

## DISCLOSURE ADDENDUM TO AGREEMENTS OF SALE

Pertaining to Property 1 – Victorian Home, Property 2 – Farmhouse and Entirety Property being Lots 1 and 2 in the subdivision of the Roeser Tract, Street and Upper Mountain Roads, Solebury Township, Bucks County, Pennsylvania being part of TMP No. 41-021-006

The following disclosures relate to Lots 1 and 2, singly or as an entirety in the subdivision of the Roeser Tract as described above.

**I. ENVIRONMENTAL** – Notice is hereby given that prior to Seller’s purchase of the Property, the Property was used as a chemical laboratory and for manufacturing uses in connection therewith. Prior to Seller purchasing the Property, it caused environmental inspections to occur resulting in the discovery that contaminants existed on the Property, most notably toluene/ethylbenzene and carbon tetrachloride.

A. Toluene/Ethylbenzene - Soil contaminated with toluene/ethylbenzene was removed from the Property and the Property was remediated in accordance with regulations of the Pennsylvania Department of Environmental Protection. A Final Report of the remediation is provided as Exhibit “A” in the Appendix to this Disclosure. In addition, the Pennsylvania Department of Environmental Protection issued a letter dated June 7, 2006 (the “Act 2 Letter”) pursuant to the Land Recycling and Environmental Remediation Standards Act (“Act 2”) which provides that clean up liability protection is extended to the current and future owner of the Property as to those matters identified in the Final Report. The Act 2 Letter is included in the Appendix as Exhibit “B”.

B. Carbon Tetrachloride (“CT”) - During the extensive environmental testing of the Property as described above, it was revealed that carbon tetrachloride exists in a well on the property at a concentration of 9.04 parts per billion which is above statewide health standards for used aquifers of 5 parts per billion. The final reports concerning these conditions, one prepared by the Township’s consultant, Princeton Hydro and dated July 13, 2006 and the other prepared by the previous owner’s consultant, ARC dated July 3, 2006 are included in the Appendix as Exhibits C and D. It is ARC’s opinion that there is no evidence of a source associated with the CT contamination. It recommends, as a precaution, that the water well in which the CT contamination was found be capped and that other wells be installed with carbon filters. Prior to settlement on lot 1, the well will be capped and carbon filters will have been installed.

C. Environmental Test Results - Numerous studies, reports, testing results and other materials concerning environmental testing of the Property exist in addition to those documents attached to the Appendix as Exhibits A through D. These documents are available for inspection, by appointment, at the law offices of Clemons Richter

Walsh & Reiss, PC., 107 East Oakland Avenue, Doylestown, PA 18901 Attention: Terry W. Clemons, Esquire. The phone number is 215-348-1776

## **II. RESIDENTIAL**

A. Owner's Disclosure and Home Inspection Reports - The Township has completed Par Form Owner's Disclosure Statements for each residence on the Property. However, detailed home inspection reports for the farmhouse on Lot 2 and the Victorian residence, cottage and certain of the outbuildings on Lot 1 were prepared, at Seller's request from Tri-County Inspection Co., Inc. These reports supplement the information provided in the Disclosure. Each of these documents is included in the Appendix.

B. Sewage System Inspection - In addition, when the Township acquired the Property in 2006, it obtained the following reports: Sewage system reports from PERNA Wastewater Management, dated 2-28-05 for the main (Farm) house, 3-4-05 for the Victorian house and 2-28-05 for the cottage. Planning Modules have been approved by the Pa. Department of Environmental Protection for replacement individual sewage systems on Lots 1 and 2. The approved Planning Modules and other referenced are also contained in the Appendix.

C. Radon Test - A radon test and termite inspection was also obtained in 2005 and these reports are included in the Appendix.

D. Well Water Tests Test results from the domestic water supply wells on lots 1 and 2 are contained in the Appendix.

E. Copies of all the above referenced reports are contained in the Appendix attached to this Disclosure, are on the Traiman website and are available for inspection.

**III. CONSERVATION EASEMENTS** – Both Lots 1 and 2 in the subdivision are subject to Conservation Easements, copies of which are included in the Appendix.

**IV. FAÇADE EASEMENT** – Lot 1 in the subdivision is subject to a Declaration creating a façade easement on the following historic buildings: Victorian dwelling, cottage, privy and barn. The Façade Easement also imposes obligations to maintain the historic wall along Street Road which is located partly on Lot 1 and partly on Lot 2. The Façade Easement is included in the Appendix.

**V. SUBDIVISION** – Lots 1 and 2 are part of the subdivision of the Roeser tract pursuant to subdivision plans prepared by C. Robert Wynn Associates, Inc., consisting of four (4) sheets dated August 8, 2006 and last revised February 25, 2009 (the "Subdivision Plans").

A. Subdivision Approval – The Subdivision Plans were approved by a Resolution of Solebury Township, Preliminary/Final Subdivision Plan Approval (the “Subdivision Approval”). A copy of the Subdivision Approval is included in the Appendix. It includes certain recitals and six conditions.

B. Notes and Conditions on Subdivision Plan – Copies of the Subdivision Plan are available for inspection at the Solebury Township Building, 3092 Sugas Road, Solebury, PA. The Plans identify the lots, natural resources, improvements, easements, building setbacks, and other conditions and features of the Subdivision and of the Property. The Buyer accepts the Property subject to the conditions shown on the Subdivision Plans.

C. Lot 3 in Subdivision – Lot 3 abuts both Lots 1 and 2 in the subdivision. It is approximately 79.310 acres. Solebury Township will retain Lot 3 and may develop Lot 3 as a park having both active and passive recreation areas. Alternatively, the Township may, but is not required to, sell Lot 3 subject to a Conservation Easement which will have a building envelope permitting residential buildings to be constructed within a 5 acre building envelope the location of which is yet to be determined. The Township has not yet determined the location and type of recreational uses or the location and type of passive uses that may be developed on Lot 3 if it is retained as park land.

## **VI. WATER SUPPLY/UTILITIES/DRIVEWAYS**

A. Water Supply – Since the improvements on Lots 1 and 2, prior to Subdivision, were owned in common, there is a common water supply system to the improvements on Lots 1 and 2. Prior to settlement, Seller will sever the supply lines between Lots 1 and 2 and cap the lines at the point where they are severed. A domestic well with well pump shall be provided by Seller for each lot which will be in place at the time of settlement. Each Buyer has the obligation to connect the well to the residence and/or outbuildings to be serviced by the well. Each Buyer is also responsible for installing well controls for the well servicing the lot.

B. Electric and Telephone – Each lot will have a separate meter for electric and separate electric and telephone service from the existing service lines to the lots. Lot 1 is subject to a utility easement, as shown on the Subdivision Plans, for electric, telephone and other utilities for the benefit of Lot 2. Additional utilities may be placed within the Easement. Present and future utilities may be placed underground within the Easement by either of the owners of Lots 1 or 2.

C. Driveway Access Through driveways as presently existing will be disconnected at the lot lines and lot 2 will **not** have access to Upper Mountain Road.

**Attest:**

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**SELLER:**  
Solebury Township

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_

**Buyer acknowledges receipt of this Disclosure Addendum to Agreements of Sale consisting of three sheets and a copy of the Appendix referenced in the Disclosure**

Witness

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**BUYER**

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Print Name  
Date: \_\_\_\_\_

Witness

\_\_\_\_\_

**BUYER**

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Print Name  
Date: \_\_\_\_\_