

PROPERTY 400 PARK RD, DOWNINGTOWN

Seller:

SHEA FAMILY TRUST

The Real Estate Seller Disclosure Law (68 P.S. §7301 et seq.) requires that a seller of a property must disclose to a buyer all known material defects about the property being sold that are not readily observable. While the Law requires certain disclosures, this disclosure statement covers common topics beyond the basic requirements of the Law in an effort to assist sellers in complying with disclosure requirements and to assist buyers in evaluating the property being considered. Sellers who wish to see or use the basic disclosure form can find the form on the Web site of the Pennsylvania State Real Estate Commission.

This Statement discloses Seller's knowledge of the condition of the property as of the date signed by Seller and is not a substitute for any inspections or warranties that Buyer may wish to obtain. This Statement is not a warranty of any kind by Seller or a warranty or representation by any listing real estate broker, any selling real estate broker, or their licensees. Buyer is encouraged to address concerns about the conditions of the property that may not be included in this Statement. This Statement does not relieve Seller of the obligation to disclose a material defect that may not be addressed on this form.

A Material Defect is a problem with a residential real property or any portion of it that would have a significant adverse impact on the value of the property or that involves an unreasonable risk to people on the property. The fact that a structural element, system or subsystem is at or beyond the end of the normal useful life of such a structural element, system or subsystem is not by itself a material defect.

1. **SELLER'S EXPERTISE** Seller does not possess expertise in contracting, engineering, architecture, or other areas related to the construction and conditions of the property and its improvements, except as follows: \_\_\_\_\_

2. **OCCUPANCY/OWNERSHIP**

(a) Is the property currently occupied?  Yes  No If "yes", by whom?  Seller  Other occupants (tenants) Family members

If property is not occupied, when was it last occupied? \_\_\_\_\_

(b) How long have you owned the property? \_\_\_\_\_

(c) Are you aware of any pets having lived in the house or other structures during your ownership?  Yes  No

If "yes," describe: This was a farm & was occupied by farm animals plus other

3. **ROOF**

(a) Date roof installed: \_\_\_\_\_ Documented?  Yes  No  Unknown

(b) Has the roof been replaced or repaired during your ownership?  Yes  No

If "yes," was the existing roofing material removed?  Yes  No  Unknown

(c) Has the roof ever leaked during your ownership?  Yes  No

(d) Are you aware of any problems with the roof, gutters, flashing or downspouts?  Yes  No

Explain any "yes" answers in this section, including the location and extent of any problem(s) and any repair or remediation efforts: \_\_\_\_\_

4. **BASEMENTS AND CRAWL SPACES (Complete only if applicable)**

(a) Does the property have a sump pump?  Yes  No  Unknown

If "yes," has it ever run?  Yes  No  Unknown Is it in working order?  Yes  No  Unknown

(b) Are you aware of any water leakage, accumulation, or dampness within the basement or crawl space?  Yes  No

(c) Do you know of any repairs or other attempts to control any water or dampness problem in the basement or crawl space?  Yes  No

Explain any "yes" answers in this section, including the location and extent of any problem(s) and any repair or remediation efforts: \_\_\_\_\_

5. **TERMITES/WOOD-DESTROYING INSECTS, DRYROT, PESTS**

(a) Are you aware of any termites/wood-destroying insects, dryrot, or pests affecting the property?  Yes  No

(b) Are you aware of any damage to the property caused by termites/wood-destroying insects, dryrot, or pests?  Yes  No

(c) Is your property currently under contract by a licensed pest control company?  Yes  No

(d) Are you aware of any termite/pest control reports or treatments for the property?  Yes  No

Explain any "yes" answers in this section, including the name of any service/treatment provider, if applicable: \_\_\_\_\_

6. **STRUCTURAL ITEMS**

(a) Are you aware of any past or present water leakage in the house or other structures?  Yes  No

(b) Are you aware of any past or present movement, shifting, deterioration, or other problems with walls, foundations, or other structural components?  Yes  No

(c) Are you aware of any past or present problems with driveways, walkways, patios, or retaining walls on the property?  Yes  No

(d) Is your property constructed with an Exterior Insulating Finishing System (EIFS), such as Dryvit or synthetic stucco? \_\_\_\_\_

34  Yes  No  Unknown If yes, date installed, if known \_\_\_\_\_

35 (e) Are there any defects (including stains) in flooring or floor coverings?  Yes  No  Unknown

36 (f) Are you aware of any fire, storm, water or ice damage to the property?  Yes  No  Unknown

37 Explain any "yes" answers in this section, including the location and extent of any problem(s) and any repair or remediation effort

38 \_\_\_\_\_

59 7. ADDITIONS/ALTERATIONS Have any additions, structural changes, or other alterations been made to the property during  
60 ownership?  Yes  No

61 If yes, list additions, structural changes, or alterations (use additional sheets if necessary).	62 Approximate date of work	63 Were permits obtained? (Yes/No/Unknown)	64 Were final inspections/approvals obtained? (Yes/No/Unknown)
65			
66			
67			

68 Note to Buyer: The PA Construction Code Act, 35 P.S. §7210.101 et seq. (effective 2004), and local codes establish standards for built  
69 and altering properties. Buyers should check with the municipality to determine if permits and/or approvals were necessary for disci  
70 work and if so, whether they were obtained. Where required permits were not obtained, the municipality might require the current own  
71 upgrade or remove changes made by prior owners. Buyers can have the property inspected by an expert in codes compliance to deter  
72 if issues exist. Expanded title insurance policies may be available for Buyers to cover the risk of work done to the property by prev  
73 owners without a permit or approval.

74 8. WATER SUPPLY

75 (a) What is the source of your drinking water?  Public Water  Well on Property  Community Water  None  
76  Other (explain): Springhouse

77 (b) When was your water last tested? \_\_\_\_\_ Test results? \_\_\_\_\_  
78 If your drinking water source is not public, is the pumping system in working order?  Yes  No  
79 If "no," explain: \_\_\_\_\_

80 (c) Do you have a softener, filter, or other treatment system?  Yes  No  
81 If you do not own the system, explain: \_\_\_\_\_

82 (d) Have you ever had a problem with your water supply?  Yes  No

83 (e) Has your well ever run dry?  Yes  No  Not Applicable

84 (f) Is there a well on the property not used as the primary source of drinking water?  Yes  No (Tested wells)  
85 If yes, is the well capped?  Yes  No

86 (g) Is the water system shared?  Yes  No

87 (h) Are you aware of any leaks or other problems, past or present, relating to the water supply, pumping system, and related items?  
88  Yes  No

89 Explain any "yes" answers in this section, including the location and extent of any problem(s) and any repair or remediation effort:

90 \_\_\_\_\_

91 9. SEWAGE SYSTEM

92 (a) What is the type of sewage system?  Public Sewer  Individual On-lot Sewage Disposal System  
93  Individual On-lot Sewage Disposal System in Proximity to Well  Community Sewage Disposal System  
94  Ten-acre Permit Exemption  Holding Tank  None  None Available/Permit Limitations in Effect  
95  Other type of sewage system (explain): Cesspool

96 (b) If Individual On-lot sewage system, what type?  Cesspool  Drainfield  Unknown  
97  Other (specify): \_\_\_\_\_

98 (c) Are there any septic tanks on the Property?  Yes  No  Unknown  
99 If "yes," what type of tank(s)?  Metal/steel  Cement/concrete  Fiberglass  Unknown  
100  Other (specify): \_\_\_\_\_

101 (d) When was the on-site sewage disposal system last serviced? 09

102 (e) Are there any sewage pumps located on the property?  Yes  No  
103 If yes, type(s) of pump(s) \_\_\_\_\_ Are pump(s) in working order?  Yes  No  
104 Who is responsible for maintenance of sewage pumps? \_\_\_\_\_

105 (f) Is the sewage system shared?  Yes  No

106 (g) Are you aware of any past or present leaks, backups or other problems relating to the sewage system and related items?  Yes  No

107 Explain any "yes" answers in this section, including the location and extent of any problem(s) and any repair or remediation efforts:

108 \_\_\_\_\_

109 10. PLUMBING SYSTEM

110 (a) Type of plumbing (check all that apply):  Copper  Galvanized  Lead  PVC  Polybutylene pipe (PB)  M  
111  Unknown  Other (explain): \_\_\_\_\_

112 (b) Are you aware of any problems with any of your plumbing fixtures (e.g., including but not limited to: kitchen, laundry, or bath)

113 fixtures; wet bars, etc.)?  Yes  No  
114 If "yes," explain: \_\_\_\_\_

115 **11. DOMESTIC WATER HEATING**

116 (a) Type of water heating:  Electric  Natural Gas  Fuel Oil  Propane  Solar  Summer/Winter Hook-Up  
117 Other (explain): \_\_\_\_\_  
118 (b) Are you aware of any problems with any water heater or related equipment?  Yes  No  
119 If "yes," explain: \_\_\_\_\_

120 **12. AIR CONDITIONING SYSTEM**

121 (a) Type of air conditioning:  Central Electric  Wall Units  Window Units  None  
122 Other (explain): \_\_\_\_\_  
123 Number of window units included in sale \_\_\_\_\_ Location(s) \_\_\_\_\_  
124 (b) Age of Central Air Conditioning System: \_\_\_\_\_ Unknown Date last serviced, if known \_\_\_\_\_  
125 (c) List any areas of the house that are not air conditioned: \_\_\_\_\_  
126 \_\_\_\_\_  
127 (d) Are you aware of any problems with any item in this section?  Yes  No  
128 If "yes," explain: \_\_\_\_\_

129 **13. HEATING SYSTEM**

130 (a) Type(s) of heating fuel(s) (check all that apply):  Electric  Fuel Oil  Natural Gas  Propane  
131  Coal  Wood  Other: \_\_\_\_\_  
132 (b) Type(s) of heating system(s) (check all that apply):  Forced Hot Air  Hot Water  Heat Pump  
133  Electric Baseboard  Steam  Wood Stove (How many? \_\_\_\_\_)  Coal Stove (How many? \_\_\_\_\_)  
134  Other: \_\_\_\_\_  
135 (c) Age of Heating System: \_\_\_\_\_  Unknown Date last serviced, if known 08  
136 (d) Are there any fireplaces?  Yes  No If "yes," how many? 1 Are they working?  Yes  No  
137 (e) Are there any chimneys (from a fireplace, water heater or any other heating system)?  Yes  No  
138 If "yes," how many? 2 When were they last cleaned? 08  Unknown  
139 Are they working?  Yes  No If "no," explain: \_\_\_\_\_  
140 (f) List any areas of the house that are not heated: \_\_\_\_\_  
141 (g) Are you aware of any heating fuel tanks on the property?  Yes  No  
142 Location(s), including underground tank(s): in basement  
143 If you do not own the tanks, explain: \_\_\_\_\_

144 Are you aware of any problems or repairs needed regarding any item in this section?  Yes  No  
145 If "yes," explain: \_\_\_\_\_  
146 \_\_\_\_\_

147 **14. ELECTRICAL SYSTEM**

148 (a) Type of Electrical System:  Fuses  Circuit Breakers How Many Amps? 200  Unknown  
149 (b) Are you aware of any knob and tube wiring in the home?  Yes  No  
150 Are you aware of any problems or repairs needed regarding any item in this section?  Yes  No  
151 If "yes," explain: \_\_\_\_\_  
152 \_\_\_\_\_

153 **15. OTHER EQUIPMENT AND APPLIANCES**

154 This section must be completed for each item that will, or may, be sold with the property. The fact that an item is listed does  
155 not mean it is included in the Agreement of Sale. Terms of the Agreement of Sale negotiated between Buyer and Seller will  
156 determine which items, if any, are included in the purchase of the Property.

157 (a)  Electric Garage Door Opener Number of Transmitters \_\_\_\_\_ Keyless Entry   
158 (b)  Smoke Detectors How many? \_\_\_\_\_ Location(s) \_\_\_\_\_  
159 (c)  Security Alarm System  Owned  Leased (Lease Information \_\_\_\_\_)  
160 (d)  Lawn Sprinkler(s) How many? \_\_\_\_\_ Automatic Timer   
161 (e)  Swimming Pool  Hot Tub/Spa  Pool/Spa Heater  Pool/Spa Cover  Whirlpool/Tub  
162  Pool/Spa Equipment and Accessories (list): \_\_\_\_\_  
163 (f)  Refrigerator(s)  Range/Oven  Microwave Oven  Dishwasher  Trash Compactor  Garbage Disposal  
164  Chest Freezer  Washer  Dryer  Intercom  
165 (g)  Ceiling Fan(s) How many? \_\_\_\_\_ Location \_\_\_\_\_  
166 (h)  Awnings  Attic Fan(s)  Satellite Dish  Storage Shed  Deck(s)  Electric Animal Fence  
167 (i)  Other: \_\_\_\_\_

168 Are you aware of any problems or repairs needed regarding any item in this section?  Yes  No  
169 If "yes," explain: \_\_\_\_\_

170 **16. LAND (SOILS, DRAINAGE, FLOODING AND BOUNDARIES)**

(a) Land/Soils

- 1) Are you aware of any fill or expansive soil on the property?  Yes  No
- 2) Are you aware of any sliding, settling, earth movement, upheaval, subsidence, or earth stability problems that have occurred on or affect the property?  Yes  No
- 3) Are you aware of any existing, past or proposed mining, strip-mining, or any other excavations that might affect this property?  Yes  No

*Note to Buyer: The property may be subject to mine subsidence damage. Maps of the counties and mines where mine subsidence damage may occur and mine subsidence insurance are available through: Department of Environmental Protection, Mine Subsidence Insurance Fund, 25 Technology Drive, California Technology Park, Coal Center, PA 15423 (800) 922-1678 (within Pennsylvania) or (724) 769-1100 (outside Pennsylvania).*

- 4) Is the property, or a portion of it, preferentially assessed for tax purposes, or subject to limited development rights?

- Yes  No If "yes," check all that apply below:
- Farmland and Forest Land Assessment Act - 72 P.S. §5490.1 et seq. (Clean and Green Program)
- Open Space Act - 16 P.S. §11941 et seq.
- Agricultural Area Security Law - 3 P.S. §901 et seq. (Development Rights)
- Other \_\_\_\_\_

*Note to Buyer: Pennsylvania has enacted the Right to Farm Act (3 P.S. §§951-957) in an effort to limit the circumstances under which agricultural operations may be subject to nuisance suits or ordinances. Buyers are encouraged to investigate whether any agricultural operations covered by the Act operate in the vicinity of the property.*

- 5) Are you aware of sewage sludge (other than commercially available fertilizer products) being spread on the property, or have you received written notice of sewage sludge being spread on an adjacent property?  Yes  No
- 6) Are you aware of the transfer, sale and/or lease of any of the following property rights (by you or a previous owner of the property)?  Timber  Coal  Oil  Natural Gas  Other minerals

*Note to Buyer: Before entering into an agreement of sale, Buyer can investigate the status of these rights by, among other means, engaging legal counsel, obtaining a title examination of unlimited years and searching the official records in the county Office of the Recorder of Deeds, and elsewhere. Buyer is also advised to investigate the terms of any existing leases, as Buyer may be subject to terms of those leases.*

Explain any "yes" answers in this section: \_\_\_\_\_

(b) Flooding/Drainage

- 1) Is any part of this property located in a wetland area or a FEMA flood zone?  Yes  No  Unknown
- 2) Do you know of any past or present drainage or flooding problems affecting the property?  Yes  No

Explain any "yes" answers in this section, including dates and extent of flooding: \_\_\_\_\_

(c) Boundaries

- 1) Do you know of any encroachments, boundary line disputes, or easements affecting the property?  Yes  No

*Note to Buyer: Most properties have easements running across them for utility services and other reasons. These easements generally do not restrict the ordinary use of the property, and Seller may not be aware of them. Before entering into an agreement of sale, Buyers can investigate the existence of easements and similar restrictions by ordering an Abstract of Title or searching the official records in the county Office of the Recorder of Deeds.*

- 2) Do you access the property from a private road or lane?  Yes  No  
If yes, do you have a recorded right of way or maintenance agreement?  Yes  No
- 3) Are you aware of any shared or common areas (e.g., driveways, bridges, docks, walls, etc.) or maintenance agreements?  Yes  No

Explain any "yes" answers in this section: \_\_\_\_\_

17. HAZARDOUS SUBSTANCES AND ENVIRONMENTAL ISSUES

- (a) Are you aware of any underground tanks (other than home heating fuel or septic tanks disclosed above)?  Yes  No
  - (b) Are you aware of any past or present hazardous substances present on the property (structure or soil) such as, but not limited to asbestos, or polychlorinated biphenyls (PCBs), etc.?  Yes  No
  - (c) Are you aware of any tests for mold, fungi, or indoor air quality in the property?  Yes  No
  - (d) Are you aware of sewage sludge (other than commercially available fertilizer products) being spread on the property, or have you received written notice of sewage sludge being spread on an adjacent property?  Yes  No
  - (e) Are you aware of any tests for mold, fungi, or indoor air quality in the property?  Yes  No
  - (f) Other than general household cleaning, have you taken any efforts to control or remediate mold or mold-like substances in the property?  Yes  No
- Note to Buyer: Individuals may be affected differently, or not at all, by mold contamination. If mold contamination or indoor air quality is a concern, buyers are encouraged to engage the services of a qualified professional to do testing. Information on this issue is available from the United States Environmental Protection Agency and may be obtained by contacting LAQ INFO, P.O. Box 37133, Washington, D.C. 20013-7133, 1-800-438-4318.*
- (g) Are you aware of any dumping on the property?  Yes  No
  - (h) Have you received written notice regarding the presence of an environmental hazard or biohazard on your property or any adjacent property?  Yes  No
  - (i) Are you aware of any tests for radon gas that have been performed in any buildings on the property?  Yes  No

If "yes," list date, type, and results of all tests below.

DATE TYPE OF TEST RESULTS (picocuries/liter or working levels) NAME OF TESTING SERVICE

(i) Are you aware of any radon removal system on the property?  Yes  No

If "yes," list date installed and type of system, and whether it is in working order below:

DATE INSTALLED TYPE OF SYSTEM PROVIDER WORKING ORDER?  
 Yes  No  
 Yes  No

(k) If property was constructed, or if construction began, before 1978, you must disclose any knowledge of lead-based paint on the property.

Are you aware of any lead-based paint or lead-based paint hazards on the property?  Yes  No

If "yes," explain how you know of it, where it is, and the condition of those lead-based paint surfaces:

(l) If property was constructed, or if construction began, before 1978, you must disclose any reports or records of lead-based paint or lead-based paint hazards on the property. Are you aware of any reports or records regarding lead-based paint or lead-based paint hazards on the property?  Yes  No

If "yes," list all available reports and records:

(m) Are you aware of testing on the property for any hazardous substances or environmental concerns?  Yes  No

(n) Are you aware of any other hazardous substances or environmental concerns that might impact upon the property?  Yes  No

Explain any "yes" answers in this section:

#### 18. CONDOMINIUMS AND OTHER HOMEOWNER ASSOCIATIONS (Complete only if applicable)

Type:  Condominium  Cooperative  Homeowner Association or Planned Community

Other:

*Notice Regarding Condominiums, Cooperatives, and Planned Communities: A buyer of a resale unit in a condominium, cooperative, or planned community must receive a copy of the declaration (together with the plats and plans), the by-laws, the rules or regulations, and a certificate of resale issued by the association in the condominium, cooperative, or planned community. Buyers may be responsible for capital contributions, initiation fees or similar one-time fees in addition to regular monthly maintenance fees. The buyer will have the option of canceling the agreement with the return of all deposit monies until the certificate has been provided to the buyer and for five days thereafter or until conveyance, whichever occurs first.*

#### 19. MISCELLANEOUS

(a) Are you aware of any historic preservation restriction or ordinance or archeological designation associated with the property?

Yes  No

(b) Are you aware of any existing or threatened legal action affecting the property?  Yes  No

(c) Are you aware of any violations of federal, state, or local laws or regulations relating to this property?  Yes  No

(d) Are you aware of any public improvement, condominium or homeowner association assessments against the property that remain unpaid or of any violations of zoning, housing, building, safety or fire ordinances that remain uncorrected?  Yes  No

(e) Are you aware of any judgment, encumbrance, lien (for example co-maker or equity loan), overdue payment on a support obligation, or other debt against this property that cannot be satisfied by the proceeds of this sale?  Yes  No

(f) Are you aware of any reason, including a defect in title, that would prevent you from giving a warranty deed or conveying title to the property?  Yes  No

(g) Are you aware of any insurance claims filed relating to the property?  Yes  No

(h) Are you aware of any material defects to the property, dwelling, or fixtures which are not disclosed elsewhere on this form?

Yes  No

A material defect is a problem with a residential real property or any portion of it that would have a significant adverse impact on the value of the property or that involves an unreasonable risk to people on the property. The fact that a structural element, system or subsystem is at or beyond the end of the normal useful life of such a structural element, system or subsystem is not by itself a material defect.

Explain any "yes" answers in this section:

The undersigned Seller represents that the information set forth in this disclosure statement is accurate and complete to the best of Seller's knowledge. Seller hereby authorizes the Listing Broker to provide this information to prospective buyers of the property and to other real estate licensees. SELLER ALONE IS RESPONSIBLE FOR THE ACCURACY OF THE INFORMATION CONTAINED IN THIS STATEMENT. Seller shall cause Buyer to be notified in writing of any information supplied on this form which is rendered inaccurate by a change in the condition of the property following completion of this form.

WITNESS W. P. [Signature] SELLER Charm W. Shea DATE 6 30 10

WITNESS \_\_\_\_\_ SELLER \_\_\_\_\_ DATE \_\_\_\_\_

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**EXECUTOR, ADMINISTRATOR, TRUSTEE SIGNATURE BLOCK**

293  
294 According to the provisions of the Real Estate Seller Disclosure Law, the undersigned executor, administrator or trustee is not required to  
295 fill out a Seller's Property Disclosure Statement. The executor, administrator or trustee, must, however, disclose any known material  
296 defect(s) of the property.

297 \_\_\_\_\_ DATE \_\_\_\_\_

**RECEIPT AND ACKNOWLEDGEMENT BY BUYER**

298  
299 The undersigned Buyer acknowledges receipt of this Disclosure Statement. Buyer acknowledges that this Statement is not a  
300 warranty and that, unless stated otherwise in the sales contract, Buyer is purchasing this property in its present condition. It is  
301 Buyer's responsibility to satisfy himself or herself as to the condition of the property. Buyer may request that the property be  
302 inspected, at Buyer's expense and by qualified professionals, to determine the condition of the structure or its components.  
303

WITNESS \_\_\_\_\_ BUYER \_\_\_\_\_ DATE \_\_\_\_\_

WITNESS \_\_\_\_\_ BUYER \_\_\_\_\_ DATE \_\_\_\_\_