

**MARYLAND RESIDENTIAL PROPERTY DISCLOSURE AND DISCLAIMER STATEMENT**

Property Address: 1358 Blackwalnut Ct. Annapolis Md 21403

Legal Description: \_\_\_\_\_

**NOTICE TO SELLER AND PURCHASER**

Section 10-702 of the Real Property Article, *Annotated Code of Maryland*, requires the owner of certain residential real property to furnish to the purchaser either (a) a RESIDENTIAL PROPERTY DISCLAIMER STATEMENT stating that the owner is selling the property "as is" and makes no representations or warranties as to the condition of the property or any improvements on the real property, except as otherwise provided in the contract of sale, or in a listing of latent defects; or (b) a RESIDENTIAL PROPERTY DISCLOSURE STATEMENT disclosing defects or other information about the condition of the real property actually known by the owner. Certain transfers of residential property are excluded from this requirement (see the exemptions listed below).

10-702. EXEMPTIONS. - The following are specifically excluded from the provisions of §10-702:

1. The initial sale of single family residential real property:
  - A. that has never been occupied; or
  - B. for which a certificate of occupancy has been issued within 1 year before the seller and buyer enter into a contract of sale;
2. A transfer that is exempt from the transfer tax under §13-207 of the Tax-Property Article, except land installment contracts of sale under §13-207(11) of the Tax Property Article and options to purchase real property under §13-207(a)(12) of the Tax-Property Article;
3. A sale by a lender, or an affiliate or subsidiary of a lender, that acquired the real property by foreclosure or deed in lieu of foreclosure;
4. A sheriff's sale, tax sale, or sale by foreclosure, partition, or by court appointed trustee;
5. A transfer by a fiduciary in the course of the administration of a decedent's estate, guardianship, conservatorship, or trust;
6. A transfer of single family residential real property to be converted by the buyer into use other than residential use or to be demolished; or
7. A sale of unimproved real property.

Section 10-702 also requires the owner to disclose information about latent defects in the property that the owner has actual knowledge of. The owner must provide this information even if selling the property "as is." "Latent defects" are defined as: Material defects in real property or an improvement to real property that:

- (1) A purchaser would not reasonably be expected to ascertain or observe by a careful visual inspection of the real property; and
- (2) Would pose a direct threat to the health or safety of:
  - (i) the purchaser; or
  - (ii) an occupant of the real property, including a tenant or invitee of the purchaser.

**MARYLAND RESIDENTIAL PROPERTY DISCLOSURE STATEMENT**

**NOTICE TO OWNERS:** Complete and sign this statement only if you elect to disclose defects, including latent defects, or other information about the condition of the property actually known by you; otherwise, sign the Residential Property Disclaimer Statement. You may wish to obtain professional advice or inspections of the property; however, you are not required to undertake or provide any independent investigation or inspection of the property in order to make the disclosure set forth below. The disclosure is based on your personal knowledge of the condition of the property at the time of the signing of this statement.

**NOTICE TO PURCHASERS:** The information provided is the representation of the Owners and is based upon the actual knowledge of Owners as of the date noted. Disclosure by the Owners is not a substitute for an inspection by an independent home inspection company, and you may wish to obtain such an inspection. The information contained in this statement is not a warranty by the Owners as to the condition of the property of which the Owners have no knowledge or other conditions of which the Owners have no actual knowledge.

How long have you owned the property? May 1, 2007

**Property System: Water, Sewage, Heating & Air Conditioning (Answer all that apply)**

Water Supply	<input type="checkbox"/> Public	<input checked="" type="checkbox"/> Well	<input type="checkbox"/> Other _____
Sewage Disposal	<input checked="" type="checkbox"/> Public	<input type="checkbox"/> Septic System approved for _____ (# bedrooms)	
Garbage Disposal	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	
Dishwasher	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	
Heating	<input type="checkbox"/> Oil	<input type="checkbox"/> Natural Gas	<input checked="" type="checkbox"/> Electric
Air Conditioning	<input type="checkbox"/> Oil	<input type="checkbox"/> Natural Gas	<input checked="" type="checkbox"/> Heat Pump Age <u>UKN</u>
Hot Water	<input type="checkbox"/> Oil	<input type="checkbox"/> Natural Gas	<input checked="" type="checkbox"/> Heat Pump Age <u>UKN</u>
			<input checked="" type="checkbox"/> Electric Capacity <u>50 gal</u> Age <u>UKN</u>
			<input type="checkbox"/> Other _____

Property, 1358 Blackwalnut Ct. Annapolis Md 21403

**Please indicate your actual knowledge with respect to the following:**

1. Foundation: Any settlement or other problems?

Yes

No

Unknown

Comments: \_\_\_\_\_

2. Basement: Any leaks or evidence of moisture?

Yes

No

Unknown

Does Not Apply

Comments: \_\_\_\_\_

3. Roof: Any leaks or evidence of moisture?

Yes

No

Unknown

Type of Roof: Architectural Age: 2007 (25 yr. tanko roof)

Is there any existing fire retardant treated plywood?

Yes

No

Unknown

Comments: \_\_\_\_\_

4. Other Structural Systems, including exterior walls and floors:

Comments: \_\_\_\_\_

Any defects (structural or otherwise)?

Yes

No

Unknown

Comments: \_\_\_\_\_

5. Plumbing System: Is the system in operating condition?

Yes

No

Unknown

Comments: \_\_\_\_\_

6. Heating Systems: Is heat supplied to all finished rooms?

Yes

No

Unknown

Comments: \_\_\_\_\_

Is the system in operating condition?

Yes

No

Unknown

Comments: \_\_\_\_\_

7. Air Conditioning System: Is cooling supplied to all finished rooms?

Yes

No

Unknown

Does Not Apply

Comments: \_\_\_\_\_

Is the system in operating condition?

Yes

No

Unknown

Does Not Apply

Comments: \_\_\_\_\_

8. Electric Systems: Are there any problems with electrical fuses, circuit breakers, outlets or wiring?

Yes

No

Unknown

Comments: \_\_\_\_\_

Will the smoke detectors provide an alarm in the event of a power outage?

Yes

No

Does Not Apply

Comments: \_\_\_\_\_

9. Septic Systems: Is the septic system functioning properly?

Yes

No

Unknown

Does Not Apply

When was the system last pumped? Date \_\_\_\_\_

Unknown

Comments: \_\_\_\_\_

10. Water Supply: Any problem with water supply?

Yes

No

Unknown

Comments: \_\_\_\_\_

Home Water Treatment System

Yes

No

Unknown

Comments: \_\_\_\_\_

Fire Sprinkler System

Yes

No

Unknown

Does Not Apply

Comments: \_\_\_\_\_

Are the systems in operating condition?

Yes

No

Unknown

Comments: \_\_\_\_\_

11. Insulation

In exterior walls?

Yes

No

Unknown

In ceiling/attic?

Yes

No

Unknown

In any other areas?

Yes

No

Where: \_\_\_\_\_

Comments: \_\_\_\_\_

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12. Exterior Drainage: Does water stand on the property for more than 24 hours after a heavy rain?

Yes  No  Unknown

Comments: \_\_\_\_\_

Are gutters and downspouts in good repair?  Yes  No  Unknown

Comments: \_\_\_\_\_

13. Wood-destroying insects: Any infestation and/or prior damage:  Yes  No  Unknown

Comments: \_\_\_\_\_

Any treatments or repairs?  Yes  No  Unknown  
Any warranties?  Yes  No  Unknown

Comments: \_\_\_\_\_

14. Are there any hazardous or regulated materials (including, but not limited to licensed landfills, asbestos, radon gas, lead-based paint, underground storage tanks, or other contamination) on the property?  Yes  No  Unknown

If yes, specify below.

Comments: \_\_\_\_\_

15. If the property relies on the combustion of a fossil fuel for heat, ventilation, hot water, or clothes dryer operation, is a carbon monoxide alarm installed in the property?  Yes  No  Unknown

Comments: \_\_\_\_\_

16. Are there any zoning violations, nonconforming uses, violation of building restrictions or setback requirements or any recorded or unrecorded easement, except for utilities, on or affecting the property?  Yes  No  Unknown

If yes, specify below.

Comments: corner of shed may encroach onto county property - affirmative coverage in title policy

17. Is the property located in a flood zone, conservation area, wetland area, Chesapeake Bay critical area or Designated Historic District?  Yes  No  Unknown If yes, specify below

Comments: \_\_\_\_\_

18. Is the property subject to any restriction imposed by a Home Owners Association or any other type of community association?  Yes  No  Unknown If yes, specify below

Comments: See HOA docs.

19. Are there any other materials defects including latent defects, affecting the physical condition of the property?

Yes  No  Unknown

Comments: \_\_\_\_\_

NOTE: Owner(s) may wish to disclose the condition of other buildings on the property on a separate RESIDENTIAL PROPERTY DISCLOSURE STATEMENT.

The owner(s) acknowledge having carefully examined this statement, including any comments, and verify that it is complete and accurate as of the date signed. The owner(s) further acknowledge that they have been informed of their rights and obligations under §10-702 of the Maryland Real Property Article.

Owner [Signature] Date 10/13/09

Owner Melissa M. Elwood Date 10/13/09

The purchaser(s) acknowledge receipt of a copy of this disclosure statement and further acknowledge that they have been informed of their rights and obligations under §10-702 of the Maryland Real Property Article.

Purchaser \_\_\_\_\_ Date \_\_\_\_\_

Purchaser WEICHERT, REALTORS - New Colony Date \_\_\_\_\_  
Steve Elwood

Property: 1358 Blackwalnut Ct. Annapolis Md 21403

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NOTICE TO OWNER(S): Sign this statement only if you elect to sell the property without representations and warranties as to its condition, except as otherwise provided in the contract of sale and in the listing of latent defects set forth below; otherwise, complete and sign the RESIDENTIAL PROPERTY DISCLOSURE STATEMENT.

Except for the latent defects listed below, the undersigned owner(s) of the real property make no representations or warranties as to the condition of the real property or any improvements thereon, and the purchaser will be receiving the real property "as is" with all defects, including latent defects, which may exist, except as otherwise provided in the real estate contract of sale. The owner(s) acknowledge having carefully examined this statement and further acknowledge that they have been informed of their rights and obligations under §10-702 of the Maryland Real Property Article.

The owner(s) has actual knowledge of the following latent defects:  
\_\_\_\_\_  
\_\_\_\_\_

Owner \_\_\_\_\_ Date \_\_\_\_\_

Owner \_\_\_\_\_ Date \_\_\_\_\_

The purchaser(s) acknowledge receipt of a copy of this disclaimer statement and further acknowledge that they have been informed of their rights and obligations under §10-702 of the Maryland Real Property Article.

Purchaser \_\_\_\_\_ Date \_\_\_\_\_

Purchaser \_\_\_\_\_ Date \_\_\_\_\_

WEICHERT, REALTORS - New Colony  
Steve Elwood

10/01/07 MREC\_DSC



**INCLUSIONS/EXCLUSIONS AND UTILITIES ADDENDUM TO EXCLUSIVE RIGHT TO SELL RESIDENTIAL BROKERAGE AGREEMENT**

For the sole purpose of assisting the agent in preparing an offer and is not to be part of the Contract of Sale

ADDENDUM # 1 dated 10/13/2009 to Exclusive Right to Sell Brokerage Agreement dated 10/13/2009, between Owner(s) Lawrence S. McGunnigle & Melissa McGunnigle and Broker WEICHERT, REALTORS - New Colony for Property known as 1358 Blackwalnut Ct. Annapolis Md 21403

INCLUSIONS/EXCLUSIONS: Owner intends for these items marked below to be included in the sale of the property unless otherwise negotiated:

- |   |   |  |   |
|---|---|--|---|
| <b>INCLUDED</b>   | <b>INCLUDED</b>   | <b>INCLUDED</b>  | <b>INCLUDED</b>   |
| <input type="checkbox"/> Alarm System                         | <input checked="" type="checkbox"/> Exhaust Fan(s) # <u>4</u> | <input type="checkbox"/> Pool, Equip. & Cover                  | <input type="checkbox"/> Trash Compactor                    |
| <input checked="" type="checkbox"/> Built-in Microwave        | <input checked="" type="checkbox"/> Exist. W/W Carpet         | <input checked="" type="checkbox"/> Refrigerator(s) # <u>1</u> | <input checked="" type="checkbox"/> Wall Oven(s) # <u>1</u> |
| <input checked="" type="checkbox"/> Ceiling Fan(s) # <u>0</u> | <input type="checkbox"/> Fireplace Screen/Doors               | <input checked="" type="checkbox"/> w/ice maker                | <input checked="" type="checkbox"/> Water Filter            |
| <input type="checkbox"/> Central Vacuum                       | <input type="checkbox"/> Freezer                              | <input type="checkbox"/> Satellite Dish                        | <input checked="" type="checkbox"/> Water Softener          |
| <input checked="" type="checkbox"/> Clothes Dryer             | <input type="checkbox"/> Furnace Humidifier                   | <input checked="" type="checkbox"/> Screens                    | <input type="checkbox"/> Window A/C Unit(s) # _____         |
| <input checked="" type="checkbox"/> Clothes Washer            | <input type="checkbox"/> Garage Opener(s) # _____             | <input checked="" type="checkbox"/> Shades/Blinds              | <input type="checkbox"/> Window Fan(s) # _____              |
| <input checked="" type="checkbox"/> Cooktop                   | <input type="checkbox"/> w/remote(s) # _____                  | <input checked="" type="checkbox"/> Storage Shed(s) # <u>1</u> | <input type="checkbox"/> Wood Stove                         |
| <input checked="" type="checkbox"/> Dishwasher                | <input checked="" type="checkbox"/> Garbage Disposer          | <input type="checkbox"/> Storm Doors                           |   |
| <input checked="" type="checkbox"/> Drapery/Curtain Rods      | <input type="checkbox"/> Hot Tub, Equip. & Cover              | <input type="checkbox"/> Storm Windows                         |   |
| <input checked="" type="checkbox"/> Drapery/Curtains          | <input type="checkbox"/> Intercom                             | <input checked="" type="checkbox"/> Stove or Range             |   |
| <input type="checkbox"/> Electronic Air Filter                | <input type="checkbox"/> Playground Equipment                 | <input type="checkbox"/> T.V. Antenna                          |   |

ADDITIONAL INCLUSIONS (SPECIFY):

ADDITIONAL EXCLUSIONS (SPECIFY):

fridge + freezer in basement

UTILITIES: WATER, SEWAGE, HEATING AND CENTRAL AIR CONDITIONING: (Check all that apply)

- Water Supply:  Public  Well  
Sewage Disposal:  Public  Septic  
Heating:  Oil  Gas  Elec.  Heat Pump  Other \_\_\_\_\_  
Hot Water:  Oil  Gas  Elec.  Other \_\_\_\_\_  
Air Conditioning:  Gas  Elec.  Other \_\_\_\_\_

Steve Elwood 10/13/09  
Owner Date

Melissa McGunnigle 10/13/09  
Owner Date

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Disclosure of Information on Lead-Based Paint and/or Lead-Based Paint Hazards

Lead Warning Statement

A buyer/tenant of any interest in residential real property on which a residential dwelling was built prior to 1978 is notified that such property may contain lead-based paint and that exposure to lead from lead-based paint, paint chips or lead paint dust may place young children at risk of developing lead poisoning if not managed properly. Lead poisoning in young children may produce permanent neurological damage, including learning disabilities, reduced intelligence quotient, behavioral problems, and impaired memory. Lead poisoning also poses a particular risk to pregnant women. The seller/landlord of any interest in residential real property is required to disclose to the buyer/tenant the presence of known lead-base paint hazards and to provide the buyer/tenant with any information on lead-based paint hazards from risk assessments or inspections in the seller's/landlord's possession. A tenant must receive a federally approved pamphlet on lead poisoning prevention. It is recommended that a buyer conduct a risk assessment or inspection for possible lead-based paint hazards prior to purchase.

Seller's/Landlord's Disclosure

(a) Presence of lead-based paint and/or lead-based paint hazards (check (i) or (ii) below):

(i) Known lead-based paint and/or lead-based paint hazards are present in the housing (explain):

(ii) Seller/Landlord has no knowledge of lead-based paint and/or lead-based paint hazards in the housing.

(b) Records and reports available to the seller (Check (i) or (ii) below):

(i) Seller/Landlord has provided the purchaser/tenant with all available records and reports pertaining to lead-based paint and/or lead-based paint hazards in the housing (list documents below).

(ii) Seller/Landlord has no reports pertaining to lead-based paint and/or lead-based paint hazards in the housing.

Buyer's/Tenant's Acknowledgment (Initial)

(c) Buyer/Tenant has received copies of all information listed in section (b)(i) above, if any.

(d) Buyer/Tenant has received the pamphlet *Protect Your Family from Lead in Your Home*

(e) Buyer has [check (i) or (ii) below]:

(i) received a 10-day opportunity (or mutually agreed upon period) to conduct a risk assessment or inspection for the presence of lead-based paint and/or lead-based paint hazards; or

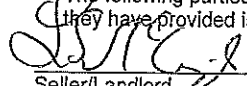
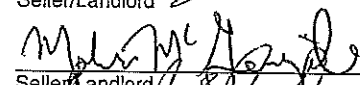
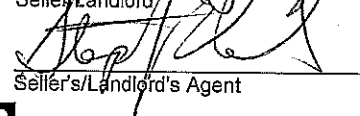
(ii) Waived the opportunity to conduct a risk assessment or inspection for the presence of lead-based paint and/or lead-based paint hazards.

Agent's Acknowledgment (Initial)

(f) Agent has informed the seller of the Seller's/Landlord's obligations under 42 U.S.C. 4852d and is aware of his/her responsibility to ensure compliance.

Certification of Accuracy

The following parties have reviewed the information above and certify, to the best of their knowledge, that the information they have provided is true and accurate.

	10/12/09	_____	_____
Seller/Landlord	Date	Buyer/Tenant	Date
	10/13/09	_____	_____
Seller/Landlord	Date	Buyer/Tenant	Date
	10/13/09	_____	_____
Seller's/Landlord's Agent	Date	Buyer's/Tenant's Agent	Date

