

MARYLAND RESIDENTIAL PROPERTY DISCLOSURE AND DISCLAIMER STATEMENT

Property Address: 3604 Baron Creek Dr, Mount Airy, MD 21771

Legal Description: Lot 88 Challedon Sec 4

NOTICE TO SELLER AND PURCHASER

Section 10-702 of the Real Property Article, Annotated Code of Maryland, requires the owner of certain residential real property to furnish to the purchaser either (a) a RESIDENTIAL PROPERTY DISCLAIMER STATEMENT stating that the owner is selling the property "as is" and makes no representations or warranties as to the condition of the property or any improvements on the real property, except as otherwise provided in the contract of sale, or in a listing of latent defects; or (b) a RESIDENTIAL PROPERTY DISCLOSURE STATEMENT disclosing defects or other information about the condition of the real property actually known by the owner. Certain transfers of residential property are excluded from this requirement (see the exemptions listed below).

10-702. EXEMPTIONS. The following are specifically excluded from the provisions of §10-702:

- 1. The initial sale of single family residential real property:
A. that has never been occupied; or
B. for which a certificate of occupancy has been issued within 1 year before the seller and buyer enter into a contract of sale;
2. A transfer that is exempt from the transfer tax under §13-207 of the Tax-Property Article, except land installment contracts of sales under §13-207(a) (11) of the Tax-Property Article and options to purchase real property under §13-207(a)(12) of the Tax-Property Article;
3. A sale by a lender or an affiliate or subsidiary of a lender that acquired the real property by foreclosure or deed in lieu of foreclosure;
4. A sheriff's sale, tax sale, or sale by foreclosure, partition, or by court appointed trustee;
5. A transfer by a fiduciary in the course of the administration of a decedent's estate, guardianship, conservatorship, or trust;
6. A transfer of single family residential real property to be converted by the buyer into use other than residential use or to be demolished; or
7. A sale of unimproved real property.

Section 10-702 also requires the owner to disclose information about latent defects in the property that the owner has actual knowledge of. The owner must provide this information even if selling the property "as is." "Latent defects" are defined as: Material defects in real property or an improvement to real property that:

- (1) A purchaser would not reasonably be expected to ascertain or observe by a careful visual inspection of the real property; and
(2) Would pose a direct threat to the health or safety of:
(i) the purchaser; or
(ii) an occupant of the real property, including a tenant or invitee of the purchaser.

MARYLAND RESIDENTIAL PROPERTY DISCLOSURE STATEMENT

NOTICE TO OWNERS: Complete and sign this statement only if you elect to disclose defects, including latent defects, or other information about the condition of the property actually known by you; otherwise, sign the Residential Property Disclaimer Statement. You may wish to obtain professional advice or inspections of the property; however, you are not required to undertake or provide any independent investigation or inspection of the property in order to make the disclosure set forth below. The disclosure is based on your personal knowledge of the condition of the property at the time of the signing of this statement.

NOTICE TO PURCHASERS: The information provided is the representation of the Owners and is based upon the actual knowledge of Owners as of the date noted. Disclosure by the Owners is not a substitute for an inspection by an independent home inspection company, and you may wish to obtain such an inspection. The information contained in this statement is not a warranty by the Owners as to the condition of the property of which the Owners have no knowledge or other conditions of which the Owners have no actual knowledge.

How long have you owned the property? 9 years

Property System: Water, Sewage, Heating & Air Conditioning (Answer all that apply)

Water Supply: [ ] Public, [x] Well, [ ] Other
Sewage Disposal: [ ] Public, [x] Septic System approved for (# bedrooms)
Garbage Disposal: [x] Yes, [ ] No
Dishwasher: [x] Yes, [ ] No
Heating: [ ] Oil, [x] Natural Gas, [x] Electric, [x] Heat Pump Age 9, [ ] Other
Air Conditioning: [ ] Oil, [ ] Natural Gas, [x] Electric, [x] Heat Pump Age 9, [ ] Other
Hot Water: [ ] Oil, [x] Natural Gas, [ ] Electric Capacity Age, [ ] Other

Please indicate your actual knowledge with respect to the following:

1. Foundation: Any settlement or other problems?  Yes  No  Unknown  
Comments: \_\_\_\_\_

2. Basement: Any leaks or evidence of moisture?  Yes  No  Unknown  Does Not Apply  
Comments: \_\_\_\_\_

3. Roof: Any leaks or evidence of moisture?  Yes  No  Unknown  
Type of roof: \_\_\_\_\_ Age \_\_\_\_\_  
Comments: \_\_\_\_\_  
Is there any existing fire retardant treated plywood?  Yes  No  Unknown  
Comments: \_\_\_\_\_

4. Other Structural Systems, including exterior walls and floors:  
Comments: \_\_\_\_\_  
Any defects (structural or otherwise)?  Yes  No  Unknown  
Comments: \_\_\_\_\_

5. Plumbing System: Is the system in operating condition?  Yes  No  Unknown  
Comments: \_\_\_\_\_

6. Heating Systems: Is heat supplied to all finished rooms?  Yes  No  Unknown  
Comments: \_\_\_\_\_  
Is the system in operating condition?  Yes  No  Unknown  
Comments: \_\_\_\_\_

7. Air Conditioning System: Is cooling supplied to all finished rooms?  Yes  No  Unknown  Does Not Apply  
Comments: \_\_\_\_\_  
Is the system in operating condition?  Yes  No  Unknown  Does Not Apply  
Comments: \_\_\_\_\_

8. Electric Systems: Are there any problems with electrical fuses, circuit breakers, outlets or wiring?  
 Yes  No  Unknown  
Comments: \_\_\_\_\_  
Will the smoke detectors provide an alarm in the event of a power outage?  Yes  No  Does Not Apply  
Comments: \_\_\_\_\_

9. Septic Systems: Is the septic system functioning properly?  Yes  No  Unknown  Does Not Apply  
When was the system last pumped? Date 7/2008  Unknown  
Comments: \_\_\_\_\_

10. Water Supply: Any problem with water supply?  Yes  No  Unknown  
Comments: \_\_\_\_\_  
Home water treatment system:  Yes  No  Unknown  
Comments: \_\_\_\_\_  
Fire sprinkler system:  Yes  No  Unknown  Does Not Apply  
Comments: \_\_\_\_\_  
Are the systems in operating condition?  Yes  No  Unknown  
Comments: \_\_\_\_\_

11. Insulation:  
In exterior walls?  Yes  No  Unknown  
In ceiling/attic?  Yes  No  Unknown  
In any other areas?  Yes  No  Unknown  
Where? GARAGE INSULATED  
Comments: \_\_\_\_\_

12. Exterior Drainage: Does water stand on the property for more than 24 hours after a heavy rain?  
 Yes  No  Unknown  
Comments: \_\_\_\_\_  
Are gutters and downspouts in good repair?  Yes  No  Unknown  
Comments: \_\_\_\_\_

13. Wood-destroying insects: Any infestation and/or prior damage?  Yes  No  Unknown

Comments: \_\_\_\_\_

Any treatments or repairs?  Yes  No  Unknown

Any warranties?  Yes  No  Unknown

Comments: \_\_\_\_\_

14. Are there any hazardous or regulated materials (including, but not limited to, licensed landfills, asbestos, radon gas, lead-based paint, underground storage tanks, or other contamination) on the property?  Yes  No  Unknown

If yes, specify below

Comments: \_\_\_\_\_

15. If the property relies on the combustion of a fossil fuel for heat, ventilation, hot water, or clothes dryer operation, is a carbon monoxide alarm installed in the property?

Yes  No  Unknown

Comments: \_\_\_\_\_

16. Are there any zoning violations, nonconforming uses, violation of building restrictions or setback requirements or any recorded or unrecorded easement, except for utilities, on or affecting the property?  Yes  No  Unknown

If yes, specify below

Comments: \_\_\_\_\_

17. Is the property located in a flood zone, conservation area, wetland area, Chesapeake Bay critical area or Designated Historic District?  Yes  No  Unknown If yes, specify below

Comments: \_\_\_\_\_

18. Is the property subject to any restriction imposed by a Home Owners Association or any other type of community association?

Yes  No  Unknown If yes, specify below

Comments: \_\_\_\_\_

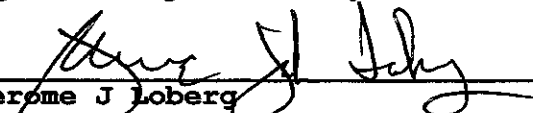
19. Are there any other material defects, including latent defects, affecting the physical condition of the property?

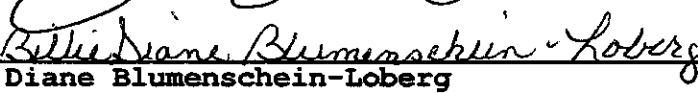
Yes  No  Unknown

Comments: \_\_\_\_\_

NOTE: Owner(s) may wish to disclose the condition of other buildings on the property on a separate RESIDENTIAL PROPERTY DISCLOSURE STATEMENT.

The owner(s) acknowledge having carefully examined this statement, including any comments, and verify that it is complete and accurate as of the date signed. The owner(s) further acknowledge that they have been informed of their rights and obligations under §10-702 of the Maryland Real Property Article.

Owner Jerome J Loberg  Date 2-3-2010

Owner B Diane Blumenschein-Loberg  Date 2-3-10

The purchaser(s) acknowledge receipt of a copy of this disclosure statement and further acknowledge that they have been informed of their rights and obligations under §10-702 of the Maryland Real Property Article.

Purchaser \_\_\_\_\_ Date \_\_\_\_\_

Purchaser \_\_\_\_\_ Date \_\_\_\_\_



**INCLUSIONS/EXCLUSIONS AND UTILITIES ADDENDUM TO EXCLUSIVE RIGHT TO SELL RESIDENTIAL BROKERAGE AGREEMENT**

For the sole purpose of assisting the agent in preparing an offer and is not to be part of the Contract of Sale

ADDENDUM # \_\_\_\_\_ dated February 3, 2010 to Exclusive Right to Sell Brokerage Agreement  
dated February 3, 2010, between Owner(s) Jerome J Loberg, B Diane Blumenschein-Loberg  
and Broker Re/Max Realty Group Bonnie Winkler/Maureen Nichols  
3604 Baron Creek Dr  
for Property known as Mount Airy, MD 21771

**INCLUSIONS/EXCLUSIONS:** Owner intends for these items marked below to be included in the sale of the property unless otherwise negotiated:

- |   |   |  |   |
|---|---|--|---|
| <b>INCLUDED</b>   | <b>INCLUDED</b>   | <b>INCLUDED</b>  | <b>INCLUDED</b>                                     |
| <input checked="" type="checkbox"/> Alarm System              | <input checked="" type="checkbox"/> Exhaust Fan(s) # _____      | <input type="checkbox"/> Pool, Equip. & Cover                  | <input type="checkbox"/> Trash Compactor            |
| <input checked="" type="checkbox"/> Built-in Microwave        | <input checked="" type="checkbox"/> Exist. W/W Carpet           | <input checked="" type="checkbox"/> Refrigerator(s) # <u>1</u> | <input type="checkbox"/> Wall Oven(s) # _____       |
| <input checked="" type="checkbox"/> Ceiling Fan(s) # <u>1</u> | <input checked="" type="checkbox"/> Fireplace Screen/Doors      | <input checked="" type="checkbox"/> w/ice maker                | <input checked="" type="checkbox"/> Water Filter    |
| <input type="checkbox"/> Central Vacuum                       | <input type="checkbox"/> Freezer                                | <input checked="" type="checkbox"/> Satellite Dish             | <input checked="" type="checkbox"/> Water Softener  |
| <input checked="" type="checkbox"/> Clothes Dryer             | <input type="checkbox"/> Furnace Humidifier                     | <input checked="" type="checkbox"/> Screens                    | <input type="checkbox"/> Window A/C Unit(s) # _____ |
| <input checked="" type="checkbox"/> Clothes Washer            | <input checked="" type="checkbox"/> Garage Opener(s) # <u>2</u> | <input checked="" type="checkbox"/> Shades/Blinds              | <input type="checkbox"/> Window Fan(s) # _____      |
| <input type="checkbox"/> Cooktop                              | <input type="checkbox"/> w/remote(s) # <u>2</u>                 | <input type="checkbox"/> Storage Shed(s) # _____               | <input type="checkbox"/> Wood Stove                 |
| <input checked="" type="checkbox"/> Dishwasher                | <input checked="" type="checkbox"/> Garbage Disposer            | <input type="checkbox"/> Storm Doors                           |   |
| <input type="checkbox"/> Drapery/Curtain Rods                 | <input type="checkbox"/> Hot Tub, Equip. & Cover                | <input type="checkbox"/> Storm Windows                         |   |
| <input type="checkbox"/> Draperies/Curtains                   | <input type="checkbox"/> Intercom                               | <input checked="" type="checkbox"/> Stove or Range             |   |
| <input type="checkbox"/> Electronic Air Filter                | <input type="checkbox"/> Playground Equipment                   | <input type="checkbox"/> T.V. Antenna                          |   |

ADDITIONAL INCLUSIONS (Specify):

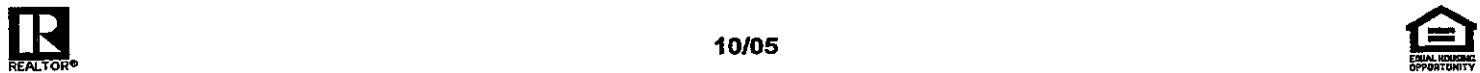
EXCLUSIONS (Specify): KITCHEN LIGHT FIXTURE - BRASS ELECTRICAL PLATES

UTILITIES: WATER, SEWAGE, HEATING AND CENTRAL AIR CONDITIONING: (Check all that apply)

- |                   |                                 |  |                                      |   |                                      |
|-------------------|---------------------------------|--|--------------------------------------|---|--------------------------------------|
| Water Supply:     | <input type="checkbox"/> Public | <input checked="" type="checkbox"/> Well   |                                      |   |                                      |
| Sewage Disposal:  | <input type="checkbox"/> Public | <input checked="" type="checkbox"/> Septic |                                      |   |                                      |
| Heating:          | <input type="checkbox"/> Oil    | <input checked="" type="checkbox"/> Gas    | <input type="checkbox"/> Elec.       | <input checked="" type="checkbox"/> Heat Pump | <input type="checkbox"/> Other _____ |
| Hot Water:        | <input type="checkbox"/> Oil    | <input checked="" type="checkbox"/> Gas    | <input type="checkbox"/> Elec.       | <input type="checkbox"/> Other _____          |                                      |
| Air Conditioning: | <input type="checkbox"/> Gas    | <input checked="" type="checkbox"/> Elec.  | <input type="checkbox"/> Other _____ |   |                                      |

Jerome J Loberg 2-3-2010 B D Diane Blumenschein-Loberg 2-3-10  
Owner Date Owner Date  
Jerome J Loberg B Diane Blumenschein-Loberg

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10/05

**CARROLL COUNTY NOTICES AND DISCLOSURES ADDENDUM**

(for use with the MAR Contract of Sale)  
The Residential Contract of Sale between JOHN LOBERG & BILLIE D. LOBERG (Seller) and  
(Buyer) dated \_\_\_\_\_ for the sale of property  
known as 3604 BARTON CREEK (the Property) located in Carroll County, Maryland, is hereby  
amended by addition of the following which is incorporated in and made a part of the Contract of Sale. In the event any of the  
following provisions are inconsistent with other provisions in the Contract of Sale, the terms and conditions of this Addendum  
shall supersede such other provisions and shall control.

**NOTICE**

INFORMATION ABOUT THIS PROPERTY (INCLUDING IMPACT FEES ON NEW CONSTRUCTION, SUBDIVISION  
DETAILS, HIGHWAYS, ROADS, BY-PASSES, TEMPORARY CUL-DE-SACS & ROAD EXTENSIONS, OFF-  
CONVEYANCE DETAILS SUCH AS INTENDED USE, BUILDING PERMITS AND PROPERTY ACCESS IS AVAILABLE  
IN THE CARROLL COUNTY PLANNING AND DEVELOPMENT DEPARTMENT. FUTURE USES, PAST USES AND  
ORDINANCES AFFECTING PROPERTY USES ARE INCLUDED IN THE:

- RECORD PLAT
- CARROLL COUNTY MASTER PLAN
- CARROLL COUNTY ZONING ORDINANCE

COMMUNITY PLANNERS ARE FAMILIAR WITH THE COMMUNITIES TO WHICH THEY ARE ASSIGNED AND CAN  
ANSWER YOUR QUESTIONS.

CARROLL COUNTY BUREAU OF COMPREHENSIVE PLANNING - 410-386-2145  
BUREAU OF DEVELOPMENT REVIEW - 410-386-2143  
225 N. CENTER STREET, WESTMINSTER, MD 21157

**1. RIGHT TO FARM DISCLOSURE STATEMENT (CARROLL COUNTY ORDINANCE NO. 127, THE CARROLL  
COUNTY RIGHT TO FARM ORDINANCE).**

**SELLER'S STATEMENT:** THE FOLLOWING ARE REPRESENTATIONS MADE BY THE SELLER AND ARE NOT THE  
REPRESENTATIONS OF THE AGENT(S), IF ANY. THIS INFORMATION IS A DISCLOSURE REQUIRED BY  
CARROLL COUNTY. CARROLL COUNTY ALLOWS AGRICULTURAL OPERATIONS (as defined in the Carroll County  
Right to Farm Ordinance) WITHIN THE COUNTY. You may be subject to inconveniences or discomforts arising from such  
operations, including but not limited to noise, odors, fumes, dust, flies, the operation of machinery of any kind during any 24-  
hour period (including aircraft), vibration, the storage and disposal of manure, and the application by spraying or otherwise of  
chemical fertilizers, soil amendments and pesticides. Carroll County has determined that inconveniences or discomforts  
associated with such agricultural operations shall not be considered to be an interference with reasonable use and enjoyment of  
land, if such operations are conducted in accordance with generally accepted agricultural management practices. Carroll County  
has established a reconciliation committee to assist in the resolution of disputes which might arise between persons in this County  
regarding whether agricultural operations conducted on agricultural lands are causing an interference with the reasonable use and  
enjoyment of land or personal well being and whether those operations are being conducted in accordance with generally  
accepted agricultural practices. If you have any questions concerning this policy or the reconciliation committee, please contact  
the Carroll County Bureau of Comprehensive Planning and/or Bureau of Development Review for additional information.

**IF YOU DESIRE LEGAL ADVICE, CONSULT AN ATTORNEY.**

**2. COUNTY COMPREHENSIVE MINERAL RESOURCE PLAN:** Carroll County has adopted a Comprehensive Mineral  
Resource Plan. This Plan identifies and ensures that certain areas will be protected for potential current and future economic  
development of these mineral resources. Buyer may review the Carroll County zoning maps to determine the impact said Mineral  
Resource Overlay Zone may have on their immediate and future property value and/or the present and future use and enjoyment  
of the Property. For more information Buyer should contact the Carroll County Bureau of Comprehensive Planning and/or  
Bureau of Development Review.

**3. AIRPORT EXPANSION, HELIPORTS & LANDING PATHS:** Buyer is hereby advised that there may be existing or  
plans for future airports, heliports and landing paths near the Property. For information Buyer should inquire with all appropriate  
County, State and or Federal authorities.

THE PARTIES INITIALS ARE FOR ACKNOWLEDGING RECEIPT OF PAGE 1 OF THIS ADDENDUM	_____	_____	<u>[Signature]</u>	<u>[Signature]</u>
	Buyer/Date	Buyer/Date	Seller/Date	Seller/Date

4. **DEFERRED WATER AND SEWER:** Some properties in Carroll County may be subject to past, current or future water deferred public water and sewer charges, required connections, and other related charges. For more information Buyer should contact the Carroll County Bureau of Utilities or the town in which the Property is located.

5. **EXISTING & PROPOSED LANDFILL SITES:** Buyer is hereby advised that the above described Property may be near an existing, proposed or closed landfill. Buyer may learn about existing, proposed or closed landfills by contacting the Carroll County Health Department.

6. **USE-IN-COMMON ROADWAY/DRIVEWAYS AND MAINTENANCE AGREEMENTS:** Buyer understands that a Property may be located on a private, use-in-common roadway/driveway. The County has no responsibility with regard to the right to use and maintenance of these roadways/driveways. Therefore, the right to use and the requirements and costs for maintenance should be determined by the Buyer. This information is available through the Public Land Records.

7. **HISTORIC DESIGNATIONS:** Buyer is hereby advised that if the Property is a designated historic site or is located within a historic district, Buyer acknowledges that, as such, the Property is subject to guidelines and regulations which may limit the extent to which the exterior features of the Property may be modified or altered. Buyer should contact the County Administrative Hearing Office and/or the local town government where the Property is located for further information. If the Property is listed on the national register, Buyer may contact the Maryland Historical Trust at (410)514-7600 for more information.

General Information

All public information pertinent to the Property but not limited to the items described above may be obtained from the Carroll County Office of Public Information and Communications Services at (410) 386-2973.

BUYER HEREBY ACKNOWLEDGES THEY ARE NOT RELYING ON THE DISCLOSURES OR LACK OF DISCLOSURES ON THESE ISSUES BY SELLER OR THE REAL ESTATE AGENT(S) OR BROKER(S) INVOLVED IN THIS SALES TRANSACTION.

BUYER AND SELLER HEREBY ACKNOWLEDGE RECEIPT OF THIS CARROLL COUNTY GENERAL NOTICES AND DISCLOSURES ADDENDUM.

\_\_\_\_\_  
Buyers Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Buyers Signature

\_\_\_\_\_  
Date

*[Handwritten Signature]*  
\_\_\_\_\_  
Sellers Signature

2-3-10  
\_\_\_\_\_  
Date

*[Handwritten Signature]*  
\_\_\_\_\_  
Sellers Signature

2-3-10  
\_\_\_\_\_  
Date

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