

Lozier at Newport, LLC Disclosure Statement

INSTRUCTIONS TO THE SELLER

Please complete the following form. Do not leave any spaces blank. If the question clearly does not apply to the property write "NA." If the answer is "yes" to any * items, please explain on attached sheets. Please refer to the line number(s) of the question(s) when you provide your explanation(s). For your protection you must date and sign each page of this disclosure statement and each attachment. Delivery of the disclosure statement must occur not later than FIVE BUSINESS DAYS, UNLESS OTHERWISE AGREED, after mutual acceptance of a written contract to purchase between a buyer and a seller.

NOTICE TO THE BUYER

THE FOLLOWING DISCLOSURES ARE MADE BY SELLER ABOUT THE CONDITION OF THE PROPERTY LOCATED AT "SEE EXHIBIT A" ("THE PROPERTY"), OR AS LEGALLY DESCRIBED ON ATTACHED EXHIBIT A.

SELLER MAKES THE FOLLOWING DISCLOSURES OF EXISTING MATERIAL FACTS OR MATERIAL DEFECTS TO BUYER BASED ON SELLER'S ACTUAL KNOWLEDGE OF THE PROPERTY AT THE TIME SELLER COMPLETES THIS DISCLOSURE STATEMENT. UNLESS YOU AND SELLER OTHERWISE AGREE IN WRITING, YOU HAVE THREE BUSINESS DAYS FROM THE DAY SELLER OR SELLER'S BROKER DELIVERS THIS DISCLOSURE STATEMENT TO YOU TO RESCIND THE AGREEMENT BY DELIVERING A SEPARATELY SIGNED WRITTEN STATEMENT OF RESCISSION TO SELLER OR SELLER'S BROKER. IF THE SELLER DOES NOT GIVE YOU A COMPLETED DISCLOSURE STATEMENT, THEN YOU MAY WAIVE THE RIGHT TO RESCIND PRIOR TO OR AFTER THE TIME YOU ENTER INTO A SALE AGREEMENT.

THE FOLLOWING ARE DISCLOSURES MADE BY SELLER AND ARE NOT THE REPRESENTATIONS OF ANY REAL ESTATE BROKER OR OTHER PARTY. THIS INFORMATION IS FOR DISCLOSURE ONLY AND IS NOT INTENDED TO BE A PART OF ANY WRITTEN AGREEMENT BETWEEN BUYER AND SELLER.

FOR A MORE COMPREHENSIVE EXAMINATION OF THE SPECIFIC CONDITION OF THIS PROPERTY YOU ARE ADVISED TO OBTAIN AND PAY FOR THE SERVICES OF QUALIFIED EXPERTS TO INSPECT THE PROPERTY, WHICH MAY INCLUDE, WITHOUT LIMITATION, ARCHITECTS, ENGINEERS, LAND SURVEYORS, PLUMBERS, ELECTRICIANS, ROOFERS, BUILDING INSPECTORS, ON-SITE WASTEWATER TREATMENT INSPECTORS, OR STRUCTURAL PEST INSPECTORS. THE PROSPECTIVE BUYER AND SELLER MAY WISH TO OBTAIN PROFESSIONAL ADVICE OR INSPECTIONS OF THE PROPERTY OR TO PROVIDE APPROPRIATE PROVISIONS IN A CONTRACT BETWEEN THEM WITH RESPECT TO ANY ADVICE, INSPECTION, DEFECTS OR WARRANTIES.

Seller is / is not occupying the property.

I. SELLER'S DISCLOSURES:

If you answer "Yes" to any question with an asterisk (), please explain your answer and attach documents, if available and not otherwise publicly recorded. If necessary, use an attached sheet.

1. TITLE

Yes No Don't Know A. Do you have legal authority to sell the property? If no, please explain.

Yes No Don't Know *B. Is title to the property subject to any of the following?
(1) First right of refusal
(2) Option
(3) Lease or rental agreement
(4) Life estate?

Yes No Don't Know *C. Are there any encroachments, boundary agreements, or boundary disputes?

Yes No Don't Know *D. Is there a private road or easement agreement for access to the property?

Seller's Representative Initials: _____

Date: _____

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.....
 Yes No Don't Know *E. Are there any rights-of-way, easements, or access limitations that may affect the Buyer's use of the property?
.....

.....
 Yes No Don't Know *F. Are there any written agreements for joint maintenance of an easement or right-of-way?
.....

See Exhibit A

.....
 Yes No Don't Know *G. Is there any study, survey project, or notice that would adversely affect the property?
.....

.....
 Yes No Don't Know *H. Are there any pending or existing assessments against the property?
.....

.....
 Yes No Don't Know *I. Are there any zoning violations, nonconforming uses, or any unusual restrictions on the property that would affect future construction or remodeling?
.....

.....
 Yes No Don't Know *J. Is there a boundary survey for the property?
.....

.....
 Yes No Don't Know *K. Are there any covenants, conditions, or restrictions recorded against the property?
.....
See Exhibit A

PLEASE NOTE: Covenants, conditions, and restrictions which purport to forbid or restrict the conveyance, encumbrance, occupancy, or lease of real property to individuals based on race, color, sex, natural origin, familial status or disability are void, unenforceable and illegal. RCW 49.60.224

2. WATER

A. Household Water

- Yes No Don't Know (1) The source of water for the property is:
 Private or publicly owned water system
 Private well serving only the subject property
 Other water system. *If shared, are there any written agreements?
 Yes No Don't Know * (2) Is there an easement (recorded or unrecorded) for access to and/or maintenance of the water source?
 Yes No Don't Know * (3) Are there any problems or repairs needed?
 Yes No Don't Know (4) During your ownership, has the source provided an adequate year round supply of potable water? If no, please explain.
 Yes No Don't Know * (5) Are there any water treatment systems for the property? If yes, are they
 Leased Owned
 Yes No Don't Know * (6) Are there any water rights for the property associated with its domestic water supply, such as a water right permit, certificate, or claim?
 Yes No Don't Know N/A (a) If yes, have the water right permit, certificate, or claim been assigned, transferred, or changed?
 Yes No Don't Know N/A * (b) If yes, has all or any portion of the water right not been used for five or more successive years?
 Yes No Don't Know * (7) Are there any defects in the operation of the water system (e.g. pipes, tank, pump, etc.)?
.....

B. Irrigation Water

- Yes No Don't Know (1) Are there any irrigation water rights for the property, such as a water right permit, certificate, or claim?
 Yes No Don't Know N/A * (a) If yes, has all or any portion of the water right not been used for five or more successive years?
 Yes No Don't Know N/A * (b) If so, is the certificate available? (If yes, please attach a copy.)
 Yes No Don't Know N/A * (c) If so, has the water right permit, certificate, or claim been assigned, transferred, or changed?
.....

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NOTICE: IF THIS RESIDENTIAL REAL PROPERTY DISCLOSURE STATEMENT IS BEING COMPLETED FOR NEW CONSTRUCTION WHICH HAS NEVER BEEN OCCUPIED, THE SELLER IS NOT REQUIRED TO COMPLETE THE QUESTIONS LISTED IN ITEM 4. STRUCTURAL OR ITEM 5. SYSTEMS AND FIXTURES.

4. STRUCTURAL

- Yes No Don't Know N/A *A. Has the roof leaked within the last five years?
- Yes No Don't Know N/A *B. Has the basement flooded or leaked?
- Yes No Don't Know N/A *C. Have there been any conversions, additions, or remodeling?
 Yes No Don't Know N/A *(1) If yes, were all building permits obtained?
 Yes No Don't Know N/A *(2) If yes, were all final inspections obtained?
- Yes No Don't Know N/A D. Do you know the age of the house? If yes, year of original construction: N/A New
- Yes No Don't Know N/A *E. Has there been any settling, slippage, or sliding of the property or its improvements?
- Yes No Don't Know N/A *F. Are there any defects with the following: (If yes, please check applicable items and explain.)
- | | | |
|--|---|---|
| <input type="checkbox"/> Foundation | <input type="checkbox"/> Decks | <input type="checkbox"/> Exterior Walls |
| <input type="checkbox"/> Chimneys | <input type="checkbox"/> Interior Walls | <input type="checkbox"/> Fire Alarm |
| <input type="checkbox"/> Doors | <input type="checkbox"/> Windows | <input type="checkbox"/> Patio |
| <input type="checkbox"/> Ceilings | <input type="checkbox"/> Slab Floors | <input type="checkbox"/> Driveways |
| <input type="checkbox"/> Pools | <input type="checkbox"/> Hot Tub | <input type="checkbox"/> Sauna |
| <input type="checkbox"/> Sidewalks | <input type="checkbox"/> Outbuildings | <input type="checkbox"/> Fireplaces |
| <input type="checkbox"/> Garage Floors | <input type="checkbox"/> Walkways | <input type="checkbox"/> Siding |
| <input type="checkbox"/> Other | <input type="checkbox"/> Wood Stoves | |
- Yes No Don't Know N/A *G. Was a structural pest or "whole house" inspection done? If yes, when and by whom was the inspection completed?
- Yes No Don't Know N/A H. During your ownership, has the property had any wood destroying organism or pest infestation?
- Yes No Don't Know N/A I. Is the attic insulated?
- Yes No Don't Know N/A J. Is the basement insulated?

5. SYSTEMS AND FIXTURES

- *A. If any of the following systems or fixtures are included with the transfer, are there any defects? If yes, please explain.
- | | | | | |
|------------------------------|-----------------------------|-------------------------------------|-----|--|
| <input type="checkbox"/> Yes | <input type="checkbox"/> No | <input type="checkbox"/> Don't Know | N/A | Electrical system, including wiring, switches, outlets, and service |
| <input type="checkbox"/> Yes | <input type="checkbox"/> No | <input type="checkbox"/> Don't Know | N/A | Plumbing system, including pipes, faucets, fixtures, and toilets |
| <input type="checkbox"/> Yes | <input type="checkbox"/> No | <input type="checkbox"/> Don't Know | N/A | Hot water tank |
| <input type="checkbox"/> Yes | <input type="checkbox"/> No | <input type="checkbox"/> Don't Know | N/A | Garbage disposal |
| <input type="checkbox"/> Yes | <input type="checkbox"/> No | <input type="checkbox"/> Don't Know | N/A | Appliances |
| <input type="checkbox"/> Yes | <input type="checkbox"/> No | <input type="checkbox"/> Don't Know | N/A | Sump pump |
| <input type="checkbox"/> Yes | <input type="checkbox"/> No | <input type="checkbox"/> Don't Know | N/A | Heating and cooling systems |
| <input type="checkbox"/> Yes | <input type="checkbox"/> No | <input type="checkbox"/> Don't Know | N/A | Security system <input type="checkbox"/> Owned <input type="checkbox"/> Leased |
| <input type="checkbox"/> Yes | <input type="checkbox"/> No | <input type="checkbox"/> Don't Know | N/A | Other <u>N/A</u> |

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.....

Yes No Don't Know N/A *B. If any of the following fixtures or property is included with the transfer, are they leased? If yes, please attach copy of lease

Yes No Don't Know N/A Security system

Yes No Don't Know N/A Tanks (type)

Yes No Don't Know N/A Satellite dish

Yes No Don't Know N/A Other

.....

Yes No Don't Know N/A *C. Are any of the following kinds of wood burning appliances present at the property?

Yes No Don't Know N/A (1) Woodstove?

Yes No Don't Know N/A (2) Fireplace insert?

Yes No Don't Know N/A (3) Pellet stove?

Yes No Don't Know N/A (4) Fireplace?

Yes No Don't Know N/A If yes, are all of the (1) woodstoves or (2) fireplace inserts certified by the U.S. Environmental Protection Agency as clean burning appliances to improve air quality and public health?

6. HOMEOWNERS' ASSOCIATION/COMMON INTEREST

Yes No Don't Know A. Is there a Home Owners' Association? Name of Association and contract information for an officer, director, employee, or other authorized agent, if any, who may provide the Association's financial statements, minutes, bylaws, fining policy, and other information that is not publicly available. See Exhibit A

.....

Yes No Don't Know B. Are there regular periodic assessments? \$ See Exhibit A per Month Year

Other _____

.....

Yes No Don't Know *C. Are there any pending special assessments?

.....

Yes No Don't Know *D. Are there any shared "common areas" or any joint maintenance agreements (facilities such as walls, fences, landscaping, pools, tennis courts, walkways, or other areas co-owned in undivided interest with others)? **See Exhibit A**

7. ENVIRONMENTAL

Yes No Don't Know *A. Have there been any flooding, standing water or drainage problems on the property that affect the property or access to the property?

.....

Yes No Don't Know *B. Does any part of the property contain fill dirt, waste or other fill material? **See Exhibit A**

.....

Yes No Don't Know *C. Is there any material damage to the property from fire, wind, floods, beach movements, earthquake, expansive soils, or landslides?

.....

Yes No Don't Know D. Are there any shorelines, wetlands, floodplains, or critical areas on the property?

.....

Yes No Don't Know *E. Are there any substances, materials, or products in or on the property that may be environmental concerns, such as asbestos, formaldehyde, radon gas, lead-based paint, fuel or chemical storage tanks, or contaminated soil or water?

.....

Yes No Don't Know *F. Has the property been used for commercial or industrial purposes?

.....

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-
- Yes No Don't Know *G. Is there any soil or groundwater contamination?
-
- Yes No Don't Know *H. Are there transmission poles or other electrical utility equipment installed, maintained, or buried on the property that do not provide utility service to the structures on the property? **See Exhibit A**
-
- Yes No Don't Know *I. Has the property been used as a legal or illegal dumping site?
-
- Yes No Don't Know *J. Has the property been used as an illegal drug manufacturing site?
-
- Yes No Don't Know *K. Are there any radio towers in the area that cause interference with cellular telephone reception?

8. MANUFACTURED AND MOBILE HOMES

If the property includes a manufactured or mobile home. N/A

- Yes No Don't Know N/A *A. Did you make any alterations to the home? If yes, please describe the alterations.
-
- Yes No Don't Know N/A *B. Did any previous owner make any alterations to the home?
-
- Yes No Don't Know N/A *C. If alterations were made, were permits or variance for these alterations obtained?

9. FARM PROXIMITY

This notice is to inform you that the real property you are considering for purchase may lie in close proximity to a farm. The operation of a farm involves usual and customary agricultural practices, which are protected under RCW 7.48.305, the Washington right to farm act.

10. FULL DISCLOSURE BY SELLERS

- Yes No Don't Know
- A. Other conditions or defects:
*Are there any other existing material defects affecting the property that a prospective buyer should know about?
-
- B. Verification:
The foregoing answers and attached explanations (if any) are complete and correct to the best of my/our knowledge and I/we have received a copy hereof. I/we authorize all of my/our real estate Brokers, if any, to deliver a copy of this disclosure statement to other real estate Brokers and all prospective buyers of the property.

Lozier at Newport, LLC

Date: _____

By: _____

Seller's Representative Initials: _____
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Date: _____

NOTICE TO BUYER

INFORMATION REGARDING REGISTERED SEX OFFENDERS MAY BE OBTAINED FROM LOCAL LAW ENFORCEMENT AGENCIES. THIS NOTICE IS INTENDED ONLY TO INFORM YOU OF WHERE TO OBTAIN THIS INFORMATION AND IS NOT AN INDICATION OF THE PRESENCE OF REGISTERED SEX OFFENDERS.

II. BUYER'S ACKNOWLEDGMENT

- A. Buyer hereby acknowledges that: Buyer has the duty to pay diligent attention to any material defects that are known to Buyer or can be known to Buyer by utilizing diligent attention and observation.
- B. The disclosures set forth in this statement and in any amendments to this statement are made only by the Seller and not by any real estate Broker or other party.
- C. Buyer acknowledges that, pursuant to RCW 64.06.050(2), real estate Brokers are not liable for inaccurate information provided by Seller, except to the extent that real estate Brokers know of such inaccurate information.
- D. This information is for disclosure only and is not intended to be a part of any written agreement between the Buyer and the Seller.
- E. Buyer (which term includes all persons signing the "Buyer's acceptance" portion of this disclosure statement below) has received a copy of this Disclosure Statement (including attachments, if any) bearing Seller's signature.

DISCLOSURES CONTAINED IN THIS DISCLOSURE STATEMENT ARE PROVIDED BY SELLER BASED ON SELLER'S ACTUAL KNOWLEDGE OF THE PROPERTY AT THE TIME SELLER COMPLETES THIS DISCLOSURE STATEMENT. UNLESS BUYER AND SELLER OTHERWISE AGREE IN WRITING, BUYER SHALL HAVE THREE BUSINESS DAYS FROM THE DAY SELLER OR SELLER'S BROKER DELIVERS THIS DISCLOSURE STATEMENT TO RESCIND THE AGREEMENT BY DELIVERING A SEPARATELY SIGNED WRITTEN STATEMENT OF RESCISSION TO SELLER OR SELLER'S BROKER. YOU MAY WAIVE THE RIGHT TO RESCIND PRIOR TO OR AFTER THE TIME YOU ENTER INTO A SALES AGREEMENT.

BUYER HEREBY ACKNOWLEDGES RECEIPT OF THIS DISCLOSURE STATEMENT AND ACKNOWLEDGES THAT THE DISCLOSURES MADE HEREIN ARE THOSE OF THE SELLER ONLY, AND NOT OF ANY REAL ESTATE BROKER OR OTHER PARTY.

BUYER'S WAIVER OF RIGHT TO REVOKE OFFER

Buyer has read and reviewed the Seller's responses to this Disclosure Statement. Buyer approves this statement and waives Buyer's right to revoke or rescind Buyer's offer.

Date: _____

Date: _____

Buyer _____

Buyer _____

Seller's Representative Initials: _____

Date: _____

Exhibit A
Lozier at Newport, LLC Disclosure Statement

Legal Description:

Insert Lot Number Below

Lot _____, Westfield, according to the Plat recorded in Volume 239 of Plats pages 66 through 70, inclusive, in King County, Washington.

Title Question 1.F.

Are there any written agreements for joint maintenance of an easement or right of way?

Yes, Sight Distance Easement on Lot 16 per the recorded plat.

Yes, Private Storm Drainage Easements per the recorded plat.

Yes, Declaration of Private Storm Drainage Easements under recording number 20070423002064 for Lots 11 and 12.
No for all other Lots.

Title Question 1.K.

Are there any covenants, conditions, or restrictions recorded against the property?

Yes. The CCR's for the property are attached. Any other covenants, conditions and restrictions will be shown on the preliminary title report.

Sewer/On-Site Sewage System Question 3.C.

Is the property subject to any sewer system fees or charges in addition to those covered in your regularly billed sewer or on-site sewage system maintenance service?

Yes, sewer capacity charge.

Homeowners' Association Question 6.A.

Name of Association: Westfield Community Organization

Contact Information: Westfield Community Organization
1203 – 114th Avenue SE
Bellevue, WA 98004

Homeowners' Association Question 6.B.

Homeowners' Dues are currently **\$750** per year.

Homeowners' Association Question 6.D.

The Homeowners' Association maintains common areas including the mailbox structures; landscaped areas in public right of way; Tracts reserved for open space, recreation and native growth protection areas; fencing installed as a plat amenity along the property lines of Tracts, etc. Please refer to Article E of the CCR's or contact the Association for further information.

Environmental Question 7.B.

All foundations are constructed on suitable natural soils or on structurally engineered fills to building code standards. Yard areas may contain suitable nonstructural fill.

Environmental Question 7.H.

All power lines in the community are located underground. Certain lots in the community have power equipment (e.g. vaults) located within recorded easements granted to the power company.

Seller's Representative Initials: _____

Date: _____

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