



COLDWELL BANKER
MOUNTAIN
PROPERTIES

Coldwell Banker Mountain Properties
785 Main Avenue Durango, CO 81301
Jaime Suzanne Marquez jaime@realestatedurango.com
Ph: 970-759-8919

The printed portions of this form, except differentiated additions, have been approved by the Colorado Real Estate Commission.
(SPD19-6-23) (Available 8-23, Mandatory 1-24)

SELLER'S PROPERTY DISCLOSURE
(RESIDENTIAL)

THIS SELLER'S PROPERTY DISCLOSURE SHOULD BE COMPLETED BY SELLER, NOT BY BROKER.

Seller states that the information contained in this Seller's Property Disclosure ("SPD") is correct to Seller's CURRENT ACTUAL KNOWLEDGE as of this Date. Any changes must be disclosed by Seller to Buyer promptly after discovery. Seller's failure to disclose a known adverse material fact affecting the Property or occupant may result in legal liability. If the sales contract requires Seller to complete this SPD, this form must be fully completed to Seller's current actual knowledge, as of the date of the Contract. If Seller has knowledge of an adverse material fact affecting the Property or occupants, it must be disclosed whether there is a specific item on this SPD or not. If the Property is part of a Common Interest Community, this SPD is limited to the Property or unit itself, except as stated in Section O. Broker may deliver a copy of this SPD to prospective buyers.

SELLER: Your answers are NOT limited to only the space provided in this SPD. Attach additional pages, reports, receipts, or any other documents you believe necessary for the information you provide to be complete.

Note: Buyer and Seller should review the Advisory at the end of this SPD.

Date: **4/15/2025**

Property:

95 Turnberry Drive, Durango, CO 81301

Seller: **The Bears Lair, LLC**

Year Built: **2008**

Year Seller Acquired Property: **2023**

Note: The Contract to Buy and Sell Real Estate, not this SPD, determines whether an item is included or excluded in the sale. If there is an inconsistency between this SPD and the Contract, the Contract controls.

I. IMPROVEMENTS

A. BUILDING CONDITIONS (all aspects of the Property to include decks and patios) If you know of any of the following problems EVER EXISTING, check the "Yes" column:	Yes	Comments
1 Structural		
2 Moisture and/or water	<input checked="" type="checkbox"/>	There was moisture above the garage ceiling that was coming from the upstairs bathroom. The leak has been fixed and the damaged ceiling in the garage was replaced and repainted.
3 Damage due to termites, other insects, birds, animals, or rodents		
4 Damage due to hail, wind, fire, flood, or other casualty	<input checked="" type="checkbox"/>	The HOA just replaced the roof for the entire unit
5 Cracks, heaving or settling		
6 Exterior wall or window		All the windows in the property were replaced in 2023
7 Exterior Artificial Stucco (EIFS)		
8 Subfloors		
9		
10		

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B. ROOF If you know of any of the following problems EVER EXISTING , check the "Yes" column:		Yes	Comments
1	Roof leak		
2	Damage to roof		
3	Skylight		
4	Gutter or downspout		
5	Other roof problems, issues or concerns		
6			
7			
ROOF - Other Information Do you know of the following on the Property:			
8	Roof under warranty until Transferable? <input type="checkbox"/> YES <input type="checkbox"/> NO		the HOA fees cover the cost of the roof replacement which was just completed in 2024
9	Roof work done while under current roof warranty		
10	Roof material:shingle Age:1		
11			

C. APPLIANCES (if included in the sale) If you know of any problems NOW EXISTING with the following, check the "Yes" column:		Yes	Age If Known	Comments
1	Built-in vacuum system & accessories			contained unit is in the garage. Unsure about the functionality of the vacuum
2	Clothes dryer			
3	Clothes washer			
4	Dishwasher			
5	Disposal			
6	Freezer		1	New in 2023
7	Gas grill			
8	Hood			one bulb in the overhead light doesn't work. Fan in functioning
9	Microwave oven		1	
10	Oven			
11	Range			
12	Refrigerator		1	New in 2023
13	T.V. antenna: <input type="checkbox"/> Owned <input type="checkbox"/> Leased			
14	Satellite system or DSS dish: <input type="checkbox"/> Owned <input type="checkbox"/> Leased			
15	Trash compactor			
16				
17				

D. ELECTRICAL & TELECOMMUNICATIONS If you know of any problems NOW EXISTING with the following, check the "Yes" column:		Yes	Age If Known	Comments
1	Security system: <input type="checkbox"/> Owned <input type="checkbox"/> Leased			
2	Smoke/fire detectors: <input checked="" type="checkbox"/> Battery <input type="checkbox"/> Hardwire		2	installed in 2023
3	Carbon Monoxide Alarm: <input checked="" type="checkbox"/> Battery <input type="checkbox"/> Hardwire		2	installed in 2023

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4	Light fixtures		2	All new can lights installed in 2023 as well as bathroom fixtures throughout
5	Switches & outlets		2	all switches and outlets replaced in 2023
6	Telecommunications (T1, fiber, cable, satellite)			
7	Inside telephone wiring & blocks/jacks			
8	Ceiling fans			replaced in 2023
9	Garage door opener and remote control # of remote/openers:1			remote and exterior keypad replaced in 2023
10	Intercom/doorbell			ring doorbell. New in 2023
11	In-wall speakers			
12				
13				
	ELECTRICAL & TELECOMMUNICATIONS If you know of any problems EVER EXISTING with the following, check the "Yes" column:			
14	Electrical Service			
15	Aluminum wiring at the outlets (110)			
16	Solar panels: <input type="checkbox"/> Owned <input type="checkbox"/> Leased			
17	Wind generators: <input type="checkbox"/> Owned <input type="checkbox"/> Leased			
17	Electric Wiring or Panel			
18				
19				
	ELECTRICAL & TELECOMMUNICATIONS - Other Information: Do you know of the following on the Property:			
20	220 volt service			
21	Electrical Service: Amps			
22	Landscape Lighting			
23	Electrical Provider:			La Plata
24	Cable/TV provider			
25	Seller's Internet Provider			Frontier
26				

E. MECHANICAL				
If you know of any problems NOW EXISTING with the following, check the "Yes" column:	Yes	Age If Known	Comments	
1 Overhead doors (including garage doors)				
2 Entry gate system				
3 Elevator				
4 Sump pump(s): # of				
5 Recycle pump				
6				
7				

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F. VENTILATION, AIR & HEAT If you know of any problems NOW EXISTING with the following, check the "Yes" column:	Yes	Age If Known	Comments
1 Heating System			serviced in 2023
2 Evaporative cooler			
3 Window air conditioning units			
4 Central air conditioning			serviced and cleaned in 2023
5 Attic/whole house fan			
6 Vent fans			
7 Humidifier			
8 Air purifier			
9 Fireplace			
10 Fireplace insert			
11 Heating Stove			
12 Fuel tanks			
13			
14			
VENTILATION, AIR & HEAT - Other Information: Do you know of the following on the Property:			
15 Heating system (including furnace): Type Fuel Type Fuel			
16 Fireplace: Type Fuel			
17 Heating Stove: Type Fuel			
18 When was fireplace/wood stove, chimney/flue last cleaned: Date: <input type="checkbox"/> Do not know			
19 Fuel tanks: <input type="checkbox"/> Owned <input type="checkbox"/> Leased			
20 Radiant heating system: <input type="checkbox"/> Interior <input type="checkbox"/> Exterior Type			
21 Fuel Provider:			
22			

G. WATER If you know of any problems NOW EXISTING with the following, check the "Yes" column:	Yes	Age If Known	Comments
1 Water heater(s)		2	replaced in 2023
2 Water filter system			
3 Water softener			
4 Water system pump			
5 Sauna			
6 Hot tub or spa			
7 Steam room/shower			
8 Underground sprinkler system			
9 Fire sprinkler system			

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10	Backflow prevention device			
11	Irrigation pump			
12				
13				
	Water If you know of any problems EVER EXISTING with the following, check the "Yes" column:			
14	Water system (including lines and water pressure)			
15	Well			
16	Pool			
17	Irrigation system			
18				
19				
	WATER - Other Information: Do you know of the following on the Property:			
20	Water heater: Number of <u>1</u> Fuel type <u>gas</u> Capacity			
21	Water filter system: <input type="checkbox"/> Owned <input type="checkbox"/> Leased			
22	Water softener: <input type="checkbox"/> Owned <input type="checkbox"/> Leased			
23	Master Water Shutoff Location:			
24	Well metered			
25	Well Pump: Date of last inspection Date of last service			
26	Galvanized pipe			
27	Polybutylene pipe			
28	Well Pump - GPM Date:			
29	Cistern water storage gallons			
30	Supplemental water purchased in past 2 years?			
31				

H. SOURCE OF WATER & WATER SUPPLY
Do you know of the following on the Property:

1 Type of water supply: Public Community Well Shared Well Other None
If the Property is served by a Well, a copy of the Well Permit **is** **is Not attached**. Well Permit #:
Drilling Records **Are** **Are Not** attached. Shared Well Agreement **Yes** **No**.

The **Water Provider** for the Property can be contacted at:
Name: Animas water Address: 56 trimble crossing Dr.
Web Site: Phone No.: 9702594788

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.

I. SEWER If you know of any problems EVER EXISTING with the following, check the "Yes" column:	Yes	Comments
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1	Sewage system (including sewer lines)		
2	Lift station (sewage ejector pump)		
3			
4			
SEWER - Other Information Do you know of the following on the Property:			
5	Type of sanitary sewer service: <input type="checkbox"/> Public <input type="checkbox"/> Community <input type="checkbox"/> Septic System <input type="checkbox"/> None <input type="checkbox"/> Other If the Property is served by an on-site septic system, provide buyer with a copy of the permit. Type of septic system: <input type="checkbox"/> Tank <input type="checkbox"/> Leach <input type="checkbox"/> Lagoon		
6	Sewer service provider:		
7	Sewer line scoped? Date:		
8	If a septic system, date latest Individual Use Permit issued:		
9	If a septic system, date of latest inspection:		
10	If a septic system, date of latest pumping:		
11	Gray water storage/use		
12			

J. FLOODING AND DRAINAGE If you know of any problems EVER EXISTING with the following on the Property, check the "Yes" column:	Yes	Comments	
1	Flooding or drainage		
2			
3			
DRAINAGE AND RETENTION PONDS - Other Information Do you know of the following on the Property:		Yes	Comments
4	Drainage, retention ponds		
5			

K. OTHER DISCLOSURES - IMPROVEMENTS If you know of any problems NOW EXISTING with the following, check the "Yes" column:	Yes	Comments
1	Included fixtures and equipment	
2	Stains on carpet	all new carpet upstairs in 2023
3	Floors	wood floors repaired and resurfaced in 2023 and new wood floors added to master bedroom, under stairs closet and stairs.
4		
5		

II. GENERAL

L. USE, ZONING & LEGAL ISSUES If you know of any of the following EVER EXISTING , check the "Yes" column:	Yes	Comments
1	Zoning violation, variance, conditional use, violation of an enforceable PUD, or non-conforming use	
2	Notice or threat of condemnation proceedings	

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3	Notice of any adverse conditions from any governmental or quasi-governmental agency that have not been resolved		
4	Notice of zoning action related to the Property		
5	Building code, city, or county violations		
6	Violation of restrictive covenants or owners' association rules or regulations		
7	Any building or improvements constructed within the past one year before this Date without approval by the owner's associations or the designated approving body		
8	Any additions or alterations made with a Building Permit		
9	Any additions or non-aesthetic alterations made without a Building Permit		
10	Other legal action		
11	Any part of the Property leased to others (written or oral)		
12	Used for short-term rentals in the past year		
13	Grandfathered conditions or uses		
14			
15			

M. ACCESS & PARKING If you know of any of the following EVER EXISTING check, the "Yes" column:	Yes	Comments
1	Any access problems, issues or concerns	
2	Roads, trails, paths, or driveways through the Property used by others	
3	Public highway or county road bordering the Property	
4	Any proposed or existing transportation project that affects or is expected to affect the Property	
5	Encroachments, boundary disputes or unrecorded easements	
6	Shared or common areas with adjoining properties	backyard grassy area is common area with the townhomes
7	Requirements for curb, gravel/paving, landscaping	
8	Any limitations on parking or access due to size, number of vehicles, or type of vehicles in the past year	
9		
10		

N. ENVIRONMENTAL CONDITIONS If you know of any of the following EVER EXISTING on any part of the Property, check the "Yes" column:	Yes	Comments
1	Hazardous materials on the Property, such as radioactive, toxic, or biohazardous materials, asbestos, pesticides, herbicides, wastewater sludge, methane, mill tailings, solvents, or petroleum products	
2	Underground storage tanks	
3	Aboveground storage tanks	
4	Underground transmission lines	
5	Property used as, situated on, or adjoining a dump, landfill or municipal solid waste landfill	
6	Monitoring wells or test equipment	
7	Sliding, settling, upheaval, movement or instability of earth, or expansive soils on the Property	
8	Mine shafts, tunnels, or abandoned wells on the Property	
9	Within a governmentally designated geological hazard or sensitive area	

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10	Within a governmentally designated floodplain or wetland area		
11	Dead, diseased, or infested trees or shrubs		
12	Environmental assessments, studies, or reports done involving the physical condition of the Property		
13	Used for any mining, graveling, or other natural resource extraction operations such as oil and gas wells		
14	Smoking inside improvements (including garages, unfinished space, or detached buildings) on Property		
15	Animals kept in the residence		
16	Other environmental problems, issues or concerns		
17	Odors		
18			
19			

O. RADON If you know of any of the following EVER EXISTING , check the "Yes" column:	Yes	Comments
1 Radon test(s) conducted on the Property. Include the most recent records and reports pertaining to radon concentrations within the Property.		
2 Radon concentrations detected or mitigation or remediation performed. Provide a full description.		
3 Radon mitigation system installed on Property. Provide all information known by Seller about the radon mitigation system.		
4		
5		

P. COMMON INTEREST COMMUNITY - ASSOCIATION PROPERTY If you know of any of the following NOW EXISTING , check the "Yes" column:	Yes	Comments
1 Property is part of an owners' association	<input checked="" type="checkbox"/>	Property is part of North Dalton HOA and the Willow HOA.
2 Special assessments or increases in regular assessments approved by owners' association but not yet implemented		
3 Problems or defects in the Common Elements or Limited Common Elements of the Association Property		
COMMON INTEREST COMMUNITY - ASSOCIATION PROPERTY If you know of any of the following EVER EXISTED , check the "Yes" column:		
4 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)		
5		
6		
COMMON INTEREST COMMUNITY - ASSOCIATION PROPERTY - Other Information: Name of the Owner's Associations governing the Property:		Contact Information
7 Owner's Association #1: North Dalton		
8 Owner's Association #2: The Willows		
9 Owner's Association #3:		
10 Owner's Association #4:		

Q. GENERAL DISCLOSURES If you know of any of the following EVER EXISTING , check the "Yes" column:	Yes	Comments
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1	Written reports of any building, site, roofing, soils, water, sewer, or engineering investigations or studies of the Property	
2	Any property insurance claim submitted (whether paid or not)	
3	Structural, architectural, and engineering plans and/or specifications for any existing improvements	
4	Property was previously used as a methamphetamine laboratory and not remediated to state standards	
5	Government special improvements approved, but not yet installed, that may become a lien against the Property	
6	Pending: (1) litigation or (2) other dispute resolution proceeding regarding the Property	
7	Property is subject to Deed Restrictions, other recorded document restrictions, or Affordable Housing Restrictions	
8	Property is located in a historic district	
9		
10		
	GENERAL - Other Information:	
11	Location of Mailbox and No. common mailbox unit by front entrance	Labeled 95 turnberry
12		

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 SPD is not intended as a substitute for an inspection of the Property.

ADVISORY TO SELLER:

Seller acknowledges that Broker will disclose to any prospective buyer all adverse material facts actually known by Broker, including but not limited to adverse material facts pertaining to the physical condition of the Property, any material defects in the Property, and any environmental hazards affecting the Property. These types of disclosures may include such matters as structural defects, soil conditions, violations of health, zoning or building laws, and nonconforming uses and zoning variances.

In the event Seller discovers a new adverse material fact after completing this SPD, Seller must disclose any such new adverse material fact to Buyer.

The information contained in this SPD has been furnished by Seller, who certifies it was answered truthfully, based on Seller's CURRENT ACTUAL KNOWLEDGE.

Dane Nathan Gussis, Member

Date: 4/15/2025

Seller: **The Bears Lair, LLC**

By: Dane Nathan Gussis, Member

Nicole Correia Gussis, Member

Date: 4/15/2025

Seller: **The Bears Lair, LLC**

By: Nicole Correia Gussis, Member

ADVISORY TO BUYER:

1. Even though Seller has answered the above questions to 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 are satisfactory to Buyer:

- a. the physical condition of the Property;
- b. the presence of mold or other biological hazards;

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- c. the presence of rodents, insects and vermin including termites;
- d. the legal use of the Property, including zoning 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 "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 investigate or inspect the Property or inclusions when this SPD 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 SPD.

6. Seller does not warrant that the Property or inclusions are fit for Buyer's intended purposes or use of the Property. Disclosure of the condition of an item 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 receipts for a copy of this SPD.

Buyer: _____ Date: _____

Buyer: _____ Date: _____

SPD19-6-23. SELLER'S PROPERTY DISCLOSURE (RESIDENTIAL)

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