

CRYE-LEIKE[®], REALTORS[®]

TENNESSEE RESIDENTIAL PROPERTY CONDITION DISCLOSURE

1 PROPERTY ADDRESS 226 Naron Rd CITY Shelbyville

2 SELLER'S NAME(S) Mark A. Spenny & Renee L. Spenny PROPERTY AGE 24

3 DATE SELLER ACQUIRED THE PROPERTY 08/06/2021 DO YOU OCCUPY THE PROPERTY? Yes

4 IF NOT OWNER-OCCUPIED, HOW LONG HAS IT BEEN SINCE THE SELLER OCCUPIED THE PROPERTY? _____

5 (Check the one that applies) The property is a site-built home non-site-built home

6 The Tennessee Residential Property Disclosure Act requires sellers of residential real property with one to four dwelling units
7 to furnish to a buyer one of the following: (1) a residential property disclosure statement (the "Disclosure"), or (2) a residential
8 property disclaimer statement (permitted only where the buyer waives the required Disclosure). Some property transfers may
9 be exempt from this requirement (See Tenn. Code Ann. § 66-5-209). The following is a summary of the buyers' and sellers'
10 rights and obligations under the Act. A complete copy of the Act may be found at Tenn. Code Ann. § 66-5-201, et seq.

- 11 1. Sellers must disclose all known material defects and must answer the questions on the Disclosure form in good faith to the
12 best of the seller's knowledge as of the Disclosure date.
- 13 2. Sellers must give the buyers the Disclosure form before the acceptance of a purchase contract.
- 14 3. Sellers must inform the buyers, at or before closing, of any inaccuracies or material changes in the condition that have
15 occurred since the time of the initial Disclosure, or certify that there are no changes.
- 16 4. Sellers may give the buyers a report or opinion prepared by a professional inspector or other expert(s) or certain information
17 provided by a public agency, in lieu of responding to some or all of the questions on the form (See Tenn. Code Ann. § 66-
18 5-204).
- 19 5. Sellers are not required to have a home inspection or other investigation in order to complete the Disclosure form.
- 20 6. Sellers are not required to repair any items listed on the Disclosure form or on any past or future inspection report unless
21 agreed to in the purchase contract.
- 22 7. Sellers involved in the first sale of a dwelling must disclose the amount of any impact fees or adequate facility taxes paid.
- 23 8. Sellers are not required to disclose if any occupant was HIV-positive, or had any other disease not likely to be transmitted
24 by occupying a home, or whether the home had been the site of a homicide, suicide or felony, or act or occurrence which
25 had no effect on the physical structure of the property.
- 26 9. Sellers may provide an "as is", "no representations or warranties" disclaimer statement in lieu of the Disclosure form only
27 if the buyer waives the right to the required disclosure, otherwise the sellers must provide the completed Disclosure form
28 (See Tenn. Code Ann. § 66-5-202).
- 29 10. Sellers may be exempt from having to complete the Disclosure form in certain limited circumstances (e.g. public auctions,
30 court orders, some foreclosures and bankruptcies, new construction with written warranty or owner has not resided on the
31 property at any time within the prior 3 years). (See Tenn. Code Ann. § 66-5-209).
- 32 11. Buyers are advised to include home, wood infestation, well, water sources, septic system, lead-based paint, radon, mold,
33 and other appropriate inspection contingencies in the contract, as the Disclosure form is not a warranty of any kind by the
34 seller, and is not a substitute for any warranties or inspections the buyer may desire to purchase.
- 35 12. Any repair of disclosed defects must be negotiated and addressed in the Purchase and Sale Agreement; otherwise, seller is
36 not required to repair any such items.
- 37 13. Buyers may, but do not have to, waive their right to receive the Disclosure form from the sellers if the sellers provide a
38 disclaimer statement with no representations or warranties (See Tenn. Code Ann. § 66-5-202).
- 39 14. Remedies for misrepresentations or nondisclosure in a Property Condition Disclosure statement may be available to buyer
40 and are set out fully in Tenn. Code Ann. § 66-5-208. Buyer should consult with an attorney regarding any such matters.
- 41 15. Representations in the Disclosure form are those of the sellers only, and not of any real estate licensee, although licensees
42 are required to disclose to all parties adverse facts of which the licensee has actual knowledge or notice.

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43 16. Pursuant to Tenn. Code Ann. § 47-18-104(b), sellers of newly constructed residences on a septic system are prohibited
 44 from knowingly advertising or marketing a home as having more bedrooms than are permitted by the subsurface sewage
 45 disposal system permit.

46 17. Sellers must disclose the presence of any known exterior injection well, the presence of any known sinkhole(s), the results
 47 of any known percolation test or soil absorption rate performed on the property that is determined or accepted by the
 48 Department of Environment and Conservation, and whether the property is located within a Planned Unit Development as
 49 defined by Tenn. Code Ann. § 66-5-213 and, if requested, provide buyers with a copy of the development’s restrictive
 50 covenants, homeowner bylaws and master deed. Sellers must also disclose if they have knowledge that the residence has
 51 ever been moved from an existing foundation to another foundation.

52 The Buyers and Sellers involved in the current or prospective real estate transaction for the property listed above acknowledge
 53 that they were informed of their rights and obligations regarding Residential Property Disclosures, and that this information
 54 was provided by the real estate licensee(s) prior to the completion or reviewing of a Tennessee Residential Property Condition
 55 Disclosure, a Tennessee Residential Property Condition Disclaimer Statement, or a Tennessee Residential Property Condition
 56 Exemption Notification. Buyers and Sellers also acknowledge that they were advised to seek the advice of an attorney on any
 57 legal questions they may have regarding this information or prior to taking any legal actions.

58 The Tennessee Residential Property Disclosure Act states that anyone transferring title to residential real property must
 59 provide information about the condition of the property. This completed form constitutes that disclosure by the Seller. The
 60 information contained in the disclosure is the representation of the owner and not the representation of the real estate licensee
 61 or sales person, if any. This is not a warranty or a substitute for any professional inspections or warranties that the purchasers
 62 may wish to obtain.
 63

64 **Buyers and Sellers should be aware that any sales agreement executed between the parties shall supersede this form**
 65 **as to the terms of sale, property included in the sale and any obligations on the part of the seller to repair items**
 66 **identified below and/or the obligation of the buyer to accept such items “as is.”**

67 **INSTRUCTIONS TO THE SELLER**

68 Complete this form yourself and answer each question to the best of your knowledge. If an answer is an estimate, clearly
 69 label it as such. The Seller hereby authorizes any agent(s) representing any party in this transaction to provide a copy of this
 70 statement to any person or entity in connection with any actual or anticipated sale of the subject property.

71 **A. THE SUBJECT PROPERTY INCLUDES THE ITEMS CHECKED BELOW:**

- 72 Range Wall/Window Air Conditioning Garage Door Opener(s) (Number of openers 2)
- 73 Window Screens Oven Fireplace(s) (Number) 1
- 74 Intercom Microwave Gas Starter for Fireplace
- 75 Garbage Disposal Gas Fireplace Logs TV Antenna/Satellite Dish
- 76 Trash Compactor Smoke Detector/Fire Alarm Central Vacuum System and attachments
- 77 Spa/Whirlpool Tub Burglar Alarm Current Termite contract
- 78 Water Softener Patio/Decking/Gazebo Hot Tub
- 79 220 Volt Wiring Installed Outdoor Cooking Grill Washer/Dryer Hookups
- 80 Sauna Irrigation System Pool
- 81 Dishwasher A key to all exterior doors Access to Public Streets
- 82 Sump Pump Rain Gutters Heat Pump
- 83 Central Heating Central Air
- 84 Other _____ Other _____

- 85 Water Heater: Electric Gas Solar
- 86 Garage: Attached Not Attached Carport
- 87 Water Supply: City Well Private Utility Other _____
- 88 Gas Supply: Utility Bottled Other
- 89 Waste Disposal: City Sewer Septic Tank Other _____

90 Roof(s): Type Composite Shingle Age (approx): 11

91

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92 Other Items:

93
94

95 To the best of your knowledge, are any of the above NOT in operating condition? YES NO

96 If YES, then describe (attach additional sheets if necessary):

97
98
99

100 **B. ARE YOU (SELLER) AWARE OF ANY DEFECTS/MALFUNCTIONS IN ANY OF THE FOLLOWING?**

| | YES | NO | UNKNOWN | | YES | NO | UNKNOWN |
|-----|--------------------------|-------------------------------------|--------------------------|--------------------------|--------------------------|-------------------------------------|--------------------------|
| 101 | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | Interior Walls | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 102 | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | Ceilings | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 103 | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | Floors | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 104 | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | Windows | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 105 | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | Doors | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 106 | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | Insulation | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 107 | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | Plumbing System | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 108 | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | Sewer/Septic | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 109 | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | Electrical System | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 110 | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | Exterior Walls | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| | | | | Roof | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| | | | | Basement | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| | | | | Foundation | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| | | | | Slab | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| | | | | Driveway | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| | | | | Sidewalks | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| | | | | Central Heating | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| | | | | Heat Pump | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| | | | | Central Air Conditioning | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

111 If any of the above is/are marked YES, please explain:

112

113 **C. ARE YOU (SELLER) AWARE OF ANY OF THE FOLLOWING:** YES NO UNKNOWN

- 114 1. Substances, materials or products which may be environmental hazards
115 such as, but not limited to: asbestos, radon gas, lead-based paint, fuel
116 or chemical storage tanks, contaminated soil or
117 water, on the subject
118 property? YES NO UNKNOWN
- 119 2. Features shared in common with adjoining land owners, such as walls, but
120 not limited to, fences, and/or driveways, with joint rights and obligations
121 for use and maintenance? YES NO UNKNOWN
- 122 3. Any authorized changes in roads, drainage or utilities affecting the
123 property, or contiguous to the property? YES NO UNKNOWN
- 124 4. Any changes since the most recent survey of the property was done?
125 Most recent survey of the property: None (Date) (check here if unknown) YES NO UNKNOWN
- 126 5. Any encroachments, easements, or similar items that may affect your
127 ownership interest in the property? YES NO UNKNOWN
- 128 6. Room additions, structural modifications or other alterations or
129 repairs made without necessary permits? YES NO UNKNOWN
- 130 7. Room additions, structural modifications or other alterations or
131 repairs not in compliance with building codes? YES NO UNKNOWN
- 132 8. Landfill (compacted or otherwise) on the property or any portion
133 thereof? YES NO UNKNOWN
- 134 9. Any settling from any cause, or slippage, sliding or other soil problems? YES NO UNKNOWN
- 135 10. Flooding, drainage or grading problems? YES NO UNKNOWN
- 136 11. Any requirement that flood insurance be maintained on the property? YES NO UNKNOWN

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| | | YES | NO | UNKNOWN |
|-----|------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------|-------------------------------------|--------------------------|
| 137 | 12. Property or structural damage from fire, earthquake, floods, or landslides? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 138 | If yes, please explain (use separate sheet if necessary). | | | |
| 139 | | | | |
| 140 | | | | |
| 141 | If yes, has said damage been repaired? _____ | | | |
| 142 | 13. Is the property serviced by a fire department? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 143 | If yes, in what fire department's service area is the property located? (Fire Dept. Locator can be found: | | | |
| 144 | https://tnmap.tn.gov/fdtn/) | | | |
| 145 | <u>Bedford County</u> | | | |
| 146 | Is the property owner subject to charges or fees for fire protection, | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 147 | such as subscriptions, association dues or utility fees? | | | |
| 148 | 14. Any zoning violations, nonconforming uses and/or violations of | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 149 | "setback" requirements? | | | |
| 150 | 15. Neighborhood noise problems or other nuisances? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 151 | 16. Subdivision and/or deed restrictions or obligations? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 152 | 17. A Condominium/Homeowners Association (HOA) which has any authority | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 153 | over the subject property? | | | |
| 154 | Name of HOA: _____ HOA Address: _____ | | | |
| 155 | HOA Phone Number: _____ Monthly Dues: _____ | | | |
| 156 | Special Assessments: _____ Transfer Fees: _____ | | | |
| 157 | Management Company: _____ Phone: _____ | | | |
| 158 | Management Co. Address: _____ | | | |
| 159 | 18. Is the location of the property within an improvement district that is | | | |
| 160 | subject to special assessment: | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 161 | Rate of special assessment: _____ | | | |
| 162 | 19. Any "common area" (facilities such as, but not limited to, pools, tennis | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 163 | courts, walkways or other areas co-owned in undivided interest with others)? | | | |
| 164 | 20. Any notices of abatement or citations against the property? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 165 | 21. Any lawsuit(s) or proposed lawsuit(s) by or against the seller which affects | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 166 | or shall affect the property? | | | |
| 167 | 22. Is any system, equipment or part of the property being leased? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 168 | If yes, please explain, and include a written statement regarding payment | | | |
| 169 | information. | | | |
| 170 | | | | |
| 171 | | | | |
| 172 | 23. Any exterior wall covering of the structure(s) covered with exterior | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 173 | insulation and finish systems (EIFS), also known as "synthetic stucco"? | | | |
| 174 | If yes, has there been a recent inspection to determine whether the structure | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 175 | has excessive moisture accumulation and/or moisture related damage? | | | |
| 176 | <i>(The Tennessee Real Estate Commission urges any buyer or seller who encounters this product to have a qualified</i> | | | |
| 177 | <i>professional inspect the structure in question for the preceding concern and provide a written report of the professional's</i> | | | |
| 178 | <i>finding.)</i> | | | |
| 179 | If yes, please explain. If necessary, please attach an additional sheet. | | | |
| 180 | | | | |
| 181 | | | | |
| 182 | 24. Is there an exterior injection well anywhere on the property? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 183 | 25. Is seller aware of any percolation tests or soil absorption rates being | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 184 | performed on the property that are determined or accepted by | | | |
| 185 | the Tennessee Department of Environment and Conservation? | | | |
| 186 | If yes, results of test(s) and/or rate(s) are attached. | | | |
| 187 | 26. Has any residence on this property ever been moved from its original | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

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188 foundation to another foundation?

- 189 27. Is this property in a Planned Unit Development? Planned Unit Development YES NO UNKNOWN
190 is defined pursuant to Tenn. Code Ann. § 66-5-213 as "an area of land,
191 controlled by one (1) or more landowners, to be developed under unified control
192 or unified plan of development for a number of dwelling units, commercial,
193 educational, recreational or industrial uses, or any combination of the
194 foregoing, the plan for which does not correspond in lot size, bulk or type of
195 use, density, lot coverage, open space, or other restrictions to the existing land
196 use regulations." Unknown is not a permissible answer under the statute.
- 197 28. Is a sinkhole present on the property? A sinkhole is defined pursuant to Tenn. YES NO UNKNOWN
198 Code Ann. § 66-5-212(c) as "a subterranean void created by the dissolution of
199 limestone or dolostone strata resulting from groundwater erosion, causing a
200 surface subsidence of soil, sediment, or rock and is indicated through the
201 contour lines on the property's recorded plat map." This disclosure is required
202 regardless of whether the sinkhole is indicated through the contour lines on the
203 property's recorded plat map.
- 204 29. Was a permit for a subsurface sewage disposal system for the Property issued YES NO
205 during a sewer moratorium pursuant to Tenn. Code Ann. § 68-221-409? If
206 yes, Buyer may have a future obligation to connect to the public sewer system.
207

208 **D. CERTIFICATION.** I/We certify that the information herein, concerning the
209 real property located at

210 226 Naron Rd Shelbyville TN 37160

211 is true and correct to the best of my/our knowledge as of the date signed. Should any of these conditions change prior to
212 conveyance of title to this property, these changes shall be disclosed in an addendum to this document.

| | | | | | | |
|-----|--------------------------------------------|------------------------|------|-----------------|------|-----------------|
| 213 | Transferor (Seller) <u>Mark A. Spenny</u> | <u>Mark A. Spenny</u> | Date | <u>03/03/25</u> | Time | <u>12:26 PM</u> |
| 214 | Transferor (Seller) <u>Renee L. Spenny</u> | <u>Renee L. Spenny</u> | Date | <u>03/03/25</u> | Time | <u>12:27 PM</u> |

216 Parties may wish to obtain professional advice and/or inspections of the property and to negotiate
217 appropriate provisions in the purchase agreement regarding advice, inspections or defects.
218
219

220 **Transferee/Buyer's Acknowledgment:** I/We understand that this disclosure statement is not intended as a substitute for any
221 inspection, and that I/we have a responsibility to pay diligent attention to and inquire about those material defects which are
222 evident by careful observation. **I/We acknowledge receipt of a copy of this disclosure.**

223 Transferee (Buyer) _____ Date _____ Time _____

224 Transferee (Buyer) _____ Date _____ Time _____

225 If the property being purchased is a condominium, the transferee/buyer is hereby given notice that the transferee/buyer is
226 entitled, upon request, to receive certain information regarding the administration of the condominium from the developer or
227 the condominium association as applicable, pursuant to Tennessee Code Annotated §66-27-502.

NOTE: This form is provided by Tennessee REALTORS® to its members for their use in real estate transactions and is to be used as is. This form contains language that is in addition to the language mandated by the state of Tennessee pursuant to the disclosure requirements of the "Tennessee Residential Property Disclosure Act". Tennessee Code Annotated § 66-5-201, et seq. By downloading and/or using this form, you agree and covenant not to alter, amend, or edit said form or its contents except as where provided in the blank fields, and agree and acknowledge that any such alteration, amendment or edit of said form is done at your own risk. Use of the Tennessee REALTORS® logo in conjunction with any form other than standardized forms created by Tennessee REALTORS® is strictly prohibited. This form is subject to periodic revision and it is the responsibility of the member to use the most recent available form.

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