

The printed portions of this form, except differentiated additions, have been approved by the Colorado Real Estate Commission. (SPD19-6-23) (Available 8-23, Mandatory 1-24)

THIS FORM HAS IMPORTANT LEGAL CONSEQUENCES AND THE PARTIES SHOULD CONSULT LEGAL AND TAX OR OTHER COUNSEL BEFORE SIGNING.

SELLER'S PROPERTY DISCLOSURE (RESIDENTIAL)

THIS SELLER'S PROPERTY DISCLOSURE SHOULD BE COMPLETED BY SELLER, NOT BY BROKER.

Seller states that the information contained in this Seller's Property Disclosure ("SPD") is correct to Seller's **CURRENT ACTUAL KNOWLEDGE** as of this Date. **Any changes must be disclosed by Seller to Buyer promptly after discovery. Seller's failure to disclose a known adverse material fact** affecting the Property or occupant **may result in legal liability.** If the sales contract requires Seller to complete this SPD, this form must be fully completed to Seller's current actual knowledge, as of the date of the Contract. If Seller has knowledge of an adverse material fact affecting the Property or occupants, it must be disclosed whether there is a specific item on this SPD or not. If the Property is part of a Common Interest Community, this SPD is limited to the Property or unit itself, except as stated in Section O. Broker may deliver a copy of this SPD to prospective buyers.

SELLER: Your answers are NOT limited to only the space provided in this SPD. Attach additional pages, reports, receipts, or any other documents you believe necessary for the information you provide to be complete.

Note: Buyer and Seller should review the Advisory at the end of this SPD.

Date: 4/30/24 

Property: 3363 Lowell Ln, Erie, CO 80516

Seller: Mark Hudson, Cindy Pohl, Brianna Hudson

Year Built: _____

Year Seller Acquired Property: 2015

Note: The Contract to Buy and Sell Real Estate, not this SPD, determines whether an item is included or excluded in the sale. If there is an inconsistency between this SPD and the Contract, the Contract controls.

I. IMPROVEMENTS

| A. | BUILDING CONDITIONS (all aspects of the Property to include decks and patios) If you know of any of the following problems EVER EXISTING , check the "Yes" column: | Yes | Comments |
|----|--|-----|----------|
| 1 | Structural | | |
| 2 | Moisture and/or water | | |
| 3 | Damage due to termites, other insects, birds, animals, or rodents | | |
| 4 | Damage due to hail, wind, fire, flood, or other casualty | | |
| 5 | Cracks, heaving or settling | | |
| 6 | Exterior wall or window | | |
| 7 | Exterior Artificial Stucco (EIFS) | | |
| 8 | Subfloors | | |
| 9 | | | |
| 10 | | | |

| B. | ROOF If you know of any of the following problems EVER EXISTING , check the "Yes" column: | Yes | Comments |
|----|---|-----|----------|
| 1 | Roof leak | | |
| 2 | Damage to roof | | |
| 3 | Skylight | | |
| 4 | Gutter or downspout | | |
| 5 | Other roof problems, issues or concerns | | |
| 6 | | | |
| 7 | | | |
| | ROOF - Other Information Do you know of the following on the Property: | | |
| 8 | Roof under warranty until _____ Transferable? <input type="checkbox"/> YES <input type="checkbox"/> NO | | |
| 9 | Roof work done while under current roof warranty | | |
| 10 | Roof material: _____ Age: <u>4 yr</u> | | |
| 11 | | | |

| C. | APPLIANCES (if included in the sale) If you know of any problems NOW EXISTING with the following, check the "Yes" column: | Yes | Age If Known | Comments |
|----|--|-----|--------------|----------|
| 1 | Built-in vacuum system & accessories | | | |
| 2 | Clothes dryer | | | |
| 3 | Clothes washer | | | |
| 4 | Dishwasher | | | |
| 5 | Disposal | | | |
| 6 | Freezer | | | |
| 7 | Gas grill | | | |
| 8 | Hood | | | |
| 9 | Microwave oven | | | |
| 10 | Oven | | | |
| 11 | Range | | | |
| 12 | Refrigerator | | | |
| 13 | T.V. antenna: <input checked="" type="checkbox"/> Owned <input type="checkbox"/> Leased | | | |
| 14 | Satellite system or DSS dish: <input type="checkbox"/> Owned <input type="checkbox"/> Leased | | | |
| 15 | Trash compactor | | | |
| 16 | | | | |
| 17 | | | | |

| D. | ELECTRICAL & TELECOMMUNICATIONS If you know of any problems NOW EXISTING with the following, check the "Yes" column: | Yes | Age If Known | Comments |
|----|---|-----|--------------|----------|
| 1 | Security system: <input checked="" type="checkbox"/> Owned <input type="checkbox"/> Leased | | | |
| 2 | Smoke/fire detectors: <input checked="" type="checkbox"/> Battery <input type="checkbox"/> Hardwire | | | |
| 3 | Carbon Monoxide Alarm: <input checked="" type="checkbox"/> Battery <input type="checkbox"/> Hardwire | | | |
| 4 | Light fixtures | | | |
| 5 | Switches & outlets | | | |
| 6 | Telecommunications (T1, fiber, cable, satellite) | | | |

| | | | | |
|----|---|-------------------------------------|--|--|
| 7 | Inside telephone wiring & blocks/jacks | | | |
| 8 | Ceiling fans | | | |
| 9 | Garage door opener and remote control # of remote/openers: _____ | | | |
| 10 | Intercom/doorbell | | | |
| 11 | In-wall speakers | | | |
| 12 | | | | |
| 13 | | | | |
| | ELECTRICAL & TELECOMMUNICATIONS If you know of any problems EVER EXISTING with the following, check the "Yes" column: | | | |
| 14 | Electrical Service | | | |
| 15 | Aluminum wiring at the outlets (110) | | | |
| 16 | Solar panels: <input type="checkbox"/> Owned <input type="checkbox"/> Leased | | | |
| 17 | Wind generators: <input type="checkbox"/> Owned <input type="checkbox"/> Leased | | | |
| 17 | Electric Wiring or Panel | | | |
| 18 | | | | |
| 19 | | | | |
| | ELECTRICAL & TELECOMMUNICATIONS – Other Information: Do you know of the following on the Property: | | | |
| 20 | 220 volt service | <input checked="" type="checkbox"/> | | |
| 21 | Electrical Service: Amps _____ | | | |
| 22 | Landscape lighting | | | |
| 23 | Electric Provider: <u>United Power</u> | | | |
| 24 | Cable/TV provider _____ | | | |
| 25 | Seller's Internet Provider <u>Rise Broadband</u> | | | |
| 26 | | | | |

| E. | MECHANICAL If you know of any problems NOW EXISTING with the following, check the "Yes" column: | Yes | Age If Known | Comments |
|-----------|---|------------|-------------------------|-----------------|
| 1 | Overhead doors (including garage doors) | | | |
| 2 | Entry gate system | | | |
| 3 | Elevator | | | |
| 4 | Sump pump(s): # of <u>1</u> | | | |
| 5 | Recycle pump | | | |
| 6 | | | | |
| 7 | | | | |

| F. | VENTILATION, AIR & HEAT If you know of any problems NOW EXISTING with the following, check the "Yes" column: | Yes | Age If Known | Comments |
|-----------|--|------------|-------------------------|-----------------|
| 1 | Heating system | | | |
| 2 | Evaporative cooler | | | |
| 3 | Window air conditioning units | | | |
| 4 | Central air conditioning | | | |

| | | | | |
|----|---|--|--|--|
| 5 | Attic/whole house fan | | | |
| 6 | Vent fans | | | |
| 7 | Humidifier | | | |
| 8 | Air purifier | | | |
| 9 | Fireplace | | | |
| 10 | Fireplace insert | | | |
| 11 | Heating Stove | | | |
| 12 | Fuel tanks | | | |
| 13 | | | | |
| 14 | | | | |
| | VENTILATION, AIR & HEAT – Other Information: Do you know of the following on the Property: | | | |
| 15 | Heating system (including furnace): Type _____ Fuel <u>Electric</u> Type _____ Fuel _____ | | | |
| 16 | Fireplace: Type _____ Fuel <u>Wood</u> | | | |
| 17 | Heating Stove: Type _____ Fuel <u>Electric</u> | | | |
| 18 | When was fireplace/wood stove, chimney/flue last cleaned: Date: <u>Fall 2023</u> <input type="checkbox"/> Do not know | | | |
| 19 | Fuel tanks: <input type="checkbox"/> Owned <input type="checkbox"/> Leased | | | |
| 20 | Radiant heating system: <input type="checkbox"/> Interior <input type="checkbox"/> Exterior Type _____ | | | |
| 21 | Fuel Provider: _____ | | | |
| 22 | | | | |

| G. | WATER If you know of any problems NOW EXISTING with the following, check the "Yes" column: | Yes | Age If Known | Comments |
|----|--|-----|--------------|----------|
| 1 | Water heater(s) | | | |
| 2 | Water filter system | | | |
| 3 | Water softener | | | |
| 4 | Water system pump | | | |
| 5 | Sauna | | | |
| 6 | Hot tub or spa | | | |
| 7 | Steam room/shower | | | |
| 8 | Underground sprinkler system | | | |
| 9 | Fire sprinkler system | | | |
| 10 | Backflow prevention device | | | |
| 11 | Irrigation pump | | | |
| 12 | | | | |
| 13 | | | | |
| | WATER If you know of any problems EVER EXISTING with the following, check the "Yes" column: | | | |
| 14 | Water system (including lines and water pressure) | | | |
| 15 | Well | | | |

| | | | | |
|----|--|--|--|--|
| 16 | Pool | | | |
| 17 | Irrigation system | | | |
| 18 | | | | |
| 19 | | | | |
| | WATER – Other Information: Do you know of the following on the Property: | | | |
| 20 | Water heater: Number of <u>1</u> Fuel type <u>Electric</u> Capacity <u>50</u> gallon | | | |
| 21 | Water filter system: <input checked="" type="checkbox"/> Owned <input type="checkbox"/> Leased | | | |
| 22 | Water softener: <input type="checkbox"/> Owned <input type="checkbox"/> Leased | | | |
| 23 | Master Water Shutoff Location: _____ | | | |
| 24 | Well metered | | | |
| 25 | Well Pump: Date of last inspection _____ Date of last service _____ | | | |
| 26 | Galvanized pipe | | | |
| 27 | Polybutylene pipe | | | |
| 28 | Well Pump - _____ GPM _____ Date: _____ | | | |
| 29 | Cistern water storage _____ gallons | | | |
| 30 | Supplemental water purchased in past 2 years? | | | |
| 31 | | | | |

| | |
|-----------|---|
| H. | SOURCE OF WATER & WATER SUPPLY Do you know of the following on the Property: |
| 1 | Type of water supply: <input checked="" type="checkbox"/> Public <input type="checkbox"/> Community <input type="checkbox"/> Well <input type="checkbox"/> Shared Well <input type="checkbox"/> Other <input type="checkbox"/> None If the Property is served by a Well, a copy of the Well Permit <input type="checkbox"/> Is <input type="checkbox"/> Is Not attached. Well Permit #: _____ Drilling Records <input type="checkbox"/> Are <input type="checkbox"/> Are Not attached. Shared Well Agreement <input type="checkbox"/> Yes <input type="checkbox"/> No. The Water Provider for the Property can be contacted at: Name: <u>Left Hand Water</u> Address: _____ Web Site: _____ Phone No.: _____ <input type="checkbox"/> There is neither a Well nor a Water Provider for the Property. The source of potable water for the Property is [describe source]: SOME WATER PROVIDERS RELY, TO VARYING DEGREES, ON NONRENEWABLE GROUND WATER. YOU MAY WISH TO CONTACT YOUR PROVIDER (OR INVESTIGATE THE DESCRIBED SOURCE) TO DETERMINE THE LONG-TERM SUFFICIENCY OF THE PROVIDER'S WATER SUPPLIES. |

| | | | |
|-----------|--|------------|-----------------|
| I. | SEWER If you know of any problems EVER EXISTING with the following, check the "Yes" column: | Yes | Comments |
| 1 | Sewage system (including sewer lines) | | |
| 2 | Lift station (sewage ejector pump) | | |
| 3 | | | |
| 4 | | | |
| | SEWER – Other Information: Do you know of the following on the Property: | | |

| | | | |
|----|--|----|----|
| 5 | Type of sanitary sewer service: <input type="checkbox"/> Public <input type="checkbox"/> Community <input checked="" type="checkbox"/> Septic System <input type="checkbox"/> None <input type="checkbox"/> Other | | |
| | If the Property is served by an on-site septic system, provide buyer with a copy of the permit. Type of septic system: <input checked="" type="checkbox"/> Tank <input checked="" type="checkbox"/> Leach <input type="checkbox"/> Lagoon | CP | BH |
| 6 | Sewer service provider: <u>Suc N Up LLC 720-289-6210</u> | | |
| 7 | Sewer line scoped? Date: _____ | | |
| 8 | If a septic system, date latest Individual Use Permit issued: _____ | | |
| 9 | If a septic system, date of latest inspection: <u>04/11/2023</u> | | |
| 10 | If a septic system, date of latest pumping: <u>04/11/2023</u> | | |
| 11 | Gray water storage/use | | |
| 12 | | | |

| J. | FLOODING AND DRAINAGE If you know of any problems EVER EXISTING with the following on the Property, check the "Yes" column: | Yes | Comments |
|----|--|-----|----------|
| 1 | Flooding or drainage | | |
| 2 | | | |
| 3 | | | |
| | DRAINAGE AND RETENTION PONDS – Other Information Do you know of the following on the Property: | | |
| 4 | Drainage, retention ponds | | |
| 5 | | | |

| K. | OTHER DISCLOSURES – IMPROVEMENTS If you know of any problems NOW EXISTING with the following, check the "Yes" column: | Yes | Comments |
|----|--|-----|----------|
| 1 | Included fixtures and equipment | | |
| 2 | Stains on carpet | | |
| 3 | Floors | | |
| 4 | | | |
| 5 | | | |

II. GENERAL

| L. | USE, ZONING & LEGAL ISSUES If you know of any of the following EVER EXISTING , check the "Yes" column: | Yes | Comments |
|----|---|-----|----------|
| 1 | Zoning violation, variance, conditional use, violation of an enforceable PUD, or non-conforming use | | |
| 2 | Notice or threat of condemnation proceedings | | |
| 3 | Notice of any adverse conditions from any governmental or quasi-governmental agency that have not been resolved | | |

| | | | |
|----|---|--|--|
| 4 | Notice of zoning action related to the Property | | |
| 5 | Building code, city, or county violations | | |
| 6 | Violation of restrictive covenants or owners' association rules or regulations | | |
| 7 | Any building or improvements constructed within the past one year before this Date without approval by the owner's association or its designated approving body | | |
| 8 | Any additions or alterations made with a Building Permit | | |
| 9 | Any additions or non-aesthetic alterations made without a Building Permit | | |
| 10 | Other legal action | | |
| 11 | Any part of the Property leased to others (written or oral) | | |
| 12 | Used for short-term rentals in the past year | | |
| 13 | Grandfathered conditions or uses | | |
| 14 | | | |
| 15 | | | |

| M. | ACCESS & PARKING If you know of any of the following EVER EXISTING check, the "Yes" column: | Yes | Comments |
|-----------|--|------------|-----------------|
| 1 | Any access problems, issues or concerns | | |
| 2 | Roads, trails, paths, or driveways through the Property used by others | | |
| 3 | Public highway or county road bordering the Property | | |
| 4 | Any proposed or existing transportation project that affects or is expected to affect the Property | | |
| 5 | Encroachments, boundary disputes, or unrecorded easements | | |
| 6 | Shared or common areas with adjoining properties | | |
| 7 | Requirements for curb, gravel/paving, landscaping | | |
| 8 | Any limitations on parking or access due to size, number of vehicles, or type of vehicles in the past year | | |
| 9 | | | |
| 10 | | | |

| N. | ENVIRONMENTAL CONDITIONS If you know of any of the following EVER EXISTING on any part of the Property, check the "Yes" column: | Yes | Comments |
|-----------|---|------------|-----------------|
| 1 | Hazardous materials on the Property, such as radioactive, toxic, or biohazardous materials, asbestos, pesticides, herbicides, wastewater sludge methane, mill tailings, solvents, or petroleum products | | |
| 2 | Underground storage tanks | | |
| 3 | Aboveground storage tanks | | |
| 4 | Underground transmission lines | | |
| 5 | Property used as, situated on, or adjoining a dump, landfill or municipal solid waste landfill | | |
| 6 | Monitoring wells or test equipment | | |
| 7 | Sliding, settling, upheaval, movement or instability of earth, or expansive soils on the Property | | |

| | | | |
|----|---|--|--|
| 8 | Mine shafts, tunnels, or abandoned wells on the Property | | |
| 9 | Within a governmentally designated geological hazard or sensitive area | | |
| 10 | Within a governmentally designated floodplain or wetland area | | |
| 11 | Dead, diseased, or infested trees or shrubs | | |
| 12 | Environmental assessments, studies, or reports done involving the physical condition of the Property | | |
| 13 | Used for any mining, graveling, or other natural resource extraction operations such as oil and gas wells | | |
| 14 | Smoking inside improvements (including garages, unfinished space, or detached buildings) on Property | | |
| 15 | Animals kept in the residence | | |
| 16 | Other environmental problems, issues or concerns | | |
| 17 | Odors | | |
| 18 | | | |
| 19 | | | |

| O. | RADON If you know of any of the following EVER EXISTING , check the "Yes" column: | Yes | Comments |
|----|--|-------------------------------------|----------|
| 1 | Radon test(s) conducted on the Property. Include the most recent records and reports pertaining to radon concentrations within the Property. | <input checked="" type="checkbox"/> | |
| 2 | Radon concentrations detected or mitigation or remediation performed. Provide a full description. | | |
| 3 | Radon mitigation system installed on Property. Provide all information known by Seller about the radon mitigation system. | | |
| 4 | | | |
| 5 | | | |

| P. | COMMON INTEREST COMMUNITY – ASSOCIATION PROPERTY If you know of any of the following NOW EXISTING , check the "Yes" column: | Yes | Comments |
|----|---|-----|----------|
| 1 | Property is part of an owners' association | | |
| 2 | Special assessments or increases in regular assessments approved by owners' association but not yet implemented | | |
| 3 | Problems or defects in the Common Elements or Limited Common Elements of the Association Property | | |
| | COMMON INTEREST COMMUNITY – ASSOCIATION PROPERTY If you know of any of the following EVER EXISTED , check the "Yes" column: | | |
| 4 | Has the Association made demand or commenced a lawsuit against a builder or contractor alleging defective construction of improvements of the Association Property (common area or property owned or controlled by the Association but outside the Seller's Property or unit) | | |
| 5 | | | |
| 6 | | | |

| | | | |
|----|--|--|-----------------------------|
| | COMMON INTEREST COMMUNITY – ASSOCIATION PROPERTY – Other Information: Name of the Owner’s Associations governing the Property: | | Contact Information: |
| 7 | Owner’s Association #1: _____ | | |
| 8 | Owner’s Association #2: _____ | | |
| 9 | Owner’s Association #3: _____ | | |
| 10 | Owner’s Association #4: _____ | | |

| Q. | GENERAL DISCLOSURES If you know of any of the following EVER EXISTING, check the “Yes” column: | Yes | Comments |
|----|---|-------------------------------------|----------|
| 1 | Written reports of any building, site, roofing, soils, water, sewer, or engineering investigations or studies of the Property | | |
| 2 | Any property insurance claim submitted (whether paid or not) | <input checked="" type="checkbox"/> | |
| 3 | Structural, architectural, and engineering plans and/or specifications for any existing improvements | | |
| 4 | Property was previously used as a methamphetamine laboratory and not remediated to state standards | | |
| 5 | Government special improvements approved, but not yet installed, that may become a lien against the Property | | |
| 6 | Pending: (1) litigation or (2) other dispute resolution proceeding regarding the Property | | |
| 7 | Property is subject to Deed Restrictions, other recorded document restrictions, or Affordable Housing Restrictions | | |
| 8 | Property is located in a historic district | | |
| 9 | | | |
| 10 | | | |
| | GENERAL – Other Information: | | |
| 11 | Location of Mailbox and No. _____ | | |
| 12 | | | |

Seller and Buyer understand that the real estate brokers do not warrant or guarantee the above information on the Property. Property inspection services may be purchased and are advisable. This SPD is **not** intended as a substitute for an inspection of the Property.

ADVISORY TO SELLER:

Seller acknowledges that Broker will disclose to any prospective buyer all adverse material facts actually known by Broker, including but not limited to adverse material facts pertaining to the physical condition of the Property, any material defects in the Property, and any environmental hazards affecting the Property. These types of disclosures may include such matters as structural defects, soil conditions, violations of health, zoning or building laws, and nonconforming uses and zoning variances.

In the event Seller discovers a new adverse material fact after completing this SPD, Seller must disclose any such new adverse material fact to Buyer.

The information contained in this SPD has been furnished by Seller, who certifies it was answered truthfully, based on Seller's CURRENT ACTUAL KNOWLEDGE.

Mark Hudson
Seller
Brianna Hudson
Date
04/24/2024
04/25/2024

Cindy Pohl
Seller
Date
04/25/2024

ADVISORY TO BUYER:

1. Even though Seller has answered the above questions to Seller's current actual knowledge, Buyer should thoroughly inspect the Property and obtain expert assistance to accurately and fully evaluate the Property to confirm the status of the following matters are satisfactory to Buyer:
 - a. the physical condition of the Property;
 - b. the presence of mold or other biological hazards;
 - c. the presence of rodents, insects, and vermin including termites;
 - d. the legal use of the Property, including zoning and legal access to the Property;
 - e. the availability and source of water, sewer, and utilities;
 - f. the environmental and geological condition of the Property;
 - g. the presence of noxious weeds; and
 - h. any other matters that may affect Buyer's use and ownership of the Property that are important to Buyer as Buyer decides whether to purchase the Property.
2. Seller states that the information is correct to "Seller's current actual knowledge" as of the date of this form. The term "current actual knowledge" is intended to limit Seller's disclosure only to facts actually known by the Seller and does not include "constructive knowledge" or "common knowledge" or what Seller "should have known" about the Property. The Seller has no duty to investigate or inspect the Property or inclusions when this SPD is filled in and signed.
3. Valuable information may be obtained from various local/state/federal agencies, and other experts may assist Buyer by performing more specific evaluations and inspections of the Property.
4. Boundaries, location and ownership of fences, driveways, hedges, and similar features of the Property may become the subjects of a dispute between a property owner and a neighbor. A survey may be used to determine the likelihood of such problems.
5. Whether any item is included or excluded is determined by the Contract between Buyer and Seller and not this SPD.
6. Seller does not warrant that the Property or inclusions are fit for Buyer's intended purposes or use of the Property. Disclosure of the condition of an item is not to be construed as a warranty of its continued operability or as a representation or warranty that such item is fit for Buyer's intended purposes.
7. Buyer receipts for a copy of this SPD.

Buyer Date

Buyer Date