



Long Realty Company

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RESIDENTIAL SELLER'S PROPERTY DISCLOSURE STATEMENT (SPDS) (TO BE COMPLETED BY SELLER)



The printed portion of this FORM has been approved by the Arizona Association of Realtors®. This is NOT intended to be a binding contract.

MESSAGE TO THE SELLER:

Sellers are obligated by law to disclose all known material (important) facts about the Property to the Buyer. The SPDS is designed to assist you in making these disclosures. If you know something important about the Property that is not addressed on the SPDS, add that information to the form. Prospective Buyers may rely on the information you provide.

INSTRUCTIONS: (1) Complete this form yourself. (2) Answer all questions truthfully and as fully as possible. (3) Attach all available supporting documentation. (4) Use explanation lines as necessary. (5) If you do not have the personal knowledge to answer a question, use the explanation lines to explain. By signing below you acknowledge that the failure to disclose known material information about the Property may result in liability.

MESSAGE TO THE BUYER:

Although Sellers are obligated to disclose all known material (important) facts about the Property, there are likely facts about the Property that the Sellers do not know. Therefore, it is important that you take an active role in obtaining information about the Property.

INSTRUCTIONS: (1) Review this form and any attachments carefully. (2) Verify all important information. (3) Ask about any incomplete or inadequate responses. (4) Inquire about any concerns not addressed on the SPDS. (5) Review all other applicable documents, such as CC&R's, association bylaws, rules, and the title report or commitment. (6) Obtain professional inspections of the Property. (7) Investigate the surrounding area.

THE FOLLOWING ARE REPRESENTATIONS OF THE SELLER(S) AND ARE NOT VERIFIED BY THE BROKER(S) OR AGENT(S).

OWNERSHIP AND PROPERTY

- As used herein, "Property" shall mean the real property and all fixtures and improvements thereon and appurtenances incidental thereto, plus fixtures and personal property described in the Contract.

3. **PROPERTY ADDRESS:** 5137 W. Desert Eagle Circle Marana AZ 85653
(STREET ADDRESS) (CITY) (STATE) (ZIP)

4. Is the Property located in an unincorporated area of the county? Yes No If yes, and five or fewer parcels of land other than subdivided land are being transferred, the Seller must furnish the Buyer with a written Affidavit of Disclosure in the form required by law.

6. **LEGAL OWNER(S) OF PROPERTY:** HEURY CRUZ + ALICIA CRUZ Date Purchased: 8-25-2005

7. Is the legal owner(s) of the Property a foreign person or a non-resident alien pursuant to the Foreign Investment in Real Property

8. Tax Act (FIRPTA)? Yes No If yes, consult a tax advisor; mandatory withholding may apply.

9. Is the property located in a community defined by the fair housing laws as housing for older persons? Yes No

10. Explain: Active adult community

11. Approximate year built: 2005 If Property was built prior to 1978, Seller must furnish the Buyer with a lead-based paint disclosure form.

12. **NOTICE TO BUYER: IF THE PROPERTY IS IN A SUBDIVISION, A PUBLIC REPORT, WHICH CONTAINS A VARIETY OF INFORMATION ABOUT THE SUBDIVISION AT THE TIME THE SUBDIVISION WAS APPROVED, MAY BE AVAILABLE BY CONTACTING THE ARIZONA DEPARTMENT OF REAL ESTATE OR THE HOME BUILDER. THE PUBLIC REPORT INFORMATION MAY BE OUTDATED.**

15. The Property is currently: Owner-occupied Leased Estate Foreclosure Vacant If vacant, how long? 2 months

16. If a rental property, how long? 2 years Expiration date of current lease: Oct 31, 2007 (Attach a copy of the lease if available.)

17. If any refundable deposits or prepaid rents are being held, by whom and how much? Explain: WIA

YES NO

19. YES NO Have you entered into any agreement to transfer your interest in the Property in any way, including rental renewals or options to purchase? Explain: _____

21. YES NO Are you aware if there are any association(s) governing this Property?

If yes, provide contact(s) information: Name: HHHOA Phone #: 520-579-9574

If yes, are there any fees? How much? \$ 144.00 How often? MONTHLY

24. YES NO Are you aware of any transfer fees or other fees due upon transfer of the Property? Explain: _____

25. _____



Initials: _____
BUYER BUYER

26. YES NO Are you aware of any proposed or existing association assessment(s)? Explain: AN ASSESSMENT WAS INSTITUTED LAST YEAR FOR \$100.00 MONTHLY UNTIL APRIL 2008
27. YES NO Are you aware of any pending or anticipated disputes or litigation regarding the Property or the association(s)?
28. YES NO Explain: _____
29. YES NO Are you aware of any of the following recorded against the Property? (Check all that apply):
30. Judgment liens Tax liens Other non-consensual liens
31. YES NO Explain: _____
32. YES NO Are you aware of any assessments affecting this Property? (Check all that apply):
33. Paving Sewer Water Electric Other _____
34. YES NO Explain: _____
35. YES NO Are you aware of any title issues affecting this Property? (Check all that apply):
36. Recorded easements Use restrictions Lot line disputes Encroachments
37. Unrecorded easements Use permits Other _____
38. YES NO Explain: _____
39. YES NO Are you aware of any public or private use paths or roadways on or across this Property?
40. YES NO Explain: _____
41. YES NO Are you aware of any problems with legal or physical access to the Property? Explain: _____
42. YES NO The road/street access to the Property is maintained by the County City Homeowners' Association Privately
43. YES NO If privately maintained, is there a recorded road maintenance agreement? Explain: _____
44. YES NO Are you aware of any violation(s) of any of the following? (Check all that apply):
45. Zoning Building Codes Utility Service Sanitary health regulations
46. Covenants, Conditions, Restrictions (CC&R's) Other _____ (Attach a copy of notice(s) of violation if available.)
47. YES NO Explain: _____
48. YES NO Are you aware of any homeowner's insurance claims having been filed against the Property?
49. YES NO Explain: _____

52. **NOTICE TO BUYER: YOUR CLAIMS HISTORY, YOUR CREDIT REPORT, THE PROPERTY'S CLAIMS HISTORY**

53. **AND OTHER FACTORS MAY AFFECT THE INSURABILITY OF THE PROPERTY AND AT WHAT COST. UNDER**

54. **ARIZONA LAW, YOUR INSURANCE COMPANY MAY CANCEL YOUR HOMEOWNER'S INSURANCE WITHIN 60**

55. **DAYS AFTER THE EFFECTIVE DATE. CONTACT YOUR INSURANCE COMPANY.**

BUILDING AND SAFETY INFORMATION

56. YES NO **STRUCTURAL:**
57. YES NO Are you aware of any past or present roof leaks? Explain: _____
58. YES NO Are you aware of any other past or present roof problems? Explain: _____
59. YES NO Are you aware of any roof repairs? Explain: _____
60. YES NO Is there a roof warranty? (Attach a copy of warranty if available.)
61. YES NO If yes, is the roof warranty transferable? Cost to transfer _____
62. YES NO **NOTICE TO BUYER: CONTACT A PROFESSIONAL TO VERIFY THE CONDITION OF THE ROOF.**
63. YES NO Are you aware of any interior wall/ceiling/door/window/floor problems? Explain: _____
64. YES NO Are you aware of any cracks or settling involving the foundation, exterior walls or slab? Explain: _____
65. YES NO Are you aware of any chimney or fireplace problems, if applicable? Explain: _____
66. YES NO
67. YES NO
68. YES NO
69. YES NO
70. YES NO
71. YES NO

72. YES NO Are you aware of any damage to any structure on the Property by any of the following? (Check all that apply):
 73. Flood Fire Wind Expansive soil(s) Water Hail Other _____
 74. Explain: _____

WOOD INFESTATION

75. Are you aware of any of the following:
 76. Past presence of termites or other wood destroying organisms on the Property?
 77. Current presence of termites or other wood destroying organisms on the Property?
 78. Past or present damage to the Property by termites or other wood destroying organisms?
 79. Explain: _____
 80. _____
 81. _____
 82. Are you aware of past or present treatment of the Property for termites or other wood destroying organisms?
 83. If yes, date last treatment was performed: _____
 84. Name of treatment provider: _____
 85. Is there a treatment warranty? (Attach a copy of warranty if available.)
 86. If yes, is the treatment warranty transferrable?

NOTICE TO BUYER: CONTACT STATE OF ARIZONA STRUCTURAL PEST CONTROL COMMISSION FOR PAST TERMITE REPORTS OR TREATMENT HISTORY.**HEATING & COOLING:**

89. Heating: Type(s) _____
 90. Cooling: Type(s) _____
 91. Are you aware of any past or present problems with the heating or cooling system(s)?
 92. Explain: _____
 93. _____

PLUMBING:

94. Are you aware of the type of water pipes, such as galvanized, copper, PVC, CPVC or polybutylene?
 95. If yes, identify: _____
 96. Are you aware of any past or present plumbing problems? Explain: _____
 97. _____
 98. Are you aware of any water pressure problems? Explain: _____
 99. Type of water heater(s): Gas Electric Solar Approx. age(s): _____
 100. Are you aware of any past or present water heater problems? Explain: _____
 101. _____
 102. Is there a landscape watering system? If yes, type: automatic timer manual both
 103. If yes, are you aware of any past or present problems with the landscape watering system?
 104. Explain: _____
 105. Are there any water treatment systems? (Check all that apply):
 106. water filtration reverse osmosis water softener Other _____
 107. Is water treatment system(s) owned leased (Attach a copy of lease if available.)
 108. Are you aware of any past or present problems with the water treatment system(s)?
 109. Explain: _____
 110. _____

SWIMMING POOL/SPA/HOT TUB/SAUNA/WATER FEATURE:

111. Does the Property contain any of the following? (Check all that apply):
 112. Swimming pool Spa Hot tub Sauna Water feature
 113. If yes, are either of the following heated? Swimming pool Spa If yes, type of heat: _____
 114. Are you aware of any past or present problems relating to the swimming pool, spa, hot tub, sauna or water feature?
 115. Explain: _____
 116. _____

- 117. YES NO
- 118.
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- 126.
- 127.

ELECTRICAL AND OTHER RELATED SYSTEMS:

Are you aware of any past or present problems with the electrical system? Explain: _____

Is there a security system? If yes, is it (Check all that apply):
 Leased (Attach copy of lease if available) Owned Monitored Other _____

Are you aware of any past or present problems with the security system? Explain: _____

Does the Property contain any of the following systems or detectors? (Check all that apply):
 Smoke/fire detection Fire suppression (sprinklers) Carbon monoxide detector
 If yes, are you aware of any past or present problems with the above systems? Explain: N/A

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MISCELLANEOUS:

Are you aware of or have you observed any of the following on the Property? (Check all that apply):
 Scorpions Rabid animals Bee swarms Rodents Reptiles Other: _____

Explain: Small snake 2 years ago when property was built (desert)

How often is the Property serviced or treated for pests, reptiles, insects or animals? _____

Name of service provider: _____ Date of last service: _____

Are you aware of any work done on the Property, such as building, plumbing, electrical or other improvements?
 (If no, skip to line 144.)

Explain: _____

Are you aware of any rooms added to the Property or converted to bedrooms?
 Were permits for the work required? Explain: N/A
 If yes, were permits for the work obtained? Explain: N/A
 Was the work performed by a person licensed to perform the work? Explain: N/A
 Was approval for the work required by any association governing the property? Explain: N/A
 If yes, was approval granted by the association? Explain: N/A
 Was the work completed? Explain: N/A

Are there any security bars or other obstructions to door or window openings? Explain: _____

Are you aware of any past or present problems with any built-in appliances? Explain: _____

Are there any leased propane tanks, equipment or other systems on the Property? Explain: _____

UTILITIES

- 149.
- 150. YES NO
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DOES THE PROPERTY CURRENTLY RECEIVE THE FOLLOWING SERVICES?

PROVIDER

Electricity: TRICO

Fuel: Natural gas Propane Oil SOUTHWEST GAS

Cable: _____

Telephone: _____

Garbage Collection: _____

Fire: IN TAKES

Irrigation: _____

Water Source: Public Private water co. Private well Shared well Hauled water

If water source is a private or shared well, complete and attach DOMESTIC WATER WELL/WATER USE ADDENDUM.

If source is public, a private water company, or hauled water, Provider is: CITY

NOTICE TO BUYER: IF THE PROPERTY IS SERVED BY A WELL, PRIVATE WATER COMPANY OR A MUNICIPAL WATER PROVIDER, THE ARIZONA DEPARTMENT OF WATER RESOURCES MAY NOT HAVE MADE A WATER SUPPLY DETERMINATION. FOR MORE INFORMATION ABOUT WATER SUPPLY, CONTACT THE WATER PROVIDER.

164. YES NO Are you aware of any past or present drinking water problems? Explain: _____
165. _____
166. YES NO Are there any alternate power systems serving the Property? If yes, indicate type (Check all that apply):
 Solar Wind Generator Other _____
167. _____
168. If yes, are you aware of any past or present problems with the alternate power system(s)? Explain: _____
169. _____

ENVIRONMENTAL INFORMATION

170. YES NO Are you aware of any past or present issues or problems with any of the following on the Property? (Check all that apply):
 Soil settlement/expansion Drainage/grade Erosion Fissures Dampness/moisture Other _____
171. Explain: _____
172. _____
173. YES NO Are you aware of any past or present issues or problems in close proximity to the Property related to any of
 174. the following? (Check all that apply):
 175. Soil settlement/expansion Drainage/grade Erosion Fissures Other _____
176. Explain: _____
177. YES NO Are you aware if the Property is subject to any present or proposed effects of any of the following? (Check all that apply):
 178. Airport noise Traffic noise Rail line noise Neighborhood noise Landfill Toxic waste disposal
 179. Odors Nuisances Sand/gravel operations Other _____
180. Explain: _____
181. YES NO Are you aware if the Property is located in the vicinity of an airport (military, public, or private)?
 182. Explain: _____
183. **NOTICE TO SELLER AND BUYER: PURSUANT TO ARIZONA LAW A SELLER SHALL PROVIDE A WRITTEN**
 184. **DISCLOSURE TO THE BUYER IF THE PROPERTY IS LOCATED IN TERRITORY IN THE VICINITY OF A MILITARY**
 185. **AIRPORT OR ANCILLARY MILITARY FACILITY AS DELINEATED ON A MAP PREPARED BY THE STATE LAND**
 186. **DEPARTMENT. THE DEPARTMENT OF REAL ESTATE ALSO IS OBLIGATED TO RECORD A DOCUMENT AT THE**
 187. **COUNTY RECORDER'S OFFICE DISCLOSING IF THE PROPERTY IS UNDER RESTRICTED AIR SPACE AND TO**
 188. **MAINTAIN THE STATE LAND DEPARTMENT MILITARY AIRPORT MAP ON ITS WEBSITE AT www.re.state.az.us.**
189. YES NO Are you aware of the presence of any of the following on the Property, past or present? (Check all that apply):
 190. Asbestos Radon gas Lead-based paint Pesticides Underground storage tanks Fuel/chemical storage
 191. Explain: _____
192. YES NO Are you aware if the Property is located within any of the following? (Check all that apply):
 193. Superfund/ WQARF/ CERCLA Wetlands area
194. YES NO Are you aware of any open mine shafts/tunnels or abandoned wells on the Property?
 195. If yes, describe location: _____
196. YES NO Are you aware if any portion of the Property is in a flood plain/way? Explain: _____
197. _____
198. YES NO Are you aware of any portion of the Property ever having been flooded? Explain: _____
199. _____
200. YES NO Are you aware of any water damage or water leaks of any kind on the Property? Explain: _____
201. _____
202. YES NO Are you aware of any past or present mold growth on the Property? If yes, explain: _____
203. _____

SEWER/WASTEWATER TREATMENT

204. YES NO Is the entire Property connected to a sewer? Explain: _____
205. YES NO If yes, has a professional verified the sewer connection? If yes, how and when: See when built

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NOTICE TO BUYER: CONTACT A PROFESSIONAL TO CONDUCT A SEWER VERIFICATION TEST.

Type of sewer: Public Private Planned and approved sewer system, but not connected

Name of Provider _____

Are you aware of any past or present problems with the sewer? Explain: _____

Is the Property served by an On-Site Wastewater Treatment Facility? (If no, skip to line 217.)

If yes, the Facility is: Conventional septic system Alternative system; type: _____

YES NO

If the Facility is an alternative system, is it currently being serviced under a maintenance contract?

If yes, name of contractor: _____ Phone #: _____

Approximate year Facility installed: _____ (Attach copy of permit if available.)

Are you aware of any repairs or alterations made to this Facility since original installation?

Explain: _____

Approximate date of last Facility inspection and/or pumping of septic tank: _____

Are you aware of any past or present problems with the Facility? Explain: _____

NOTICE TO SELLER AND BUYER: THE ARIZONA DEPARTMENT OF ENVIRONMENTAL QUALITY REQUIRES A PRE-TRANSFER INSPECTION OF ON-SITE WASTEWATER TREATMENT FACILITIES ON RE-SALE PROPERTIES.

OTHER CONDITIONS AND FACTORS

223. What other material (important) information are you aware of concerning the Property that might affect the buyer's decision-making
224. process, the value of the Property, or its use? Explain: N/A
225. _____
226. _____
227. _____

ADDITIONAL EXPLANATIONS

228. N/A
229. _____
230. _____
231. _____
232. _____

233. **SELLER CERTIFICATION:** Seller certifies that the information contained herein is true and complete to the best of Seller's
234. knowledge as of the date signed. Seller agrees that any changes in the information contained herein will be disclosed in writing by
235. Seller to Buyer prior to Close of Escrow, including any information that may be revealed by subsequent inspections.

236. Henry Cruz 1-9-08 Alicia Cruz 1-9-2008
SELLER Henry Cruz MO/DAYR SELLER Alicia Cruz MO/DAYR

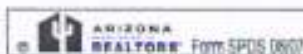
237. Reviewed and updated: Initials: _____
SELLER SELLER MO/DAYR

238. **BUYER'S ACKNOWLEDGEMENT:** Buyer acknowledges that the information contained herein is based only on the Seller's actual
239. knowledge and is not a warranty of any kind. Buyer acknowledges Buyer's obligation to investigate any material (important) facts in
240. regard to the Property. Buyer is encouraged to obtain Property inspections by professional independent third parties and to
241. consider obtaining a home warranty protection plan.

242. **NOTICE:** Buyer acknowledges that by law, Sellers, Lessors and Brokers are not obligated to disclose that the Property is or has been: (1) the site of a
243. natural death, suicide, homicide, or any other crime classified as a felony; (2) owned or occupied by a person exposed to HIV, diagnosed as having
244. AIDS or any other disease not known to be transmitted through common occupancy of real estate; or (3) located in the vicinity of a sex offender.

245. By signing below, Buyer acknowledges receipt only of this SPDS. If Buyer reasonably disapproves of any items provided herein, Buyer
246. shall deliver to Seller written notice of the items disapproved as provided in the Contract.

247. _____ MO/DAYR BUYER _____ MO/DAYR



Initials: _____
BUYER BUYER