ☒  
 Age 9; Oven ☒ Age 9; Microwave ☒ Age 9; Dishwasher ☒ Age 9; Trash Compactor ☐ Age 9; Garage Door Opener ☒ Age 9  
 No. of Remotes 2 Are there any problems regarding any of these items? No ☒ Yes ☐ If yes, explain: \_\_\_\_\_

**ELECTRICAL SYSTEM:**

Are there any damaged or malfunctioning switches, receptacles, or wiring? No ☒ Yes ☐ If yes, explain: \_\_\_\_\_

Are there any conditions that could affect the value or operating capacity of the electrical system? No ☐ Yes ☐ If yes, explain: \_\_\_\_\_

Average estimated monthly electrical bill: \_\_\_\_\_ Company: \_\_\_\_\_

**HEATING AND AIR CONDITIONING:** All owned and to be included in the sale, unless otherwise noted.

Indicate existing equipment:

Air conditioning: No ☐ Yes ☒ Central ☒ Electric ☐ Gas ☐ Window/wall ☐ Number of Units 9 Age 9  
 Heating: No ☐ Yes ☒ Central ☒ Gas ☐ Electric ☐ Solar ☐ Owned ☐ Leased ☐ Age 9  
 Heat Pump: Water to air ☐ Air to air ☐ Age 9 Any service contracts: No ☒ Yes ☐ Company: \_\_\_\_\_

**OTHER ITEMS OR SYSTEMS:** All owned and to be included in the sale, unless otherwise noted.

Water heater: Electric ☒ Gas ☐ Solar ☐  
 Propane gas tanks: Above ground ☐ Below ground ☐ Location: \_\_\_\_\_  
 Are there any problems regarding any of these items? No ☒ Yes ☐ If yes, explain: \_\_\_\_\_

**OTHER EQUIPMENT** Indicate existing equipment:

T.V. Satellite equipment: No ☐ Yes ☐ Owned ☐ Leased ☐ Monthly Fee \_\_\_\_\_ What equipment conveys? \_\_\_\_\_  
 Location: \_\_\_\_\_  
 Security Systems: No ☒ Yes ☐ Owned ☐ Leased ☐ Connected to central monitor ☐ Monthly Fee \_\_\_\_\_ Company \_\_\_\_\_  
 Smoke detectors: No ☐ Yes ☒ Lawn sprinkler system, pump, related equipment: No ☐ Yes ☒ If yes, describe: \_\_\_\_\_

Pool equipment: No ☐ Yes ☒ If yes, identify: \_\_\_\_\_ Does it remain? ☒

Are there any conditions that could affect the value of any of the above described equipment? No ☒ Yes ☐ If yes, explain: \_\_\_\_\_

**OTHER MATTERS**

Is there anything else that should be disclosed to a prospective buyer because it may materially affect the value of the property or that should be disclosed for any reason? Yes ☐ No ☒ If yes, explain (use another page, if necessary): \_\_\_\_\_

A compliance fee of \$195.00 is collected from Seller, at time of closing, and paid to

Nichols Real Estate to monitor and assist customers and agents with compliance with federal, state and local regulations of paperwork and liability of both Sellers and Purchasers, in regards to the sale and purchase of real estate.

Due to Federal Fair Housing regulation, Nichols Real Estate, it's Brokers and it's agents cannot discuss certain topics concerning the property for sale and/or the area surrounding said property.

Seller has received and reviewed a CMA, which was prepared to help the real estate professional establish a fair market value for the home or property. Yes ☐ No ☐

**SELLER'S REAL PROPERTY DISCLOSURE STATEMENT- ACKNOWLEDGMENT OF SELLER**

The undersigned Seller represents that the information set forth in the above disclosure statement is accurate and complete to the best of the Seller's knowledge on the date signed below. Seller does not intend this disclosure statement to be a warranty or guarantee of any kind. Seller hereby authorizes disclosure of the information contained in this disclosure statement to prospective buyers of the property. Seller understands and agrees that Seller will notify Realtor and Purchaser in writing within five (5) business days if any information set forth in this disclosure statement becomes inaccurate or incorrect in any way during the term of listing agreement.

Seller: Horace Allen Childress / Horace Childress Date: 8/31/2020  
Print Sign  
Seller: Kelly Childress / Kelly Childress Date: 8/31/2020  
Print Sign

**RECEIPT AND ACKNOWLEDGMENT OF BUYER**

Seller is using this form to disclose Seller's knowledge of the condition of the real property and improvements located in the property as of the date signed by Seller. This disclosure form is not a warranty of any kind, nor is it intended to be a substitute for any inspections or professional advice the Buyer may wish to obtain. An independent professional inspection is encouraged and may be helpful to verify the condition of the property and to determine the cost of repairs, if any. IF LEGAL ADVICE IS REQUIRED, CONSULT AN ATTORNEY. Buyer acknowledges receipt of this property disclosure statement. By signing, Buyer acknowledges reviewing this document, is satisfied with content, has no further questions about the content, and understands that Nichols Real Estate, Inc. is not responsible for the accuracy of these disclosures by Seller.

Buyer: \_\_\_\_\_ / \_\_\_\_\_ Date: \_\_\_\_\_  
Print Sign  
Buyer: \_\_\_\_\_ / \_\_\_\_\_ Date: \_\_\_\_\_  
Print Sign