



Property Condition Disclosure Statement

Article 12-A, SECTION 464 of New York Real Property Law

Name of Seller or Sellers: Donald VanPatten, Diane VanPatten

Property address: 8911 Plainville Rd Lysander NY 13027

General Instructions:

The Property Condition Disclosure Act requires the seller of residential real property to cause this disclosure statement or a copy thereof to be delivered to a buyer or buyer's agent prior to the signing by the buyer of a binding contract of sale.

Purpose of Statement:

This is a statement of certain conditions and information concerning the property known to the seller. This disclosure statement is not a warranty of any kind by the seller or by any agent representing the seller in this transaction. It is not a substitute for any inspections or tests and the buyer is encouraged to obtain his or her own independent professional inspections and environmental tests and also is encouraged to check public records pertaining to the property.

A knowingly false or incomplete statement by the seller on this form may subject the seller to claims by the buyer prior to or after the transfer of title. In the event a seller fails to perform the duty prescribed in this article to deliver a Disclosure Statement prior to the signing by the buyer of a binding contract of sale, the buyer shall receive upon the transfer of title a credit of five hundred dollars against the agreed upon purchase price of the residential real property.

"Residential real property" means real property improved by a one to four family dwelling used or occupied, or intended to be used or occupied, wholly or partly, as the home or residence of one or more persons, but shall not refer to (a) unimproved real property upon which such dwellings are to be constructed or (b) condominium units or cooperative apartments or (c) property on a homeowners' association that is not owned in fee simple by the seller.

Instructions to the Seller:

- (a) Answer all questions based upon your actual knowledge.
- (b) Attach additional pages with your signature if additional space is required.
- (c) Complete this form yourself.
- (d) If some items do not apply to your property, check "NA" (non-applicable). If you do not know the answer check "UNKN" (unknown).

Seller's Statement:

The seller makes the following representations to the buyer based upon the seller's actual knowledge at the time of signing this document. The seller authorizes his or her agent, if any, to provide a copy of this statement to a prospective buyer of the residential real property. The following are representations made by the seller and are not the representations of the seller's agent.

GENERAL INFORMATION

- 1. How long have you owned the property? 1996
- 2. How long have you occupied the property? 2010
- 3. What is the age of the structure or structures? 1850

Note to buyer- If the structure was built before 1978 you are encouraged to investigate for the presence of lead based paint.

- 4. Does anybody other than yourself have a lease, easement or any other right to use or occupy any part of your property other than those stated in documents available in the public record, such as rights to use a road or path or cut trees or crops? Yes No UNKN NA
- 5. Does anybody else claim to own any part of your property? (if yes, explain below) Yes No UNKN NA
- 6. Has anyone denied you access to the property or made a formal legal claim challenging your title to the property? (if yes, explain below) Yes No UNKN NA
- 7. Are there any features of the property shared in common with adjoining land owners or a homeowners association, such as walls, fences or driveways?(if yes describe below) Yes No UNKN NA
- 8. Are there any electric or gas utility surcharges for line extensions, special assessments or homeowner or other association fees that apply to the property? (if yes, explain below) Yes No UNKN NA
- 9. Are there certificates of occupancy related to the property? (if no, explain below) Yes No UNKN NA

ENVIRONMENTAL

Note to Seller - In this section, you will be asked questions regarding petroleum products and hazardous or toxic substances that you know to have been spilled, leaked or otherwise been released on the property or from the property onto any other property. Petroleum products may include, but are not limited to, gasoline, diesel fuel, home heating fuel, and lubricants. Hazardous or toxic substances are products that could pose short- or long-term danger to personal health or the environment if they are not properly disposed of, applied or stored. These include, but are not limited to, fertilizers, pesticides and insecticides, paint including paint thinner, varnish remover and wood preservatives, treated wood, construction materials such as asphalt and roofing materials, antifreeze and other automotive products, batteries, cleaning solvents including septic tank cleaners, household cleaners and pool chemicals and products containing mercury and lead.

Note to Buyer - If contamination of this property from petroleum products and/or hazardous or toxic substances is a concern to you, you are urged to consider soil and groundwater testing of this property.

- 10. Is any or all of the property located in a designated floodplain? (if yes, explain below) Yes No UNKN NA
- 11. Is any or all of the property located in a designated wetland? (if yes, explain below) Yes No UNKN NA
- 12. Is the property located in an agricultural district? (if yes, explain below) *see attached photo* Yes No UNKN NA
- 13. Was the property ever the site of a landfill? (if yes, explain below) Yes No UNKN NA
- 14. Are there or have there ever been fuel storage tanks above or below the ground on the property? Yes No UNKN NA
 If yes, are they currently in use? Yes No UNKN NA
 Location(s) _____
 Are they leaking or have they ever leaked? (if yes, explain below) Yes No UNKN NA
- 15. Is there asbestos in the structure? (if yes, state location or locations below) Yes No UNKN NA
 Location(s) _____
- 16. Is lead plumbing present? (if yes, state location or locations below) Yes No UNKN NA
 Location(s) _____
- 17. Has a radon test been done? (if yes, attach a copy of the report) Yes No UNKN NA
- 18. Has motor fuel, motor oil, home heating fuel, lubricating oil or any other petroleum product, methane gas, or any hazardous or toxic substance spilled, leaked or otherwise been released on the property or from the property onto any other property? (if yes, describe below) *Scheduled* Yes No UNKN NA
- 19. Has the property been tested for the presence of motor fuel, motor oil, home heating fuel, lubricating oil, or any other petroleum product, methane gas, or any hazardous or toxic substance? [if yes, please attach report(s)] Yes No UNKN NA

STRUCTURAL

- 20. Is there any rot or water damage to the structure or structures? (if yes, explain below) Yes No UNKN NA
- 21. Is there any fire or smoke damage to the structure or structures? (if yes, explain below) Yes No UNKN NA
- 22. Is there any termite, insect, rodent or pest infestation or damage?(if yes, explain below) Yes No UNKN NA
- 23. Has the property been tested for termite, insect, rodent or pest infestation or damage? [if yes, please attach report(s)] Yes No UNKN NA
- 24. What is the type of roof/roof covering (slate, asphalt, other)? Asphalt + Metal
 Any known material defects? No
 How old is the roof? 1981/2010
 Is there a transferable warrantee on the roof in effect now? (if yes, explain below) Yes No UNKN NA
- 25. Are there any known material defects in any of the following structural systems: footings, beams, girders, lintels, columns or partitions? (if yes, explain below) Yes No UNKN NA



Common Land Unit

- Non-Cropland
- Cropland

Wetland Determination Identifiers

- Restricted Use
- Limited Restrictions
- Exempt from Conservation Compliance Provisions

Planting Pattern = Solid unless otherwise indicated

All producer shares 100% unless otherwise indicated
Tract Cropland Total: 35.57 acres

2021 Program Year

Map Created September 22, 2020

Farm 4480

Tract 18

United States Department of Agriculture (USDA) Farm Service Agency (FSA) maps are for FSA Program administration only. This map does not represent a legal survey or reflect actual ownership; rather it depicts the information provided directly from the producer and/or 2019 National Agricultural Imagery Program (NAIP) imagery. The producer accepts the data 'as is' and assumes all risks associated with its use. USDA-FSA assumes no responsibility for actual or consequential damage incurred as a result of any user's reliance on this data outside FSA Programs. Wetland identifiers do not represent the size, shape, or specific determination of the area. Refer to your original determination (CPA-026 and attached maps) for exact boundaries and determinations or contact USDA Natural Resources Conservation Service (NRCS). **All fields are non-irrigated unless otherwise noted**

MECHANICAL SYSTEMS AND SERVICES

26. What is the water source? (Check all that apply) Well Private Municipal

Other: _____

If municipal, is it metered? Yes No UNKN NA

27. Has the water quality and/or flow rate been tested? (if yes, describe below) Yes No UNKN NA

28. What is the type of sewage system? (Check all that apply) Public Sewer Private Sewer

Septic Cesspool

If septic or cesspool, age? 1981

Date last pumped? 2010

Frequency of pumping? No Plan

Any known material defects? (if yes, explain below) Yes No UNKN NA

29. Who is your electric service provider? National Grid

What is the amperage? 200

Does it have circuit breakers or fuses? with Emergency Generator circuit breakers

Private or public poles? public poles

Any known material defects? (if yes, explain below) Yes No UNKN NA

30. Are there any flooding, drainage or grading problems that resulted in standing water on any portion of the property? (if yes, state locations and explain below) Yes No UNKN NA

Location(s) Pond & Creek

31. Does the basement have seepage that results in standing water?(if yes, explain below) Yes No UNKN NA

Are there any known material defects in any of the following (if yes, explain below. Use additional sheets if necessary):

32. Plumbing system? Yes No UNKN NA

33. Security system? Yes No UNKN NA

34. Carbon monoxide detector? Yes No UNKN NA

35. Smoke detector? Yes No UNKN NA

36. Fire sprinkler system?..... Yes No UNKN NA

37. Sump pump? Yes No UNKN NA

38. Foundation/slab? Yes No UNKN NA

39. Interior walls/ceilings? Yes No UNKN NA

40. Exterior walls or siding? Yes No UNKN NA

41. Floors? Yes No UNKN NA

42. Chimney/fireplace or stove? Yes No UNKN NA

43. Patio/deck? Yes No UNKN NA

44. Driveway? Yes No UNKN NA

Continued ...

Are there any known material defects in any of the following (if yes, explain below. Use additional sheets if necessary):

- 45. Air conditioner? Yes No UNKN NA
- 46. Heating system? Yes No UNKN NA
- 47. Hot water heater? Yes No UNKN NA
- 48. The property is located in the following school district Baldwinsville UNKN

Note: Buyer is encouraged to check public records concerning the property (e.g. tax records and wetland and flood plain maps)

The seller should use this area to further explain any item above. If necessary, attach additional pages and indicate here the number of additional pages attached.

46. Furnace/Hot Water tank exhaust
electronically controlled

SELLER'S CERTIFICATION:

Seller certifies that the information in this Property Condition Disclosure Statement is true and complete to the seller's actual knowledge as of the date signed by the seller. If a seller of residential real property acquires knowledge which renders materially inaccurate a Property Condition Disclosure Statement provided previously, the seller shall deliver a revised Property Condition Disclosure Statement to the buyer as soon as practicable. In no event, however, shall a seller be required to provide a revised Property Condition Disclosure Statement after the transfer of title from the seller to the buyer or occupancy by the buyer, whichever is earlier.

Seller Donald B. Van Patten Date _____
 Seller Deanne Van Patten Date _____

BUYER'S ACKNOWLEDGMENT:

Buyer acknowledges receipt of a copy of this statement and buyer understands that this information is a statement of certain conditions and information concerning the property known to the seller. It is not a warranty of any kind by the seller or seller's agent and is not a substitute for any home, pest, radon or other inspections or testing of the property or inspection of the public records.

Buyer _____ Date _____
 Buyer _____ Date _____



UNCAPPED NATURAL GAS WELL DISCLOSURE FORM AND NOTICE

for property commonly known as: 8911 Plainville Rd, Lysander NY

As the seller of residential real property, you are required by law to disclose the existence of an UNCAPPED NATURAL GAS WELL on your property of which you have actual knowledge and to disclose such fact to any purchaser of your property prior to entering into a contract for the sale of such property.

Section 242(3) of the Real Property Law states as follows:

Any person, firm, company, partnership or corporation offering to sell real property on which uncapped natural gas wells are situated, and of which such person, firm, company, partnership or corporation has actual knowledge, shall inform any purchaser of the existence of these wells prior to entering into a contract for the sale/purchase of such property.

Initial the following:

I HAVE NO actual knowledge of any uncapped natural gas well(s) on the aforementioned property.

I HAVE actual knowledge of an uncapped natural gas well(s) on the aforementioned property.

I have received and read this disclosure notice. I authorize my agent to provide a copy of this disclosure notice to any prospective purchaser.

Dated: _____ Seller: Jason VanPatten

Dated: _____ Seller: Donald J VanPatten



Mohawk Valley Association of REALTORS®

Disclosure Regarding Oil, Gas, Mineral and Timber Rights

The owner of real property has a variety of rights that can convey with property when the property is sold to another. These rights include surface rights (the rights to build or plant crops upon the ground) and certain subsurface rights (the right to extract materials from below the ground). Among the various subsurface rights, are the rights to explore for, and remove oil, gas and various minerals such as coal, sand and gravel.

Surface and subsurface rights are often transferred together; however these rights can transfer separately. Despite the best intention of Sellers, property owners are often not aware of the extent of the oil, gas and mineral rights they may or may not own. Determining who owns the various rights to oil, gas and minerals can be complex and should only be done by an attorney and/or title company with expertise in this area. Purchasers of real property are strongly encouraged to have their rights to oil, gas and minerals examined before moving forward with a purchase and sale agreement.

Property Address 8911 Plainville Rd Lysander NY 13027

Seller Donald E. Van Patten (Print/Type) Seller Diane Van Patten (Print/Type)

Oil, Gas, Mineral and Timber Rights to Property:

- Seller owns all and has not leased any oil, gas, mineral and/or timber rights.
- Seller does not own the rights to oil, gas and/or minerals.
- Seller does not own the rights to timber.
- Some oil, gas, mineral and/or timber rights have been leased by the Seller or previous owner. Seller has attached copies of all written oil, gas, mineral and/or timber rights leases and other documents (e.g. leases, royalty agreements) within the Seller's possession to this disclosure.

Seller Reservation of Oil, Gas, Mineral and Timber Rights: (Check all that apply)

Seller will not reserve any future rights to oil, gas, minerals and timber.
 Seller is reserving **all** rights to oil, gas, and/or mineral rights and will not convey these rights to the Purchaser.
Explain: _____

Seller is reserving **certain oil, gas, and mineral rights** and will convey these rights to the Purchaser as follows:

Seller is reserving rights to **timber** as follows:

Other:

This is a Disclosure Only.

Purchaser has received and read this disclosure notice. Any negotiations pertaining to transfer of oil, gas, mineral and/or timber rights will be set forth in an addendum to the Purchase and Sale of Real Estate.

Seller: Donald E. Van Patten Date: _____

Seller: Diane Van Patten Date: _____

Purchaser: _____ Date: _____

Purchaser: _____ Date: _____

AGRICULTURAL DISTRICT DISCLOSURE FORM AND NOTICE

for property commonly known as: **8911 Plainville Rd, Lysander NY**

When any purchase and sale contract is presented for the sale, purchase, or exchange of real property located partially or wholly within an agricultural district established pursuant to the provisions of article 25-aa of the Agricultural and Markets law, the prospective grantor shall present to the prospective grantee a disclosure notice which states the following:

It is the policy of this state and this community to conserve, protect and encourage the development and improvement of agricultural land for the production of food, and other products, and also for its natural and ecological value. This disclosure notice is to inform prospective residents that the property they are about to acquire lies partially or wholly within an agricultural district and that farming activities occur within the district. Such farming activities may include, but not be limited to, activities that cause noise, dust and odors. Prospective residents are also informed that the location of property within an agricultural district may impact the ability to access water and/or sewer services for such property under certain circumstances. Prospective purchasers are urged to contact the New York State Department of Agriculture and Markets to obtain additional information or clarification regarding their rights and obligations under article 25-AA of the Agriculture and Markets Law.

Such disclosure notice shall be signed by the prospective grantor and grantee prior to the sale, purchase or exchange of such real property.

Receipt of such disclosure notice shall be recorded on a property transfer report form prescribed by the state board of real property services as provided for in section three hundred thirty-three of the real property law.

Initial the following:

ADV/AS The aforementioned property IS located in an agricultural district.

_____ The aforementioned property IS NOT located in an agricultural district.

I have received and read this disclosure notice.

Seller: Donald D. VanPatton Date: _____ Purchaser: _____ Date: _____

Seller: Donald D. VanPatton Date: _____ Purchaser: _____ Date: _____



PROPERTY INFORMATION

Name of Seller or Sellers: Donald & Diane VanPatten

Property Address: 8911 Plainville Road Lysander NY

NEW YORK STATE AGRICULTURAL AND MARKET LAW Section 310: Disclosure Prior to the Sale of Real Property. "It is the policy of this state and this community to conserve, protect and encourage the development and improvement of agricultural land for the production of food, and other products, and also for its natural and ecological value. This disclosure notice is to inform prospective residents that the property they are about to acquire lies partially or wholly within an agricultural district and that farming activities occur within the district. Such farming activities may include, but not be limited to, activities that cause noise, dust and odors. Prospective residents are also informed that the location of property within an agricultural district may impact the ability to access water and/or sewer services for such property under certain circumstances. Prospective purchasers are urged to contact the New York State Department of Agriculture and Markets to obtain additional information or clarification regarding their rights and obligations under article 25-AA of the Agriculture and Markets Law." Premises [] are [] are not located partially or wholly within an agricultural district.

NEW YORK STATE REAL PROPERTY LAW Section 242: Disclosure Prior to the Sale of Real Property. The above property [X] does [] does not have utility electric service available to it. This property [] is [X] is not subject to an electrical and/or gas utility surcharge. This type of surcharge is: . The purpose of the surcharge is . The amount of the surcharge is \$. The surcharge is payable: [] Monthly, [] Annually, [] other basis . The above property [] does [X] does not have uncapped natural gas wells.

The Following Information Is Provided to the Best of the Seller's Knowledge:

Is the property or structure on a local, state or national historical register or listed on an eligibility list: [] Yes [X] No

Property Tax Exemption: [X] Yes [] No [] Basic STAR [X] Veterans [X] Other Agricultural Enhanced Star

HOA/Condo Fee: [] Yes [X] No - Amount \$ Due: [] Monthly [] Qtrly [] Semi-Annual [] Yearly [] Other

Special Assessments or Other Fees: [] Yes [X] No Amount \$ Due: [] Monthly [] Quarterly [] Semi-Annual [] Yearly [] Other - Explain:

Age of Water Heater: (1) 2010 (2) 1993 Capacity of Gallons: (1) 40 (2) 40 Age of Furnace or Boiler: (1) 2010 (2) 1993 Age of Air Conditioning Unit: (1) 2010

Annual Bill for Fuel/Oil or Propane: \$ 1162 Average Monthly Utilities: Gas \$ 97 Electric \$ 122 Total: \$ 219.00

Major Improvements known to Seller (up to fifteen (15) years):

- 2005 - Removed/Rebuilt/Re-Infomed Entry Area/Porch Access on 4 Bedroom - Side-Front
- 2009-2010 - Complete Remodeling of 2 Bedroom Side
- 2014 - Removed Old-Front-Porch Area & Made Part-of 2 Bedroom Sides Up-Graded Old-Front-Porch Area Into Existing Living Area of 2 Bedroom Side & Created a Third-Bedroom & Storage Closet As - A - Result of Remolding Project



**CONTINGENCY ADDENDUM AND
DISCLOSURE OF INFORMATION ON LEAD-BASED PAINT
AND/OR LEAD-BASED PAINT HAZARDS
FOR TARGET HOUSING SALES**

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.

Property Address:

<u>8911 Plainville Rd</u>		<u>Lysander</u>	<u>NY</u>	<u>13027</u>
Street Address	Unit	City	State	ZIP

Seller's Disclosure

- (a) Presence of lead-based paint and/or lead-based paint hazards [check (i) or (ii) below]:
 - (i) Known lead-based paint and/or lead-based paint hazards are present in the housing (explain):

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

- (b) Records and reports available to the purchaser [Check (i) or (ii) below]:
 - (i) 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):

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


Purchaser's Acknowledgment (initial)

- (c) Records and reports supplied by the seller (initial (i) or (ii) below)
 - (i) _____ Purchaser has received copies of all information listed above in (b) (i).
 - (ii) _____ Seller provided no reports or records pertaining to lead-based paint and/or lead-based paint hazards in the housing.

- (d) _____ Purchaser has received the pamphlet **PROTECT YOUR FAMILY FROM LEAD IN YOUR HOME**.

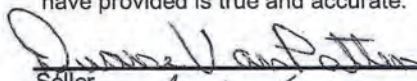
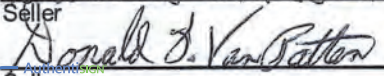

- (e) Purchaser has (initial (i) or (ii) below):
 - (i) _____ If this line is checked and by signatures of purchasers and sellers below, purchasers will receive a 10 day opportunity, beginning at 12:01 a.m. on the date of the execution of the purchase and sale agreement by all parties, to conduct a risk assessment or inspection, at purchasers expense, for the presence of lead-based paint and/or lead-based paint hazards. If lead based paint hazards are found by a qualified inspector and written notice to terminate the contract is not given by the purchasers to the sellers by 11:59 p.m. of the 10th day of the inspection period, then this contract is binding and enforceable
 - (ii) _____ 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 Acknowledgment (initial)

- (f)  Agent has informed the seller of the seller's obligations under 42 U.S.C. 4852d 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 they have provided is true and accurate.

	Date		Date
	Date		Date
	Date	07/12/22	Date
Agent		Agent	Date

I agree to furnish a copy of:

- 1. My deed and existing survey, if available, upon acceptance of contract for the buyer's use. Yes No
- 2. Restrictive covenants or deed restrictions of record, *if applicable*. Yes No
- 3. Condominium Bylaws, Rules, etc., *if applicable*. Yes No
- 4. Homeowner's Association Bylaws, Rules, etc., *if applicable*. Yes No
- 5. Utility bills upon request. Yes No

We make no representations or warranties either expressed or implied as to the condition of the property. Potential buyers are urged to carefully inspect the property and/or order a home inspection and/or other desired tests at buyer's expense which may address conditions or circumstances of local and national concern.

Seller *Quinn Van Patten* Date _____

Seller *Ronald J. Van Patten* Date _____

I have read this Property Information Form and have received a copy of it. I acknowledge that this statement is not a representation or warranty of any kind by Seller or any agent of the Seller and is not a substitute for a home inspection or other tests that are available to me to assess the condition of the property.

Buyer _____ Date _____

Buyer _____ Date _____

Revised 12.02.21