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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 DISCLOSURE SHOULD BE COMPLETED BY SELLER, NOT BY BROKER.

Seller states that the information contained in this Disclosure is correct to the best of Seller's CURRENT ACTUAL KNOWLEDGE as of this Date. Any changes will be disclosed by Seller to Buyer promptly after discovery. Seller hereby receipts for a copy of this Disclosure. If the Property is part of a Common Interest Community, this Disclosure is limited to the Property or Unit itself, except as stated in Section L. Broker may deliver a copy of this Disclosure to prospective buyers.

Note: If an item is not present at the Property or if an item is not to be included in the sale, mark the "N/A" column. The Contract to Buy and Sell Real Estate, not this Disclosure form, determines whether an item is included or excluded; if there is an inconsistency between this form and the Contract, the Contract controls.

Date: **10/13/2010**

Property Address: **890 S JOSEPHINE STREET, DENVER, 80209**

Seller: **TRACIE T. BARNES and DAVID A. BARNES**

I. IMPROVEMENTS						
A. STRUCTURAL CONDITIONS	Do any of the following conditions now exist or have they ever existed:				COMMENTS	
	Yes	No	Do Not Know	N/A		
1	Structural problems		<input checked="" type="checkbox"/>			
2	Moisture and/or water problems			<input checked="" type="checkbox"/>		
3	Damage due to termites, other insects, birds, animals or rodents			<input checked="" type="checkbox"/>		
4	Damage due to hail, wind, fire or flood			<input checked="" type="checkbox"/>		
5	Cracks, heaving or settling problems	<input checked="" type="checkbox"/>			House was originally constructed in 1924. Between 1924 and the major renovation in 1987, some minor (approximately 1-inch) settling occurred.	
6	Exterior wall or window problems		<input checked="" type="checkbox"/>			
7	Exterior Artificial Stucco (EIFS)	<input checked="" type="checkbox"/>			The entire house is coated with Dryvit.	
8	Any additions or alterations made	<input checked="" type="checkbox"/>			In 1987 the size of the house was doubled in a major renovation. A new second story was added. An attached garage was added.	
9	Building code, city or county violations		<input checked="" type="checkbox"/>			
B. ROOF	Yes	No	Do Not Know	N/A	COMMENTS	
1	Roof problems		<input checked="" type="checkbox"/>			
2	Roof material asphalt shingle Age 23 Roof material Age				The roof is scheduled to be completely replaced in early November 2010.	
3	Roof leak: Past		<input checked="" type="checkbox"/>			
4	Roof leak: Present		<input checked="" type="checkbox"/>			
5	Damage to roof: Past	<input checked="" type="checkbox"/>			Hail damaged occurred in approximately 1990. This is no longer relevant as the house will have a brand new roof prior to sale.	
6	Damage to roof: Present					
7	Roof under warranty until Transferable			<input checked="" type="checkbox"/>		
8	Roof work done while under current roof warranty					
9	Skylight problems		<input checked="" type="checkbox"/>			
10	Gutter or downspout problems		<input checked="" type="checkbox"/>			
IN WORKING CONDITION						
C. APPLIANCES	Yes	No	Do Not Know	Age If Known	N/A	COMMENTS

1	Built-in vacuum system & accessories	<input checked="" type="checkbox"/>			20		
2	Clothes dryer	<input checked="" type="checkbox"/>			6		
3	Clothes washer	<input checked="" type="checkbox"/>			2		
4	Dishwasher	<input checked="" type="checkbox"/>			4		
5	Disposal	<input checked="" type="checkbox"/>			5		
6	Freezer		<input checked="" type="checkbox"/>				
7	Gas grill	<input checked="" type="checkbox"/>			7		
8	Hood		<input checked="" type="checkbox"/>				
9	Microwave oven	<input checked="" type="checkbox"/>			1		
10	Oven	<input checked="" type="checkbox"/>			1		
11	Range		<input checked="" type="checkbox"/>				There is no range. There is a cooktop in working condition.
12	Refrigerator	<input checked="" type="checkbox"/>			23		Sub-Zero refrigerator/freezer.
13	T.V. antenna <input checked="" type="checkbox"/> Owned <input type="checkbox"/> Leased	<input checked="" type="checkbox"/>			20		in attic
14	Satellite system or DSS dish <input type="checkbox"/> Owned <input type="checkbox"/> Leased		<input checked="" type="checkbox"/>				
15	Trash compactor		<input checked="" type="checkbox"/>				

IN WORKING CONDITION

D.	ELECTRICAL & TELECOMMUNICATIONS	Yes	No	Do Not Know	Age If Known	N/A	COMMENTS
1	Security system: <input type="checkbox"/> Owned <input type="checkbox"/> Leased		<input checked="" type="checkbox"/>				
2	Smoke/fire detectors: <input type="checkbox"/> Battery <input checked="" type="checkbox"/> Hardwire	<input checked="" type="checkbox"/>			23		
3	Carbon Monoxide Alarm Battery <input type="checkbox"/> Hardwire	<input checked="" type="checkbox"/>			1		one CO detector is hardwired and the other is battery
4	Light fixtures	<input checked="" type="checkbox"/>			23		
5	Switches & outlets	<input checked="" type="checkbox"/>			23		
6	Aluminum wiring (110)		<input checked="" type="checkbox"/>				
7	Electrical: Amps	<input checked="" type="checkbox"/>			23		
8	Telecommunications (T1, fiber, cable, satellite)	<input checked="" type="checkbox"/>					Cable/DSL
9	Inside telephone wiring & blocks/jacks	<input checked="" type="checkbox"/>			23		
10	Ceiling fans	<input checked="" type="checkbox"/>					one in the Master Bedroom
11	Garage door opener	<input checked="" type="checkbox"/>			15		2 openers
12	Garage door control(s) # 1	<input checked="" type="checkbox"/>			23		
13	Intercom/doorbell	<input checked="" type="checkbox"/>			23		
14	In-wall speakers		<input checked="" type="checkbox"/>				
15	220 volt service	<input checked="" type="checkbox"/>					
16	Landscape lighting		<input checked="" type="checkbox"/>				Back patio landscape lighting in each post. Separate lamp in back on south side.

IN WORKING CONDITION

E.	MECHANICAL	Yes	No	Do Not Know	Age If Known	N/A	COMMENTS
1	Air conditioning:						
	Evaporative cooler		<input checked="" type="checkbox"/>				
	Window units		<input checked="" type="checkbox"/>				
	Central		<input checked="" type="checkbox"/>				
2	Attic/whole house fan		<input checked="" type="checkbox"/>				
3	Vent fans	<input checked="" type="checkbox"/>			23		one in each bathroom
4	Humidifier	<input checked="" type="checkbox"/>					
5	Air purifier		<input checked="" type="checkbox"/>				
6	Sauna		<input checked="" type="checkbox"/>				
7	Hot tub or spa	<input checked="" type="checkbox"/>			21		Pearl jetted tub in master suite.
8	Steam room/shower		<input checked="" type="checkbox"/>				
9	Pool		<input checked="" type="checkbox"/>				
10	Heating system: Type FHA Fuel gas Type Fuel	<input checked="" type="checkbox"/>			23		
11	Water heater: Number of 2 Fuel type gas Capacity 40	<input checked="" type="checkbox"/>					

Buyer(s) Initials _____

Seller(s) Initials _____

12	Fireplace: Type 1	Fuel gas	<input checked="" type="checkbox"/>				
13	Fireplace insert			<input checked="" type="checkbox"/>			
14	Stove: Type	Fuel		<input checked="" type="checkbox"/>			
15	When was fireplace/wood stove, chimney/flue last cleaned: Date: 1987	<input type="checkbox"/> Do not know	<input checked="" type="checkbox"/>				
16	Fuel tanks: <input type="checkbox"/> Owned <input type="checkbox"/> Leased			<input checked="" type="checkbox"/>			
17	Radiant heating system <input type="checkbox"/> Interior <input type="checkbox"/> Exterior	Hose Type		<input checked="" type="checkbox"/>			
18	Overhead door			<input checked="" type="checkbox"/>			
19	Entry gate system			<input checked="" type="checkbox"/>			
20	Elevator			<input checked="" type="checkbox"/>			

IN WORKING CONDITION

F.	WATER, SEWER & OTHER UTILITIES	Yes	No	Do Not Know	Age If Known	N/A	COMMENTS
1	Water filter system <input type="checkbox"/> Owned <input type="checkbox"/> Leased		<input checked="" type="checkbox"/>				
2	Water softener <input type="checkbox"/> Owned <input type="checkbox"/> Leased		<input checked="" type="checkbox"/>				
3	Sewage problems <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Do not know						
4	Lift station (sewage ejector pump)		<input checked="" type="checkbox"/>				
5	Drainage, storm sewers, retention ponds		<input checked="" type="checkbox"/>				
6	Grey water storage/use					<input checked="" type="checkbox"/>	
7	Plumbing problems <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Do not know						Cracked kitchen wastewater pipe. Repaired in 2010
8	Sump pump	<input checked="" type="checkbox"/>			23		
9	Underground sprinkler system	<input checked="" type="checkbox"/>			22		
10	Fire sprinkler system		<input checked="" type="checkbox"/>				
11	Polybutylene pipe <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Do not know						
12	Galvanized pipe <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Do not know						During the major renovation in 1987, all the plumbing inside the house was completely replaced.
13	Backflow prevention device <input type="checkbox"/> Domestic <input type="checkbox"/> Irrigation <input type="checkbox"/> Fire <input type="checkbox"/> Sewage	<input checked="" type="checkbox"/>					Sump pump in basement.
14	Irrigation pump		<input checked="" type="checkbox"/>				
15	Well pump		<input checked="" type="checkbox"/>				

G.	OTHER DISCLOSURES—IMPROVEMENTS	Yes	No	Do Not Know	N/A	COMMENTS
1	Included fixtures and equipment in working condition					
2						
3						
4						

II. GENERAL

H.	USE, ZONING & LEGAL ISSUES	Yes	No	Do Not Know	N/A	COMMENTS
1	Zoning violation, variance, conditional use, enforceable PUD or non-conforming use		<input checked="" type="checkbox"/>			
2	Notice or threat of condemnation proceedings		<input checked="" type="checkbox"/>			
3	Notice of any adverse conditions from any governmental or quasi-governmental agency that have not been resolved		<input checked="" type="checkbox"/>			
4	Violation of restrictive covenants or owners' association rules or regulations				<input checked="" type="checkbox"/>	
5	Any building or improvements constructed within the past one year from this Date without approval by the Association or the designated approving body				<input checked="" type="checkbox"/>	
6	Notice of zoning action related to the Property		<input checked="" type="checkbox"/>			
7	Other legal action		<input checked="" type="checkbox"/>			

I.	ACCESS, PARKING, DRAINAGE & SIGNAGE	Yes	No	Do Not Know	N/A	COMMENTS

Buyer(s) Initials _____

Seller(s) Initials _____

1	Any access problems		<input checked="" type="checkbox"/>		
2	Roads, driveways, trails or paths through the Property used by others		<input checked="" type="checkbox"/>		
3	Public highway or county road bordering the Property				Josephine Street (part of the City & County of Denver) borders the West side of the property. An alley owned by the City & County of Denver borders the East side of the property.
4	Any proposed or existing transportation project that affects or is expected to affect the Property		<input checked="" type="checkbox"/>		
5	Encroachments, boundary disputes or unrecorded easements		<input checked="" type="checkbox"/>		
6	Shared or common areas with adjoining properties		<input checked="" type="checkbox"/>		
7	Requirements for curb, gravel/paving, landscaping	<input checked="" type="checkbox"/>			The City & County of Denver has requirements that: a) "unattended vegetation" must be cut if more than 6 inches in height and b) tree limbs over streets and alleys must be trimmed to at least 13 1/2 feet above the ground; over sidewalks to a minimum of 8 feet.
8	Flooding or drainage problems: Past		<input checked="" type="checkbox"/>		
9	Flooding or drainage problems: Present		<input checked="" type="checkbox"/>		

J.	WATER & SEWER SUPPLY	Yes	No	Do Not Know	N/A	COMMENTS
1	Water Rights Type			<input checked="" type="checkbox"/>		
2	Water tap fees paid in full	<input checked="" type="checkbox"/>				
3	Sewer tap fees paid in full	<input checked="" type="checkbox"/>				
4	Subject to augmentation plan					
5	Well required to be metered					
6	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"/> Cistern <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 #: _____ <input type="checkbox"/> 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>Denver Water</u> Address: _____ Web Site: <u>DenverWater.org</u> 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.					
7	Type of sanitary sewer service: <input checked="" type="checkbox"/> Public <input type="checkbox"/> Community <input type="checkbox"/> Septic System <input type="checkbox"/> None <input type="checkbox"/> Other <input type="checkbox"/> If the Property is served by an on-site septic system, supply to buyer a copy of the permit. Type of septic system: <input type="checkbox"/> Tank <input type="checkbox"/> Leach <input type="checkbox"/> Lagoon					

K.	ENVIRONMENTAL CONDITIONS	Yes	No	Do Not Know	N/A	COMMENTS
	Do any of the following conditions now exist or have they ever existed:					
1	Hazardous materials on the Property, such as radioactive, toxic, or biohazardous materials, asbestos, pesticides, herbicides, wastewater sludge, radon, methane, mill tailings, solvents or petroleum products	<input checked="" type="checkbox"/>				House was originally constructed in 1924 with a coal-fired, hot-air system. This was completely removed in 1987 when the house underwent a major renovation.
2	Underground storage tanks		<input checked="" type="checkbox"/>			
3	Aboveground storage tanks		<input checked="" type="checkbox"/>			
4	Underground transmission lines	<input checked="" type="checkbox"/>				All telecomm lines run under the driveway.
5	Pets kept on the Property	<input checked="" type="checkbox"/>				Two (2) cats.
6	Property used as, situated on, or adjoining a dump, land fill or municipal solid waste land fill		<input checked="" type="checkbox"/>			
7	Monitoring wells or test equipment					
8	Sliding, settling, upheaval, movement or instability of earth or expansive soils of the Property	<input checked="" type="checkbox"/>				House was originally constructed in 1924. Between 1924 and the major renovation in 1987, some minor (approximately 1-inch) settling occurred.
9	Mine shafts, tunnels or abandoned wells on the Property		<input checked="" type="checkbox"/>			
10	Within governmentally designated geological hazard or sensitive area		<input checked="" type="checkbox"/>			
11	Within governmentally designated flood plain or wetland area		<input checked="" type="checkbox"/>			

Buyer(s) Initials _____

Seller(s) Initials _____

12	Dead, diseased or infested trees or shrubs		<input checked="" type="checkbox"/>			
13	Environmental assessments, studies or reports done involving the physical condition of the Property		<input checked="" type="checkbox"/>			
14	Property used for any mining, graveling, or other natural resource extraction operations such as oil and gas wells		<input checked="" type="checkbox"/>			
15	Interior of Improvements of Property tobacco smoke-free	<input checked="" type="checkbox"/>				No one has smoked inside the house since 1987.
16	Other environmental problems		<input checked="" type="checkbox"/>			

COMMON INTEREST COMMUNITY ASSOCIATION						
L. PROPERTY	Yes	No	Do Not Know	N/A	COMMENTS	
1	Property is part of an owners' association		<input checked="" type="checkbox"/>			
2	Special assessments or increases in regular assessments approved by owners' association but not yet implemented					
3	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).					


OTHER DISCLOSURES — GENERAL						
M.	PROPERTY	Yes	No	Do Not Know	N/A	COMMENTS
1	Any part of the Property leased to others (written or oral)	<input checked="" type="checkbox"/>				The house was rented out from July 1985 to January 1987.
2	Written reports of any building, site, roofing, soils or engineering investigations or studies of the Property	<input checked="" type="checkbox"/>				A Pin Survey was completed in 1987 and a copy is available from the seller.
3	Any property insurance claim submitted (whether paid or not)	<input checked="" type="checkbox"/>				A claim for hail damage was submitted in approximately 1990.
4	Structural, architectural and engineering plans and/or specifications for any existing improvements	<input checked="" type="checkbox"/>				A complete set of Construction Drawings for the renovation in 1987 and the basement office addition are available from the seller.
5	Property was previously used as a methamphetamine laboratory and not remediated to state standards		<input checked="" type="checkbox"/>			
6	Government special improvements approved, but not yet installed, that may become a lien against the Property		<input checked="" type="checkbox"/>			

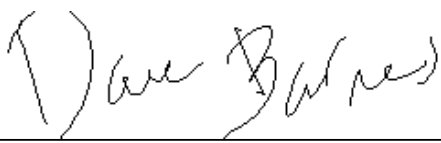
Seller and Buyer understand that the real estate brokers do not warrant or guarantee the above information on the Property. Property inspection services may be purchased and are advisable. This form is not intended as a substitute for an inspection of the Property.

ADVISORY TO SELLER:

Failure to disclose a known material defect may result in legal liability.

The information contained in this Disclosure has been furnished by Seller, who certifies to the truth thereof based on Seller's CURRENT ACTUAL KNOWLEDGE.


 Seller: **TRACIE T. BARNES** Date: 10/27/2010


 Seller: **DAVID A. BARNES** Date: 10/27/2010

ADVISORY TO BUYER:

1. Even though Seller has answered the above questions to the best of 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:

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 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 the best of "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 inspect the Property when this Disclosure 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 Seller's Property Disclosure.

6. Buyer acknowledges that Seller does not warrant that the Property is fit for Buyer's intended purposes or use of the Property. Buyer acknowledges that Seller's indication that an item is "working" 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 hereby receipts for a copy of this Disclosure.

Buyer: _____ Date: _____

Buyer: _____ Date: _____

SPD29-5-09 SELLER'S PROPERTY DISCLOSURE (RESIDENTIAL)

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