





**NEBRASKA REAL ESTATE COMMISSION  
SELLER PROPERTY CONDITION DISCLOSURE STATEMENT  
Residential Real Property**

THIS DISCLOSURE STATEMENT IS BEING COMPLETED AND DELIVERED IN ACCORDANCE WITH NEBRASKA LAW. NEBRASKA LAW REQUIRES THE SELLER TO COMPLETE THIS STATEMENT (NEB. REV. STAT. §76-2,120).

How long has the seller owned the property? 9 year(s)  
 Is seller currently occupying the property? (Circle one) YES  NO  If yes, how long has the seller occupied the property? 9 year(s)  
 If no, has the seller ever occupied the property? (Circle one) YES  NO  If yes, when? From 2010 (year) to 2019 (year)

This disclosure statement concerns the real property located at 210 3rd Street  
 in the city of Pender County of Thurston, State of Nebraska and legally described as:  
Block: 13 Lot 2 Addition: Pender Original Plat

This statement is a disclosure of the condition of the real property known by the seller on the date on which this statement is signed. This statement is **NOT** a warranty of any kind by the seller or any agent representing a principal in the transaction, and *should NOT be accepted as a substitute for any inspection or warranty that the purchaser may wish to obtain*. Even though the information provided in this statement is NOT a warranty, the purchaser may rely on the information contained herein in deciding whether and on what terms to purchase the real property. Any agent representing a principal in the transaction may provide a copy of this statement to any other person in connection with any actual or possible sale of the real property. The information provided in this statement is the representation of the seller and NOT the representation of any agent, and is NOT intended to be part of any contract between the seller and purchaser.

Seller please note: you are required to complete this disclosure statement IN FULL. If any particular item or matter does not apply and there is no provision or space for indicating, insert "N/A" in the appropriate box. If age of items is unknown, write "UNK" on the blank provided. If the property has more than one item as listed below please put the numbered in the appropriate box. For example – if the home has three room air conditioners, one working, one not working, and one not included, put a "1" in each of the "Working", "Not Working", and "None/Not Included" boxes for that item, and a "3" on the line provided next to the item description to indicate total number of item. You may also provide additional explanation of any item in the comments section in PART III.

**SELLER STATES THAT, TO THE BEST OF THE SELLER'S KNOWLEDGE AS OF THE DATE THIS DISCLOSURE STATEMENT IS COMPLETED AND SIGNED BY THE SELLER, THE CONDITION OF THE REAL PROPERTY IS:**

**PART I** – If there is more than one of any item in this Part, the statement made applies to each and all of such items unless otherwise noted in the Comments section in PART III of this disclosure statement, or number separately as provided in the instructions above. If an item in this Part is not on the property, or will not be included in the sale, check only the "None/Not included" column for that item.

Section A - Appliances	Working	Not Working	Do Not Know If Working	None / Not Included
1. Refrigerator	<input checked="" type="checkbox"/>			
2. Clothes Dryer	<input checked="" type="checkbox"/>			
3. Clothes Washer	<input checked="" type="checkbox"/>			
4. Dishwasher				<input checked="" type="checkbox"/>
5. Garbage Disposal				<input checked="" type="checkbox"/>
6. Freezer				<input checked="" type="checkbox"/>
7. Oven				
8. Range	<input checked="" type="checkbox"/>			
9. Cooktop				
10. Microwave oven	<input checked="" type="checkbox"/>			
11. Built-in vacuum system and equipment				<input checked="" type="checkbox"/>
12. Range ventilation systems	<input checked="" type="checkbox"/>			
13. Gas grill				<input checked="" type="checkbox"/>
14. Room air conditioner ( _____ number )				<input checked="" type="checkbox"/>
15. TV antenna / Satellite dish				<input checked="" type="checkbox"/>
16. Trash compactor				<input checked="" type="checkbox"/>

Section B - Electrical Systems	Working	Not Working	Do Not Know If Working	None / Not Included
1. Electrical service panel capacity <u>100</u> AMP Capacity (if known) _____ fuse <input checked="" type="checkbox"/> circuit breakers				
2. Ceiling fan(s) ( _____ number )				
3. Garage door opener(s) ( <u>2</u> number )	<input checked="" type="checkbox"/>			
4. Garage door remote(s) ( <u>2</u> number )	<input checked="" type="checkbox"/>			
5. Garage door keypad(s) ( _____ number )				<input checked="" type="checkbox"/>
6. Telephone wiring and jacks	<input checked="" type="checkbox"/>			
7. Cable TV wiring and jacks	<input checked="" type="checkbox"/>			
8. Intercom or sound system wiring				<input checked="" type="checkbox"/>
9. Built-in speakers				<input checked="" type="checkbox"/>
10. Smoke detectors ( <u>2</u> number )	<input checked="" type="checkbox"/>			
11. Fire alarm				<input checked="" type="checkbox"/>
12. Carbon Monoxide Alarm ( <u>1</u> number )	<input checked="" type="checkbox"/>			
13. Room ventilation/exhaust fan ( <u>2</u> number )	<input checked="" type="checkbox"/>			
14. 220 volt service	<input checked="" type="checkbox"/>			
15. Security System _____ Owned _____ Leased _____ Central station monitoring				<input checked="" type="checkbox"/>
16. Have you experienced any problems with the electrical system or its components? _____ YES <input checked="" type="checkbox"/> NO				If YES, explain the condition in the comments section in PART III of this disclosure statement.

Seller's Initials M.I.F.  
D.F.

Property Address 210 3rd Street

Buyer's Initials /

Section C - Heating and Cooling Systems	Working	Not Working	Do Not Know If Working	None / Not Included
1. Air purifier				X
2. Attic fan				X
3. Whole house fan				X
4. Central air conditioning _____ year installed (if known)	X			
5. Heating system <u>2018</u> year installed (if known) X Gas _____ Electric _____ Other (specify _____)	X			
6. Fireplace / Fireplace Insert				X
7. Gas log (fireplace)				X
8. Gas starter (fireplace)				X
9. Heat pump _____ year installed (if known)				X
10. Humidifier				X
11. Propane Tank _____ year installed (if known) _____ Rent _____ Own				X
12. Wood-burning stove _____ year installed (if known)				X

Section D - Water Systems	Working	Not Working	Do Not Know If Working	None / Not Included
1. Hot tub / whirlpool				X
2. Plumbing (water supply)	X			
3. Swimming pool				X
4. a. Underground sprinkler system	X			
b. Back-flow prevention system				X
5. Water heater <u>2018</u> year installed (if known)	X			
6. Water purifier _____ year installed (if known)				X
7. Water softener _____ Rent <u>X</u> Own	X			
8. Well system				X

  

Section E - Sewer Systems	Working	Not Working	Do Not Know If Working	None / Not Included
1. Plumbing (water drainage)	X			
2. Sump pump (discharges to <u>lawn</u> )	X			
3. Septic System				X

PART II - In Sections A, B, C, and D if the answer to any item is "YES", explain the condition in the comments Section in PART III of this disclosure statement.

Section A. Structural Conditions - If there is more than one of any item listed in this Section, the statement made applies to each and all of such items unless otherwise noted in the comment section in PART III of this disclosure statement.

Section A - Structural Conditions	YES	NO	Do Not Know
1. Age of roof (if known) _____ year(s)	N/A	N/A	
2. Does the roof leak?		X	
3. Has the roof leaked? <u>bathroom vent</u>	X		<u>Fixed</u>
4. Is there presently damage to the roof?		X	
5. Has there been water intrusion in the basement or crawl space?	X		
6. Has there been any damage to the real property or any of the structures thereon due to the following occurrences including, but not limited to, wind, hail, fire, flood, wood-destroying insects, or rodents?	X		
7. Are there any structural problems with the structures on the real property?		X	
8. Is there presently damage to the chimney?		X	
9. Are there any windows which presently leak, or do any insulated windows have any broken seals?		X	

Section A - Structural Conditions	YES	NO	Do Not Know
10. Year property was built <u>1956</u> (if known)	N/A	N/A	
11. Has the property experienced any moving or settling of the following:			
- Foundation		X	
- Floor		X	
- Wall	X		
- Sidewalk	X		
- Patio		X	
- Driveway		X	
- Retaining wall		X	
12. Any room additions or structural changes?			

Section B. Environmental Conditions - Have any of the following substances, materials, or products been on the real property? If tests have been conducted for any of the following, provide a copy of all test results, if available.

Section B - Environmental Conditions	YES	NO	Do Not Know
1. Asbestos			X
2. Contaminated soil or water (including drinking water)		X	
3. Landfill or buried materials		X	
4. Lead-based paint			X
5. Radon gas			X
6. Toxic materials			X

Section B - Environmental Conditions	YES	NO	Do Not Know
7. Underground fuel, chemical or other type of storage tank?		X	
8. Have you been notified by the Noxious Weed Control Authority in the last 3 years of the presence of noxious weeds, as defined by Nebraska law (N.A.C. Title 25, Ch. 10), on the property?		X	
9. Hazardous substances, materials or products identified by the Environmental Protection Agency or its authorized Nebraska Designee (excluding ordinary household cleaners)		X	

Seller's Initials ME/DF Property Address 210 3rd Street Buyer's Initials    /

Section C. Title Conditions - Do any of the following conditions exist with regard to the real property?

Section C - Title Conditions	YES	NO	Do Not Know
1. Any features, such as walls, fences and driveways which are shared?		X	
2. Any easements, other than normal utility easements?		X	
3. Any encroachments?		X	
4. Any zoning violations, non-conforming uses, or violations of "setback" requirements?		X	
5. Any lot-line disputes?		X	
6. Have you been notified, or are you aware of, any work planned or to be performed by a utility or municipality close to the real property including, but not limited to sidewalks, streets, sewers, water, power, or gas lines?		X	
7. Any planned road or street expansions, improvements, or widening adjacent to the real property?		X	
8. Any condominium, homeowners', or other type of association which has any authority over the real property?		X	
9. Any private transfer fee obligation upon sale?		X	

Section C - Title Conditions	YES	NO	Do Not Know
10. Does ownership of the property entitle the owner to use any "common area" facilities such as pools, tennis courts, walkways, or other common use areas?		X	
11. Is there a common wall or walls? b. Is there a party wall agreement?		X	
12. Any lawsuits regarding this property during the ownership of the seller?		X	
13. Any notices from any governmental or quasi-governmental agency affecting the real property?		X	
14. Any unpaid bills or claims of others for labor and/or materials furnished to or for the real property?		X	
15. Any deed restrictions or other restrictions of record affecting the real property?			X
16. Any unsatisfied judgments against the seller?		X	
17. Any dispute regarding a right of access to the real property?		X	
18. Any other title conditions which might affect the real property?			X

Section D. Other Conditions - Do any of the following conditions exist with regard to the real property?

Section D - Other Conditions	YES	NO	Do Not Know
1. a. Are the dwelling(s) and the improvements connected to a public water system? b. Is the system operational?	X		
2. a. Are the dwelling(s) and the improvements connected to a private, community (non-public), or Sanitary Improvement District (SID) water system? b. Is the system operational?		X	
3. If the dwelling(s) and the improvements are connected to a private, community (non-public) or SID water system is there adequate water supply for regular household use (i.e. showers, laundry, etc.)?			
4. a. Are the dwelling(s) and the improvements connected to a public sewer system? b. Is the system operational?	X		
5. a. Are the dwelling(s) and the improvements connected to a community (non-public) or SID sewer system? b. Is the system operational?		X	
6. a. Are the dwelling(s) and the improvements connected to a septic system? b. Is the system operational?		X	
7. Has the main sewer line from the house ever backed up or exhibited slow drainage?	X		

Section D - Other Conditions	YES	NO	Do Not Know
8. a. Is the real property in a flood plain? b. Is the real property in a floodway?	X		
9. Is trash removal service provided to the real property? If so, are the trash services X public private	X		
10. Have the structures been mitigated for radon? If yes, when? ___/___/___		X	
11. Is the property connected to a natural gas system?	X		
12. Has a pet lived on the property? Type(s) _____		X	
13. Are there any diseased or dead trees, or shrubs on the real property?		X	
14. Are there any flooding, drainage, or grading problems in connection to the real property?	X		
15. a. Have you made any insurance or manufacturer claims with regard to the real property? b. Were all repairs related to the above claims completed?	X		X
16. Are you aware of any problem with the exterior wall-covering of the structure including, but not limited to, siding, synthetic stucco, masonry, or other materials?			X

Section E. Cleaning / Servicing Conditions - Have you ever performed or had performed the following? (State most recent year performed)

Section E - Cleaning / Servicing Conditions	YEAR	YES	NO	Do Not Know	None / Not Included
1. Servicing of air conditioner	2018				
2. Cleaning of fireplace, including chimney					X
3. Servicing of furnace			X		
4. Professional inspection of furnace A/C (HVAC) System			X		
5. Servicing of septic system					X

Section E - Cleaning / Servicing Conditions	YEAR	YES	NO	Do Not Know	None / Not Included
6. Cleaning of wood-burning stove, including chimney					X
7. Treatment for wood-destroying insects or rodents					X
8. Tested well water					X
9. Serviced / treated well water					X

Seller's Initials MF/JF Property Address 210 3rd Street Buyer's Initials    /

PART III - Comments. Please reference comments on items responded to above in PART I or II, with Section letter and item number.  
Note: Use additional pages if necessary.

- P2 A3 Leak around roof vent, repaired, no further leaks
- P2 A11 Basement walls bowed and were reinforced. This occurred before current owners purchased property.
- P2 A11 Sidewalk along south side of house has settled maybe 2 inches. This is not a particular problem.
- P2 A5 The sewer backed up in 2018 and again in 2019. ~~It~~ Thorough cleaning was done. Water heater and furnace were replaced after the first backup. Both escaped damage the second time. The affected paneling and dry wall were removed after the first backup and were not replaced. It is assumed that the buyer would want to install walls and check valve of their choice. See also P3 D7 and D14 and D15.
- P3 D14 Water has entered basement in the SW corner due to insufficient rain gutters and downspouts. This condition has been fixed with an additional downspout and longer drain extensions.

If checked here \_\_\_\_\_ PART III is continued on a separate page(s)

#### SELLER'S CERTIFICATION

Seller hereby certifies that this disclosure statement, which consists of \_\_\_\_\_ pages (including additional comment pages), has been completed by Seller; that Seller has completed this disclosure statement to the best of Seller's belief and knowledge as the date hereof, which is the date this disclosure statement is completed and signed by the Seller.

Seller's Signature Marilyn Fuchser Date 7-4-19

Seller's Signature David Fuchser POA for Dale Fuchser Date 7-6-19

#### ACKNOWLEDGEMENT OF RECEIPT OF DISCLOSURE STATEMENT, UNDERSTANDING AND CERTIFICATION

I/We acknowledge receipt of a photocopy of the above Seller Property Condition Disclosure Statement; understand that such disclosure statement is NOT a warranty of any kind by the seller or any agent representing any principal in the transaction; understand that such disclosure statement should not be accepted as a substitute for any inspection or warranty that I/we may wish to obtain; understand the information provided in this disclosure statement is the representation of the seller and not the representation of any agent, and is not intended to be part of any contract between the seller and purchaser; and certify that disclosure statement was delivered to me/us or my/our agent on or before the effective date of any contract entered into by me/us relating to the real property described in such disclosure statement.

Purchaser's Signature \_\_\_\_\_ Date \_\_\_\_\_

Purchaser's Signature \_\_\_\_\_ Date \_\_\_\_\_

### Disclosure of Information on Lead-Based Paint and Lead-Based Paint Hazards



For use in sales of residential properties built prior to 1978

1956

#### Lead Warning Statement

Every purchaser of any interest in residential real property on which a residential dwelling was built prior to 1978 is notified that such property may present exposure to lead from lead-based paint that may place young children at risk of developing lead poisoning. 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 of any interest in residential real property is required to provide the buyer with any information on lead-based paint hazards from risk assessments or inspections in the seller's possession and notify the buyer of any known lead-based paint hazards. A risk assessment or inspection for possible lead-based paint hazards is recommended prior to purchase.

Seller's Disclosure for property located at 210 3rd Street, Pender, NE (address)

ME/DF (a) Presence of lead-based paint and/or lead-based paint hazards (seller initial and check one below):

Known lead-based paint and/or lead-based paint hazards in the housing (explain).

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

ME/DF (b) Records and reports available to the seller (seller initial and check one below):

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

Seller has no reports or records pertaining to lead-based paint and/or lead-based paint hazards in the housing.

#### Purchaser's Acknowledgement (initial)

\_\_\_\_ (c) Purchaser has received copies of all information listed above.

\_\_\_\_ (d) Purchaser has received the pamphlet *Protect Your Family From Lead in Your Home*.

\_\_\_\_ (e) Purchaser has (check one below):

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

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 Acknowledgement (initial)

FB (f) Agent has informed the seller of the seller's obligations under 42 USC 4852(d) 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 provided by the signatory is true and accurate.

Marilyn Fischer 7-4-'19  
Seller Date  
Henry Brown 7/4/19  
Agent Date  
\_\_\_\_\_  
Purchaser Date

David Fischer POA 7-6-19  
Seller Date  
\_\_\_\_\_  
Agent Date  
\_\_\_\_\_  
Purchaser Date