

# 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:

Iverson Place (LOTS 3-11), Temple, Georgia 30179.

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? _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(b) Is the Property or any portion thereof leased?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(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 FEES, DISCLOSURES AND RELATED ISSUES EXHIBIT, GAR F322].</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(d) Are there any governmental allotments committed?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(e) Have any licenses or usage permits been granted for, but not limited to, crops, minerals, hunting, water, grazing or timber?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>4. SOIL, TREES, SHRUBS AND BOUNDARIES:</b>			
(a) Is there any fill dirt on Property?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(b) Are there any landfills (other than foundation backfill), graves, burial pits, caves, mine shafts, trash dumps or wells (in use or abandoned)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(c) Is there now or has there ever been any visible soil settlement or movement?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(e) Are there any drainage or flooding problems on Property?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(f) Are there any diseased or dead trees?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(g) Are there presently any encroachments, unrecorded easements or boundary line disputes with a neighboring property owner?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

	Yes	No	Don't Know
<b>5. TOXIC SUBSTANCES:</b>			
(a) Are there any underground tanks or toxic or hazardous substances such as asbestos?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(b) Has Property ever been tested for radon or any other environmental contaminates?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

<b>6. OTHER MATTERS:</b>			
(a) Have there been any inspections in the past year? If yes, by whom and of what type? _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(b) Are there any violations of local, state or federal laws, codes or regulations with respect to Property?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(c) Have you received notices by governmental or quasi-governmental agency affecting Property?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(d) Are there any existing or threatened legal actions affecting Property?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(e) Is there any system or item on Property which is leased or which has a fee associated with its use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(f) Are there any private or undedicated roadways for which owner may have financial responsibility?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(g) If Property is served by well water, is the well on Property?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(h) Has the Property been enrolled in a Conservation Use Program? If yes, when was the Property enrolled? _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(i) Are there any other latent or hidden defects that have not otherwise been disclosed?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

<b>7. AGRICULTURAL DISCLOSURE:</b>			
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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.

<b>8. UTILITIES:</b>			
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. <i>[The utilities listed below that are not checked do not serve Property.]</i>			
<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:  dotloop verified  
07/16/19 9:47 AM EDT  
LVEN-NMVI-UCVW-GW6F

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.

**OWNER'S CERTIFICATE**

I, THE OWNER OF SAID PROPERTY SURVEYED, DO HEREBY JOIN IN THE FOREGOING STATEMENT AND DO HEREBY CERTIFY THAT IT WAS AND IS MY INTENTION TO DIVIDE SAID LAND INTO LOTS AS SHOWN BY SAID PLAT AND BY EXECUTION OF THIS CERTIFICATE I DO HEREBY DEDICATE AND CONVEY FOR PUBLIC USE SUCH STREETS, ALLEYS, AND PUBLIC GROUND TO CITY OF TEMPLE, GEORGIA, AS IS SHOWN ON THE PLAT AND DO WARRANT THAT TITLE WAIVES TO ME AS OF THE DATE OF THIS CERTIFICATE.

BY: James A. Messer DATE 6/7/2007

**SURVEYOR'S CERTIFICATE**

I HEREBY CERTIFY THAT THIS PLAT IS TRUE AND CORRECT AND WAS PREPARED FROM AN ACTUAL SURVEY OF THE PROPERTY BY ME OR UNDER MY SUPERVISION; THAT ALL MONUMENTS SHOWN THEREON ACTUALLY EXIST OR ARE MARKED "FUTURE", AND THEIR LOCATION, SIZE, TYPE, AND MATERIAL ARE CORRECTLY SHOWN; AND THAT ALL ENGINEERING REQUIREMENTS OF THE LAND SUBDIVISION REGULATIONS OF CITY OF TEMPLE, GEORGIA, HAVE BEEN FULLY COMPLIED WITH.

BY: [Signature] REGISTERED LAND SURVEYOR NO. 2010 DATE 5-30-07

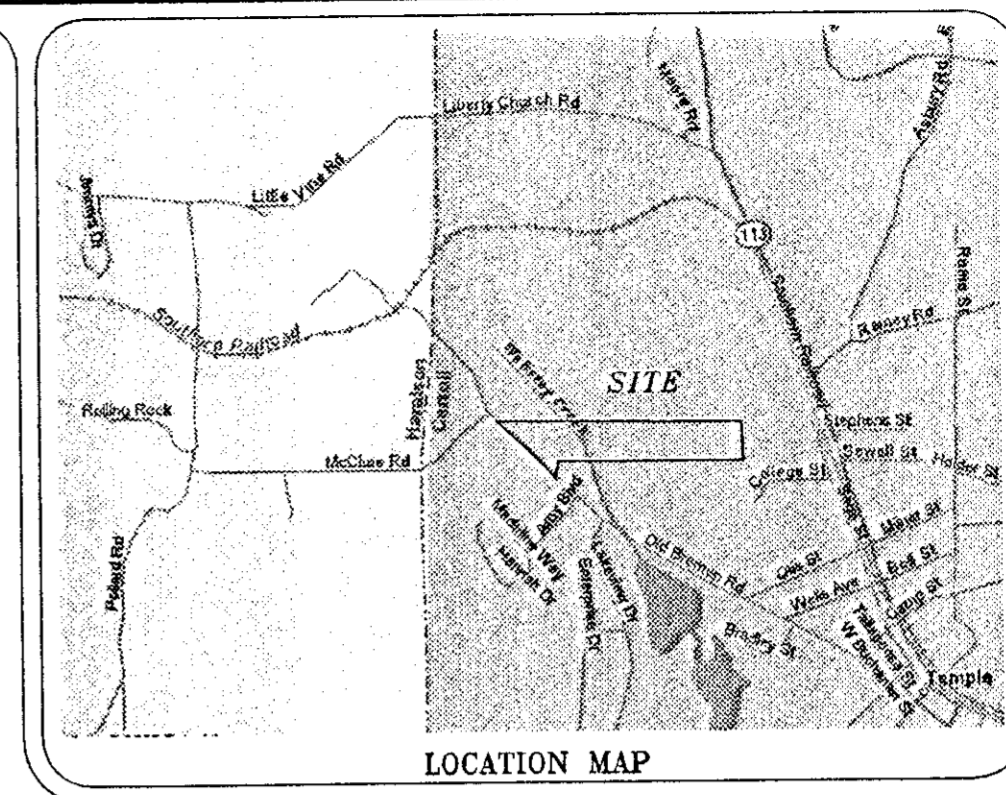
**FINAL PLAT APPROVAL CERTIFICATE**

THIS SUBDIVISION HAS BEEN APPROVED FOR RECORDING BY THE CITY COUNCIL OF TEMPLE, GEORGIA, AND HAS FIRST BEEN TECHNICALLY EXAMINED BY THE CHAIRMAN OF THE PLANNING COMMISSION AND THE CITY ENGINEER AND APPROVED IN ACCORDANCE WITH EXISTING RULES AND REGULATIONS.

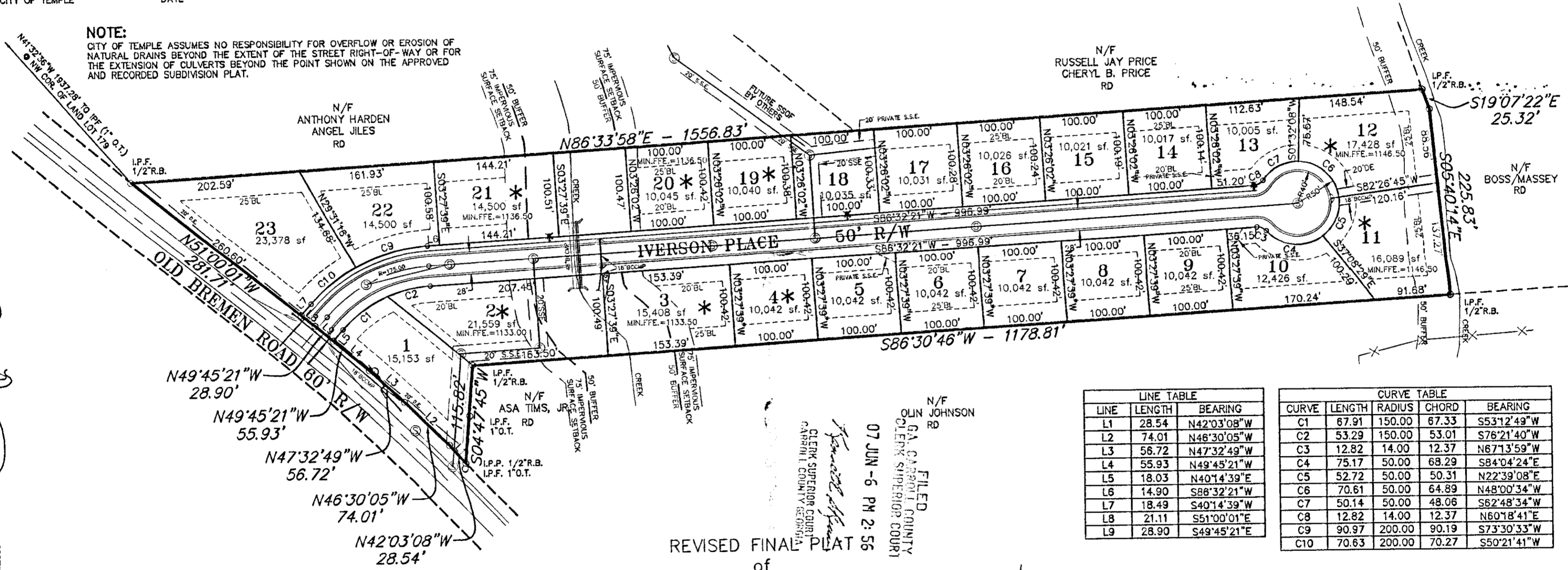
BY: Kim Pope DATE 6-6-07  
CITY CLERK OF TEMPLE  
BY: [Signature] DATE 6-6-07  
MAYOR, CITY OF TEMPLE

**GENERAL NOTES**

- THE FIELD DATA UPON WHICH THE BOUNDARY OF THIS PLAT IS BASED HAS A CLOSURE PRECISION OF ONE FOOT IN 10,000+ FT. THE BOUNDARY OF THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 660,545 FEET.
  - TYPE OF EQUIPMENT USED TOPCON GTS-3C/DATA COLLECTOR
  - ALL LOT CORNERS ARE MARKED BY 1/2" RE-BARS EXCEPT AS OTHERWISE NOTED ON PLAT.
  - ALL DRAINAGE EASEMENTS TO CONFORM TO ACTUAL LOCATION OF DRAINAGE STRUCTURES AND STREAMS.
- ZONING R4  
No. OF LOTS 23  
ACREAGE 8.387  
DENSITY 2.74 Lots per gross acre  
MINIMUM LOT SIZE 10,000 sq. ft.  
FRONT SETBACK 20 ft. or as noted  
SIDE YARD 10 ft.  
REAR YARD 25 ft. or as noted  
MINIMUM HOUSE SIZE 33% OF LOT TOTAL SHOULD BE 1,300 to 1,600 sf. MINIMUM 33% OF LOT TOTAL SHOULD BE 1,600 to 1,800 sf. MINIMUM REMAINING SHOULD BE A MINIMUM OF 1,800 sf OR GREATER.
- ALL LOTS SERVED BY PUBLIC SANITARY SEWER SYSTEM.
  - IN ACCORDANCE WITH THE CITY OF TEMPLE STREET LIGHT ORDINANCE, STREETLIGHTS ARE REQUIRED TO BE PROVIDED BY THE DEVELOPER OF ALL NEW SUBDIVISIONS.
  - (\* ) FINISHED FLOOR ELEVATION (F.F.E.) SHALL BE A MINIMUM OF 2' ABOVE CURB AS NOTED.



**NOTE:**  
CITY OF TEMPLE ASSUMES NO RESPONSIBILITY FOR OVERFLOW OR EROSION OF NATURAL DRAINS BEYOND THE EXTENT OF THE STREET RIGHT-OF-WAY OR FOR THE EXTENSION OF CULVERTS BEYOND THE POINT SHOWN ON THE APPROVED AND RECORDED SUBDIVISION PLAT.



**LINE TABLE**

LINE	LENGTH	BEARING
L1	28.54	N42°03'08"W
L2	74.01	N46°30'05"W
L3	56.72	N47°32'49"W
L4	55.93	N49°45'21"W
L5	18.03	N40°14'39"E
L6	14.90	S88°32'21"W
L7	18.49	S40°14'39"W
L8	21.11	S51°00'01"E
L9	28.90	S49°45'21"E

**CURVE TABLE**

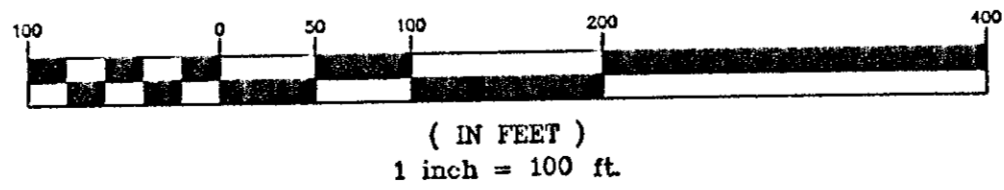
CURVE	LENGTH	RADIUS	CHORD	BEARING
C1	67.91	150.00	67.33	S53°12'49"W
C2	53.29	150.00	53.01	S76°21'40"W
C3	12.82	14.00	12.37	N67°13'59"W
C4	75.17	50.00	68.29	S84°04'24"E
C5	52.72	50.00	50.31	N22°39'08"E
C6	70.61	50.00	64.89	N48°00'34"W
C7	50.14	50.00	48.06	S82°48'34"W
C8	12.82	14.00	12.37	N60°18'41"E
C9	90.97	200.00	90.19	S73°30'33"W
C10	70.63	200.00	70.27	S50°21'41"W

**TIFFANY MILL**

Land Lots 179, 6th District  
City of Temple  
Carroll County, Georgia  
Date: October 26, 2005 Scale: 1" = 100'  
Revised: May 30, 2007

THIS PLAT RECORDED IN PLAT BOOK \_\_\_ PAGE \_\_\_

**GRAPHIC SCALE**



- LEGEND**
- R/W -----RIGHT OF WAY
  - I.P.F. -----IRON PIN FOUND
  - I.P.P. -----IRON PIN PLACED
  - C.T. -----CRIMPED TOP PIPE
  - R.B. -----REINFORCING BAR
  - O.T. -----OPEN TOP PIPE
  - N/F -----NOW OR FORMERLY
  - B.L. -----BUILDING LINE
  - L.W. -----LOT WIDTH @ B.L.

**OWNER & SUBDIVIDER**  
MESSER PROPERTIES, INC.  
JAMES MESSER  
8513 CAMPBELLTON STREET  
DOUGLASVILLE, GA. 30134  
PHONE: (770) 527-2717



**PREPARED BY**  
**HUGHES-RAY COMPANY, INC.**  
Civil Engineering Storm Water Management  
Land Surveying Land Planning Site Design  
6554 E. CHURCH STREET DOUGLASVILLE, GEORGIA 30134  
Phone (770) 942-0196

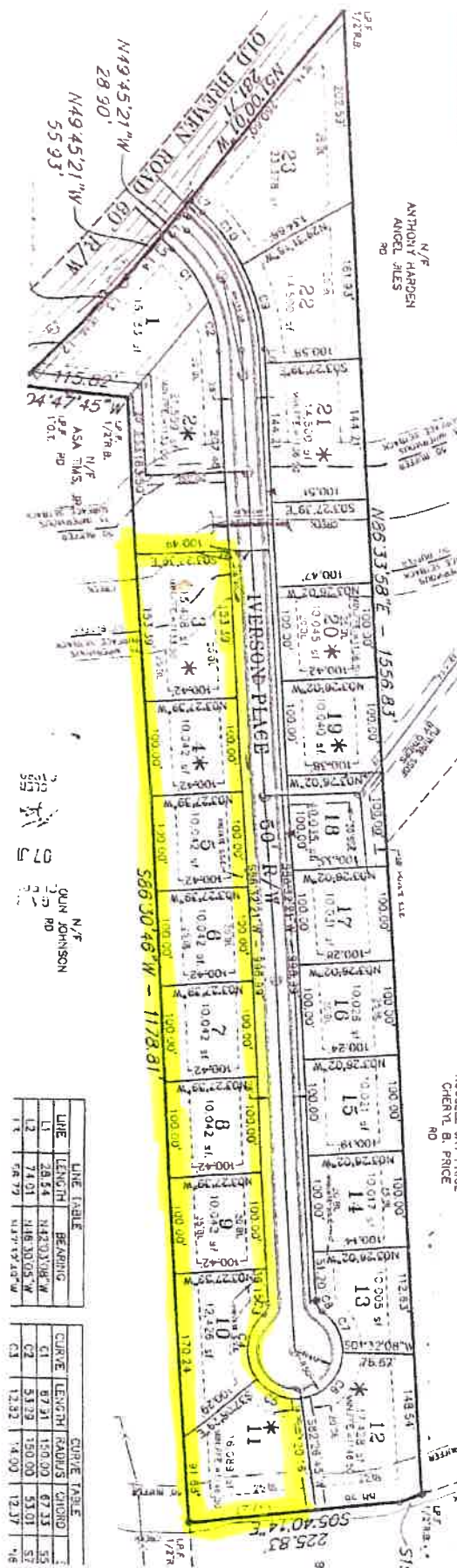


RECEIVED DO HERETY, JOIN IN THE FOREGOING STATEMENT  
 EDITION OF THIS PLAN FOR THE 100,000+ FT<sup>2</sup>  
 ETS, AREAS, AND PUBLIC GROUND TO CITY OF TEMPLE  
 N/ES 100,000+ FT<sup>2</sup> WARRANT THAT TITLE WILL BE YES IN WE AS  
 DATE 6/9/2007

AT IS TRUE AND CORRECT AND WAS PREPARED FROM AS  
 BY ME OR UNDER MY SUPERVISION THAT ALL MONUMENTS  
 AND MARKED "NATURE" AND THEIR LOCATION, SIZE, TYPE,  
 OR FOR THAT, RECORD HAVE BEEN FULLY COMPLETED WITH  
 SURVEYOR NO. 5-30-07  
 DATE 6-6-07

**IMPICATE**  
 FOR RECORD BY THE CITY  
 AS FOR THE CITY OF TEMPLE  
 1) COMMISSION AND THE CITY ENGINEER  
 2) EXISTING RULES AND REGULATIONS  
 DATE 6-6-07  
 DATE 6-6-07

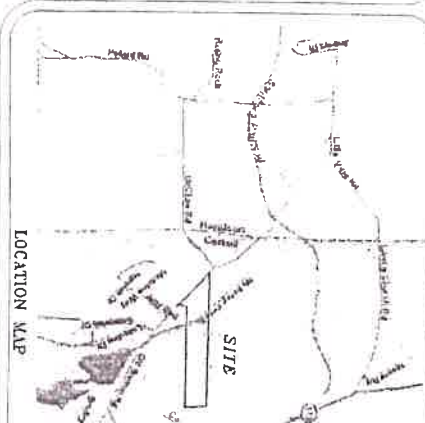
TEMPLE ASSURES NO RESPONSIBILITY FOR OMISSION OR ERRORS OF  
 THIS PLAN. THE CITY OF TEMPLE SHALL BE RESPONSIBLE FOR THE  
 DESIGN OF ALL UTILITIES SERVING THE PLANT SHOWN ON THE APPROVED  
 PRECED SUBDIVISION PLAT



LINE	LENGTH	BEARING
L1	28.54	N42°23'08"W
L2	74.01	N46°30'05"W
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CURVE	LENGTH	RADIUS	CHORD
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C2	53.39	150.00	53.01
C3	12.92	14.00	12.37

- GENERAL NOTES**
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  - 2 THE BOUNDARY OF THIS PLAT HAS BEEN CALCULATED FOR AN AREA OF 100,000+ FT<sup>2</sup> FOUND TO BE ACCURATE WITHIN ONE FOOT.
  - 3 TYPE OF EQUIPMENT USED TOPCON GTS-30 DATA COLLECTOR.
  - 4 ALL LOT CORNERS ARE MARKED BY 1/2" RE-BARS EXCEPT AS OTHERWISE NOTED ON PLAT.
  - 5 ALL DRAINAGE EASEMENTS TO CONFORM TO ACTUAL LOCATION OF DRAINAGE STRUCTURES AND STREAMS.
  - 6 ZONING R4
  - 7 NO. OF LOTS 21
  - 8 ACRES 8.387
  - 9 ACREAGE 2.74 Lots per gross acre
  - 10 MINIMUM LOT SIZE 10,000 sq. ft.
  - 11 FRONT SETBACK 20 ft or as noted
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  - 13 REAR YARD 25 ft or as noted
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  - 17 (\*) FINISHED FLOOR ELEVATION (FFE) SHALL BE A MINIMUM OF 2' ABOVE CURB AS NOTED.



RUSSELL VAN DYKE  
 CHIEF ENGINEER  
 N/E PRICE  
 NO.

QUIN JOHNSON  
 N/E PRICE  
 NO.

ANTHONY HARDEN  
 N/E PRICE  
 NO.

ASA THOMAS  
 N/E PRICE  
 NO.