



**Winterwood Real Estate**

631 Lashbrook Road Hartsel, CO 80449

Adrienne C. Wilson Broker/Owner/REALTOR®

corealestateadrienne@gmail.com

Ph: 9703174255

The printed portions of this form, except differentiated additions, have been approved by the Colorado Real Estate Commission. (SPD19-6-23) (Available 8-23, Mandatory 1-24)

**SELLER'S PROPERTY DISCLOSURE  
(RESIDENTIAL)**

**THIS SELLER'S PROPERTY DISCLOSURE SHOULD BE COMPLETED BY SELLER, NOT BY BROKER.**

Seller states that the information contained in this Seller's Property Disclosure ("SPD") is correct to **Seller's CURRENT ACTUAL KNOWLEDGE** as of this Date. **Any changes must be disclosed by Seller to Buyer promptly after discovery. Seller's failure to disclose a known adverse material fact** affecting the Property or occupant **may result in legal liability**. If the sales contract requires Seller to complete this SPD, this form must be fully completed to Seller's current actual knowledge, as of the date of the Contract. If Seller has knowledge of an adverse material fact affecting the Property or occupants, it must be disclosed whether there is a specific item on this SPD or not. If the Property is part of a Common Interest Community, this SPD is limited to the Property or unit itself, except as stated in Section O. Broker may deliver a copy of this SPD to prospective buyers.

**SELLER:** Your answers are NOT limited to only the space provided in this SPD. Attach additional pages, reports, receipts, or any other documents you believe necessary for the information you provide to be complete.

**Note: Buyer and Seller should review the Advisory at the end of this SPD.**

Date: **12/15/2024**

Property:

**177 Gray Street, Bailey, CO 80421**

Seller: **Michelle K Brown**

Year Built: **1972**

Year Seller Acquired Property: **2021**

**Note:** The Contract to Buy and Sell Real Estate, not this SPD, determines whether an item is included or excluded in the sale. If there is an inconsistency between this SPD and the Contract, the Contract controls.

**I. IMPROVEMENTS**

A.	<b>BUILDING CONDITIONS</b> (all aspects of the Property to include decks and patios) If you know of any of the following problems <b>EVER EXISTING</b> , check the "Yes" column:	Yes	Comments
1	Structural		
2	Moisture and/or water		
3	Damage due to termites, other insects, birds, animals, or rodents		
4	Damage due to hail, wind, fire, flood, or other casualty		
5	Cracks, heaving or settling		
6	Exterior wall or window		
7	Exterior Artificial Stucco (EIFS)		
8	Subfloors		
9			
10			

B.	<b>ROOF</b> If you know of any of the following problems <b>EVER EXISTING</b> , check the "Yes" column:	Yes	Comments
1	Roof leak		
2	Damage to roof		
3	Skylight		

4	Gutter or downspout		
5	Other roof problems, issues or concerns		
6			
7			
	<b>ROOF - Other Information</b> Do you know of the following on the Property:		
8	Roof under warranty until Transferable? <input type="checkbox"/> YES <input type="checkbox"/> NO		
9	Roof work done while under current roof warranty		
10	Roof material: _____ Age: _____		
11			

<b>C. APPLIANCES</b> (if included in the sale) If you know of any problems <b>NOW EXISTING</b> with the following, check the "Yes" column:				Yes	Age If Known	Comments
1	Built-in vacuum system & accessories					
2	Clothes dryer					
3	Clothes washer					
4	Dishwasher					
5	Disposal					
6	Freezer					
7	Gas grill					
8	Hood					
9	Microwave oven					
10	Oven					
11	Range					
12	Refrigerator					
13	T.V. antenna: <input type="checkbox"/> Owned <input type="checkbox"/> Leased					
14	Satellite system or DSS dish: <input type="checkbox"/> Owned <input checked="" type="checkbox"/> Leased					
15	Trash compactor					
16						
17						

<b>D. ELECTRICAL &amp; TELECOMMUNICATIONS</b> If you know of any problems <b>NOW EXISTING</b> with the following, check the "Yes" column:				Yes	Age If Known	Comments
1	Security system: <input type="checkbox"/> Owned <input type="checkbox"/> Leased					
2	Smoke/fire detectors: <input type="checkbox"/> Battery <input type="checkbox"/> Hardwire					
3	Carbon Monoxide Alarm: <input type="checkbox"/> Battery <input type="checkbox"/> Hardwire					
4	Light fixtures					
5	Switches & outlets					
6	Telecommunications (T1, fiber, cable, satellite)					
7	Inside telephone wiring & blocks/jacks					
8	Ceiling fans					

9	Garage door opener and remote control # of remote/openers:			
10	Intercom/doorbell			
11	In-wall speakers			
12				
13				
	<b>ELECTRICAL &amp; TELECOMMUNICATIONS</b> If you know of any problems <b>EVER EXISTING</b> with the following, check the "Yes" column:			
14	Electrical Service			
15	Aluminum wiring at the outlets (110)			
16	Solar panels: <input type="checkbox"/> Owned <input type="checkbox"/> Leased			
17	Wind generators: <input type="checkbox"/> Owned <input type="checkbox"/> Leased			
17	Electric Wiring or Panel			
18				
19				
	<b>ELECTRICAL &amp; TELECOMMUNICATIONS - Other Information:</b> Do you know of the following on the Property:			
20	220 volt service			
21	Electrical Service: Amps			
22	Landscape Lighting			
23	Electrical Provider:			
24	Cable/TV provider			
25	Seller's Internet Provider			
26				

<b>E. MECHANICAL</b>	If you know of any problems <b>NOW EXISTING</b> with the following, check the "Yes" column:	Yes	Age If Known	Comments
1	Overhead doors (including garage doors)			
2	Entry gate system			
3	Elevator			
4	Sump pump(s): # of			
5	Recycle pump			
6				
7				

<b>F. VENTILATION, AIR &amp; HEAT</b>	If you know of any problems <b>NOW EXISTING</b> with the following, check the "Yes" column:	Yes	Age If Known	Comments
1	Heating System			
2	Evaporative cooler			
3	Window air conditioning units			
4	Central air conditioning			
5	Attic/whole house fan			

6	Vent fans			
7	Humidifier			
8	Air purifier			
9	Fireplace			
10	Fireplace insert			
11	Heating Stove			
12	Fuel tanks			
13				
14				
	<b>VENTILATION, AIR &amp; HEAT - Other Information:</b> Do you know of the following on the Property:			
15	Heating system (including furnace): Type Fuel Type Fuel			
16	Fireplace: Type Fuel			
17	Heating Stove: Type Fuel			
18	When was fireplace/wood stove, chimney/flue last cleaned: Date: <input type="checkbox"/> Do not know			
19	Fuel tanks: <input type="checkbox"/> Owned <input type="checkbox"/> Leased			
20	Radiant heating system: <input type="checkbox"/> Interior <input type="checkbox"/> Exterior Type			
21	Fuel Provider:			
22				

<b>G. WATER</b>				
	If you know of any problems <b>NOW EXISTING</b> with the following, check the "Yes" column:	Yes	Age If Known	Comments
1	Water heater(s)			
2	Water filter system			
3	Water softener			
4	Water system pump			
5	Sauna			
6	Hot tub or spa			
7	Steam room/shower			
8	Underground sprinkler system			
9	Fire sprinkler system			
10	Backflow prevention device			
11	Irrigation pump			
12				
13				
	<b>Water</b> If you know of any problems <b>EVER EXISTING</b> with the following, check the "Yes" column:			
14	Water system (including lines and water pressure)			
15	Well			
16	Pool			
17	Irrigation system			

18			
19			
	<b>WATER - Other Information:</b> Do you know of the following on the Property:		
20	Water heater: Number of Fuel type Capacity		
21	Water filter system: <input type="checkbox"/> Owned <input type="checkbox"/> Leased		
22	Water softener: <input type="checkbox"/> Owned <input type="checkbox"/> Leased		
23	Master Water Shutoff Location:		
24	Well metered		
25	Well Pump: Date of last inspection Date of last service		
26	Galvanized pipe		
27	Polybutylene pipe		
28	Well Pump - GPM Date:		
29	Cistern water storage gallons		
30	Supplemental water purchased in past 2 years?		
31			

<b>H. SOURCE OF WATER &amp; WATER SUPPLY</b> Do you know of the following on the Property:
1 Type of water supply: <input type="checkbox"/> Public <input type="checkbox"/> Community <input type="checkbox"/> Well <input type="checkbox"/> Shared Well <input type="checkbox"/> Other <input type="checkbox"/> None If the Property is served by a Well, a copy of the Well Permit <input type="checkbox"/> Is <input type="checkbox"/> Is Not attached. Well Permit #: Drilling Records <input type="checkbox"/> Are <input type="checkbox"/> Are Not attached. Shared Well Agreement <input type="checkbox"/> Yes <input type="checkbox"/> No.  The <b>Water Provider</b> for the Property can be contacted at: Name: Address: Web Site: Phone No.: <input type="checkbox"/> There is neither a Well nor a Water Provider for the Property. The source of potable water for the Property is [describe source]:  <b>SOME WATER PROVIDERS RELY, TO VARYING DEGREES, ON NONRENEWABLE GROUND WATER. YOU MAY WISH TO CONTACT YOUR PROVIDER (OR INVESTIGATE THE DESCRIBED SOURCE) TO DETERMINE THE LONG-TERM SUFFICIENCY OF THE PROVIDER'S WATER SUPPLIES.</b>

<b>I. SEWER</b> If you know of any problems <b>EVER EXISTING</b> with the following, check the "Yes" column:	<b>Yes</b>	<b>Comments</b>
1 Sewage system (including sewer lines)		
2 Lift station (sewage ejector pump)		
3		
4		
<b>SEWER - Other Information</b> Do you know of the following on the Property:		
5 Type of sanitary sewer service: <input type="checkbox"/> Public <input type="checkbox"/> Community <input type="checkbox"/> Septic System <input type="checkbox"/> None <input type="checkbox"/> Other If the Property is served by an on-site septic system, provide buyer with a copy of the permit. Type of septic system: <input type="checkbox"/> Tank <input type="checkbox"/> Leach <input type="checkbox"/> Lagoon		
6 Sewer service provider:		
7 Sewer line scoped? Date:		
8 If a septic system, date latest Individual Use Permit issued:		
9 If a septic system, date of latest inspection:		
10 If a septic system, date of latest pumping:		

11	Gray water storage/use		
12			

<b>J. FLOODING AND DRAINAGE</b>			
If you know of any problems <b>EVER EXISTING</b> with the following on the Property, check the "Yes" column:		Yes	Comments
1	Flooding or drainage		
2			
3			
<b>DRAINAGE AND RETENTION PONDS - Other Information</b>		Yes	Comments
Do you know of the following on the Property:			
4	Drainage, retention ponds		
5			

<b>K. OTHER DISCLOSURES - IMPROVEMENTS</b>			
If you know of any problems <b>NOW EXISTING</b> with the following, check the "Yes" column:		Yes	Comments
1	Included fixtures and equipment		
2	Stains on carpet		
3	Floors		
4			
5			

**II. GENERAL**

<b>L. USE, ZONING &amp; LEGAL ISSUES</b>			
If you know of any of the following <b>EVER EXISTING</b> , check the "Yes" column:		Yes	Comments
1	Zoning violation, variance, conditional use, violation of an enforceable PUD, or non-conforming use		
2	Notice or threat of condemnation proceedings		
3	Notice of any adverse conditions from any governmental or quasi-governmental agency that have not been resolved		
4	Notice of zoning action related to the Property		
5	Building code, city, or county violations		
6	Violation of restrictive covenants or owners' association rules or regulations		
7	Any building or improvements constructed within the past one year before this Date without approval by the owner's associations or the designated approving body		
8	Any additions or alterations made with a Building Permit		
9	Any additions or non-aesthetic alterations made without a Building Permit		
10	Other legal action		
11	Any part of the Property leased to others (written or oral)		
12	Used for short-term rentals in the past year		
13	Grandfathered conditions or uses		
14			
15			

<b>M. ACCESS &amp; PARKING</b>			
If you know of any of the following <b>EVER EXISTING</b> check, the "Yes" column:		Yes	Comments

1	Any access problems, issues or concerns		
2	Roads, trails, paths, or driveways through the Property used by others		
3	Public highway or county road bordering the Property		
4	Any proposed or existing transportation project that affects or is expected to affect the Property		
5	Encroachments, boundary disputes or unrecorded easements		
6	Shared or common areas with adjoining properties		
7	Requirements for curb, gravel/paving, landscaping		
8	Any limitations on parking or access due to size, number of vehicles, or type of vehicles in the past year		
9			
10			

<b>N. ENVIRONMENTAL CONDITIONS</b>		<b>Yes</b>	<b>Comments</b>
	If you know of any of the following <b>EVER EXISTING</b> on any part of the Property, check the "Yes" column:		
1	Hazardous materials on the Property, such as radioactive, toxic, or biohazardous materials, asbestos, pesticides, herbicides, wastewater sludge, methane, mill tailings, solvents, or petroleum products		
2	Underground storage tanks		
3	Aboveground storage tanks		
4	Underground transmission lines		
5	Property used as, situated on, or adjoining a dump, landfill or municipal solid waste landfill		
6	Monitoring wells or test equipment		
7	Sliding, settling, upheaval, movement or instability of earth, or expansive soils on the Property		
8	Mine shafts, tunnels, or abandoned wells on the Property		
9	Within a governmentally designated geological hazard or sensitive area		
10	Within a governmentally designated floodplain or wetland area		
11	Dead, diseased, or infested trees or shrubs		
12	Environmental assessments, studies, or reports done involving the physical condition of the Property		
13	Used for any mining, graveling, or other natural resource extraction operations such as oil and gas wells		
14	Smoking inside improvements (including garages, unfinished space, or detached buildings) on Property		
15	Animals kept in the residence		
16	Other environmental problems, issues or concerns		
17	Odors		
18			
19			

<b>O. RADON</b>		<b>Yes</b>	<b>Comments</b>
	If you know of any of the following <b>EVER EXISTING</b> , check the "Yes" column:		
1	Radon test(s) conducted on the Property. Include the most recent records and reports pertaining to radon concentrations within the Property.		
2	Radon concentrations detected or mitigation or remediation performed. Provide a full description.		
3	Radon mitigation system installed on Property. Provide all information known by Seller about the radon mitigation system.		
4			
5			

<b>P.</b>	<b>COMMON INTEREST COMMUNITY - ASSOCIATION PROPERTY</b> If you know of any of the following <b>NOW EXISTING</b> , check the "Yes" column:	<b>Yes</b>	<b>Comments</b>
1	Property is part of an owners' association		
2	Special assessments or increases in regular assessments approved by owners' association but not yet implemented		
3	Problems or defects in the Common Elements or Limited Common Elements of the Association Property		
	<b>COMMON INTEREST COMMUNITY - ASSOCIATION PROPERTY</b> If you know of any of the following <b>EVER EXISTED</b> , check the "Yes" column:		
4	Has the Association made demand or commenced a lawsuit against a builder or contractor alleging defective construction of improvements of the Association Property (common area or property owned or controlled by the Association but outside the Seller's Property or unit)		
5			
6			
	<b>COMMON INTEREST COMMUNITY - ASSOCIATION PROPERTY - Other Information:</b> Name of the Owner's Associations governing the Property:		<b>Contact Information</b>
7	Owner's Association #1:		
8	Owner's Association #2:		
9	Owner's Association #3:		
10	Owner's Association #4:		

<b>Q.</b>	<b>GENERAL DISCLOSURES</b> If you know of any of the following <b>EVER EXISTING</b> , check the "Yes" column:	<b>Yes</b>	<b>Comments</b>
1	Written reports of any building, site, roofing, soils, water, sewer, or engineering investigations or studies of the Property		
2	Any property insurance claim submitted (whether paid or not)		
3	Structural, architectural, and engineering plans and/or specifications for any existing improvements		
4	Property was previously used as a methamphetamine laboratory and not remediated to state standards		
5	Government special improvements approved, but not yet installed, that may become a lien against the Property		
6	Pending: (1) litigation or (2) other dispute resolution proceeding regarding the Property		
7	Property is subject to Deed Restrictions, other recorded document restrictions, or Affordable Housing Restrictions		
8	Property is located in a historic district		
9			
10			
	<b>GENERAL - Other Information:</b>		
11	Location of Mailbox and No.		
12			

Seller and Buyer understand that the real estate brokers do not warrant or guarantee the above information on the Property. Property inspection services may be purchased and are advisable. This SPD is **not** intended as a substitute for an inspection of the Property.

**ADVISORY TO SELLER:**

Seller acknowledges that Broker will disclose to any prospective buyer all adverse material facts actually known by Broker, including but not limited to adverse material facts pertaining to the physical condition of the Property, any material defects in the Property, and any environmental hazards affecting the Property. These types of disclosures may include such matters as structural defects, soil conditions, violations of health, zoning or building laws, and nonconforming uses and zoning variances.

In the event Seller discovers a new adverse material fact after completing this SPD, Seller must disclose any such new adverse material fact to Buyer.

The information contained in this SPD has been furnished by Seller, who certifies it was answered truthfully, based on **Seller's CURRENT ACTUAL KNOWLEDGE**.



*Michelle K Brown*

Date: 12/15/2024

Seller: Michelle K Brown

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

**ADVISORY TO BUYER:**

1. Even though Seller has answered the above questions to Seller's current actual knowledge, Buyer should thoroughly inspect the Property and obtain expert assistance to accurately and fully evaluate the Property to confirm the status of the following matters are satisfactory to Buyer:

- a. the physical condition of the Property;
- b. the presence of mold or other biological hazards;
- c. the presence of rodents, insects and vermin including termites;
- d. the legal use of the Property, including zoning and legal access to the Property;
- e. the availability and source of water, sewer, and utilities;
- f. the environmental and geological condition of the Property;
- g. the presence of noxious weeds; and
- h. any other matters that may affect Buyer's use and ownership of the Property that are important to Buyer as Buyer decides whether to purchase the Property.

2. Seller states that the information is correct to "Seller's current actual knowledge" as of the date of this form. The term "current actual knowledge" is intended to limit Seller's disclosure only to facts actually known by the Seller and does not include "constructive knowledge" or "common knowledge" or what Seller "should have known" about the Property. The Seller has no duty to investigate or inspect the Property or inclusions when this SPD is filled in and signed.

3. Valuable information may be obtained from various local/state/federal agencies, and other experts may assist Buyer by performing more specific evaluations and inspections of the Property.

4. Boundaries, location and ownership of fences, driveways, hedges, and similar features of the Property may become the subjects of a dispute between a property owner and a neighbor. A survey may be used to determine the likelihood of such problems.

5. Whether any item is included or excluded is determined by the Contract between Buyer and Seller and not this SPD.

6. Seller does not warrant that the Property or inclusions are fit for Buyer's intended purposes or use of the Property. Disclosure of the condition of an item is not to be construed as a warranty of its continued operability or as a representation or warranty that such item is fit for Buyer's intended purposes.

7. Buyer receipts for a copy of this SPD.

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

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

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**SPD19-6-23. SELLER'S PROPERTY DISCLOSURE (RESIDENTIAL)**