

# SELLER'S PROPERTY DISCLOSURE STATEMENT (LOT/LAND) EXHIBIT " \_\_\_\_\_ "



2019 Printing

This Seller's Property Disclosure Statement ("Statement") is an exhibit to the Purchase and Sale Agreement with an Offer Date of \_\_\_\_\_ for Property known as or located at:

\_\_\_\_\_, \_\_\_\_\_ Georgia \_\_\_\_\_.

This Statement contains Seller's disclosures to Buyer regarding the present condition of the Property, certain past repairs and the history of the Property.

**A. INSTRUCTIONS TO SELLER IN COMPLETING THIS DISCLOSURE STATEMENT. In completing this Disclosure Statement, Seller agrees to:**

- (1) answer all questions in reference to the Property (which, unless otherwise noted, shall include the improvements thereon);
- (2) leave no question unanswered;
- (3) answer all questions fully and accurately based upon the best knowledge and belief of all Sellers in the Lot/Land Purchase and Sale Agreement;
- (4) fully explain in the Additional Explanations paragraph any questions to which the answer is "yes" or "don't know" referencing the number of the question for which the additional explanation is being given; and
- (5) promptly revise the Statement and provide a copy of the same to the Buyer and any Broker involved in the transaction if prior to closing there are any material changes in the answers to any of the questions.

**B. HOW THIS STATEMENT SHOULD BE USED BY BUYER. The answers of Seller below should not be a substitute for Buyer conducting a careful, independent evaluation of the Property. Caveat emptor or buyer beware is the law in Georgia. Buyer is expected to use reasonable care to identify defects in the Property and satisfy herself or himself that the Property is suitable for Buyer's needs and purposes. If an independent evaluation of the Property reveals potential problems or areas of concern that would cause a reasonable buyer to investigate further, Buyer may not have legal recourse if Buyer fails to investigate further.**

**C. DISCLOSURES.**

	Yes	No	Don't Know
<b>1. OCCUPANCY:</b>			
(a) Is the Property vacant? If yes, how long has it been since Seller occupied the Property? _____	_____	_____	_____
(b) Is the Property or any portion thereof leased?	_____	_____	_____
<b>2. COVENANTS, FEES AND ASSESSMENTS:</b>			
(a) Is the Property subject to a recorded Declaration of Covenants, Conditions and Restrictions ("CC&Rs") or other similar restrictions?	_____	_____	_____
(b) Is the Property part of a condominium or community in which there is a homeowners' association? <b>[IF YES, SELLER IS INSTRUCTED TO ADDITIONALLY FILL OUT AND PROVIDE TO BUYER A COMMUNITY ASSOCIATION DISCLOSURE EXHIBIT, GAR FORM 123].</b>	_____	_____	_____
<b>3. THE PROPERTY:</b>			
(a) How many acres are in Property? _____			
(b) What is the current zoning of Property? _____			
(c) Will conveyance of Property exclude any mineral, oil and timber rights?	_____	_____	_____
(d) Are there any governmental allotments committed?	_____	_____	_____
(e) Have any licenses or usage permits been granted for, but not limited to, crops, minerals, hunting, water, grazing or timber?	_____	_____	_____
<b>4. SOIL, TREES, SHRUBS AND BOUNDARIES:</b>			
(a) Is there any fill dirt on Property?	_____	_____	_____
(b) Are there any landfills (other than foundation backfill), graves, burial pits, caves, mine shafts, trash dumps or wells (in use or abandoned)?	_____	_____	_____
(c) Is there now or has there ever been any visible soil settlement or movement?	_____	_____	_____
(d) Is any part of Property located in a 100 year Special Flood Hazard Area where there is at least a 1% chance of a flood in any given year?	_____	_____	_____
(e) Are there any drainage or flooding problems on Property?	_____	_____	_____
(f) Are there any diseased or dead trees?	_____	_____	_____
(g) Are there presently any encroachments, unrecorded easements or boundary line disputes with a neighboring property owner?	_____	_____	_____

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	Yes	No	Don't Know
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**5. TOXIC SUBSTANCES:**

- (a) Are there any underground tanks or toxic or hazardous substances such as asbestos? \_\_\_\_\_
- (b) Has Property ever been tested for radon or any other environmental contaminates? \_\_\_\_\_

**6. OTHER MATTERS:**

- (a) Have there been any inspections in the past year?  
If yes, by whom and of what type? \_\_\_\_\_
- (b) Are there any violations of local, state or federal laws, codes or regulations with respect to Property? \_\_\_\_\_
- (c) Have you received notices by governmental or quasi-governmental agency affecting Property? \_\_\_\_\_
- (d) Are there any existing or threatened legal actions affecting Property? \_\_\_\_\_
- (e) Is there any system or item on Property which is leased or which has a fee associated with its use? \_\_\_\_\_
- (f) Are there any private or undedicated roadways for which owner may have financial responsibility? \_\_\_\_\_
- (g) If Property is served by well water, is the well on Property? \_\_\_\_\_
- (h) Has the Property been enrolled in a Conservation Use Program?  
If yes, when was the Property enrolled? \_\_\_\_\_
- (i) Are there any other latent or hidden defects that have not otherwise been disclosed? \_\_\_\_\_

**7. AGRICULTURAL DISCLOSURE:**

Is Property within, partially within, or adjacent to any property zoned or identified on an approved county land use plan as agricultural or forestry use? \_\_\_\_\_

It is the policy of this state and this community to conserve, protect, and encourage the development and improvement of farm and forest land for the production of food, fiber, and other products, and also for its natural and environmental value. This notice is to inform prospective property owners or other persons or entities leasing or acquiring an interest in real property that property in which they are about to acquire an interest lies within, partially within, or adjacent to an area zoned, used, or identified for farm and forest activities and that farm and forest activities occur in the area. Such farm and forest activities may include intensive operations that cause discomfort and inconveniences that involve, but are not limited to, noises, odors, fumes, dust, smoke, insects, operations of machinery during any 24 hour period, storage and disposal of manure, and the application by spraying or otherwise of chemical fertilizers, soil amendments, herbicides, and pesticides. One or more of these inconveniences may occur as the result of farm or forest activities which are in conformance with existing laws and regulations and accepted customs and standards.

**8. UTILITIES:**

Seller warrants that the following utilities serve Property. (The term "serve" shall mean: the indicated utilities and services are available and functional at the property line.) Check (✓) only those utilities below that are included in the sale of Property. [The utilities listed below that are not checked do not serve Property.]

- |                                             |                                             |
|---------------------------------------------|---------------------------------------------|
| <input type="checkbox"/> Electricity        | <input type="checkbox"/> Public Sewer       |
| <input type="checkbox"/> Natural Gas        | <input type="checkbox"/> Public Water       |
| <input type="checkbox"/> Telephone          | <input type="checkbox"/> Private/Well Water |
| <input type="checkbox"/> Cable Television   | <input type="checkbox"/> Shared Well Water  |
| <input type="checkbox"/> Garbage Collection | <input type="checkbox"/> Other _____        |

**9. ADDITIONAL EXPLANATIONS FOR ALL QUESTIONS ANSWERED "YES": [Explanations should reference the number of the question for which more detailed information is being provided.]**

Additional pages are attached.

**SELLER'S REPRESENTATION REGARDING SELLER'S LOT/LAND PROPERTY DISCLOSURE STATEMENT:**

Seller represents that Seller has followed the Instructions to Seller in Completing This Disclosure Statement set forth in Paragraph A above and will follow the same in updating this Disclosure Statement as needed from time to time.

Seller: \_\_\_\_\_

Date: \_\_\_\_\_

Seller: \_\_\_\_\_

Date: \_\_\_\_\_

Additional Signature Page (F267) is attached.

**RECEIPT AND ACKNOWLEDGMENT BY BUYER:**

Buyer acknowledges the receipt of this Seller's Lot/Land Property Disclosure Statement.

Buyer: \_\_\_\_\_

Date: \_\_\_\_\_

Buyer: \_\_\_\_\_

Date: \_\_\_\_\_

Additional Signature Page (F267) is attached.