

788 Amethyst Street

New Orleans

LA 70124

10/13/2024

PROPERTY DESCRIPTION (ADDRESS, CITY, STATE ZIP)

DATE

## PROPERTY DISCLOSURE DOCUMENT

In accordance with LSA-R.S. 9:3196-3200, a SELLER of residential real property shall furnish BUYERS with a *Property Disclosure Document*. A complete copy of these statutes may be found at: [www.legis.la.gov](http://www.legis.la.gov). The required *Property Disclosure Document* may be in the form promulgated by the Louisiana Real Estate Commission ("Commission") or in another form containing substantially the same information. The Commission form may be found at: [www.lrec.gov](http://www.lrec.gov).

**RIGHTS OF BUYER AND CONSEQUENCES FOR FAILURE TO DISCLOSE:** If the *Property Disclosure Document* is delivered after the BUYER makes an offer, the BUYER can terminate any resulting real estate contract or withdraw the offer for up to **72 hours** after receipt of the *Property Disclosure Document*. This termination or withdrawal will be without penalty to the BUYER, and any deposit or earnest money shall be promptly returned to the BUYER (despite any agreement to the contrary).

**DUTIES OF REAL ESTATE LICENSEES AND CONSEQUENCES FOR FAILURE TO FULFILL SUCH DUTIES:** Louisiana law requires real estate licensees to inform their clients of those clients' duties and rights in connection with the *Property Disclosure Document*. Failure to inform could subject the licensee to censure, suspension, or revocation of his or her license, as well as fines. The licensee is not liable for any error, inaccuracy, or omission in a *Property Disclosure Document*, unless the licensee has actual knowledge of the error, inaccuracy, or omission by the SELLER.

### **KEY DEFINITIONS:**

- **"Residential real property"** or "property" is real property consisting of one or not more than four residential dwelling units, which are buildings or structures each of which are occupied or intended for occupancy as single-family residences.
- **"Known defect" or "defect"** is a condition found within the property that was actually known by the SELLER and that results in one or all of the following:
  - a) It has a substantial adverse effect on the value of the property.
  - b) It significantly impairs the health or safety of future occupants of the property.
  - c) If not repaired, removed, or replaced, significantly shortens the expected normal life of the property.

### **OTHER IMPORTANT PROVISIONS OF THE LAW:**

- **A *Property Disclosure Document* shall NOT be considered a warranty by the SELLER.**
- **A *Property Disclosure Document* is for disclosure purposes only; it shall not be construed as part of any contract between the SELLER and the BUYER.**
- **The *Property Disclosure Document* shall not be used as a substitute for any inspections or warranties that the BUYERS or SELLER may obtain.**
- **Nothing in this law precludes the rights or duties of a BUYER to inspect the physical condition of the property.**
- **The SELLER shall not be liable for any error, inaccuracy, or omission of any information required to be delivered to the BUYERS if the error, inaccuracy, or omission was not a willful misrepresentation, according to the best of the SELLER's information, knowledge, and belief or was based on information provided by a public body or another person with a professional license or special knowledge, who provided a written or oral report or opinion that the SELLER reasonably believed to be correct and which was transmitted by the SELLER to the BUYER.**

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## PROPERTY DISCLOSURE EXEMPTION FORM

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**WHO IS REQUIRED TO MAKE DISCLOSURE? ALL SELLERS are required to make written disclosure of known defects regarding a property being transferred.** A SELLER'S obligation to furnish a *Property Disclosure Document* applies to any transfer of any interest in residential real property, whether by sale, exchange, bond for deed, lease with option to purchase, etc. The following transfers are exempt from the requirement to provide a *Property Disclosure Document*:

CHECK ALL THAT APPLY:

- 1. Transfers ordered by a court, including but not limited to a transfer ordered by a court in the administration of an estate, a transfer pursuant to a writ of execution, a transfer by any foreclosure sale, a transfer by a trustee in bankruptcy, a transfer by eminent domain, and any transfer resulting from a decree of specific performance.
- 2. Transfers to a mortgagee by a mortgagor or successor in interest who is in default.
- 3. Transfers by a mortgagee who has acquired the residential real property at a sale conducted pursuant to a power of sale under a mortgage or a sale pursuant to decree of foreclosure, or who has acquired the residential property by a deed in lieu of foreclosure.
- 4. Transfers by a fiduciary in the course of administration of a decedent's estate, guardianship, conservatorship, or trust.
- 5. Transfers of newly constructed residential real property, which has never been occupied.
- 6. Transfers from one or more co-owners solely to one or more of the remaining co-owners.
- 7. Transfers from the succession executor or administrator pursuant to testate or intestate succession.
- 8. Transfers of residential real property that will be converted by the BUYER into a use other than residential use.
- 9. Transfers of residential real property to a spouse or relative in the line of consanguinity (blood line).
- 10. Transfers between spouses resulting from a judgment of divorce or a judgment of separate maintenance or from a property settlement agreement incidental to such a judgment.
- 11. Transfers or exchanges to or from any governmental entity.
- 12. Transfers from an entity that has acquired title or assignment of a real estate contract to a piece of residential real property to assist the prior owner in relocating, as long as the entity makes available to the BUYER a copy of the property disclosure statement, any inspection reports if any furnished to the entity by the prior owner, or both.
- 13. Transfers to an inter vivos trust.
- 14. Acts that, without additional consideration and without changing ownership or ownership interest, confirm, correct, modify, or supplement a deed or conveyance previously recorded.
- 15. NONE OF THE EXEMPTIONS ABOVE APPLY TO THE SELLER(S).

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- **“Known defect” or “defect”** is a condition found within the property that was actually known by the SELLER and that results in one or all of the following:
  - a) It has a substantial adverse effect on the value of the property.
  - b) It significantly impairs the health or safety of future occupants of the property.
  - c) If not repaired, removed, or replaced, significantly shortens the expected normal life of the property.

CHECK ONE BOX:

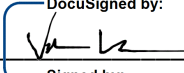
SELLER claims that he/she is exempt from filling out the *Property Disclosure Document* and declares that SELLER has no knowledge of known defects to the property.

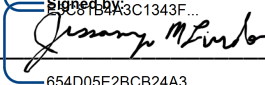
OR

SELLER has reviewed the *Property Disclosure Exemption Form*. SELLER does not claim any of the exemptions enumerated in the *Property Disclosure Exemption Form*. Accordingly, SELLER will complete the *Property Disclosure Document*.

OR

SELLER claims that he/she is exempt from filling out the *Property Disclosure Document* and declares that SELLER has knowledge of known defects to the Property and will disclose such known defects on the *Property Disclosure Document*.

DocuSigned by:  
 SELLER (sign)  Date 10/15/2024 Time 19:05 PDT (print) Victor Anthony Linden

Signed by:  
 SELLER (sign)  Date 10/15/2024 Time 21:12 CDT (print) Jessamyn Mathern Linden

SELLER (sign) \_\_\_\_\_ Date \_\_\_\_\_ Time \_\_\_\_\_ (print) \_\_\_\_\_

SELLER (sign) \_\_\_\_\_ Date \_\_\_\_\_ Time \_\_\_\_\_ (print) \_\_\_\_\_

Received by:

BUYER (sign) \_\_\_\_\_ Date \_\_\_\_\_ Time \_\_\_\_\_ (print) \_\_\_\_\_

BUYER (sign) \_\_\_\_\_ Date \_\_\_\_\_ Time \_\_\_\_\_ (print) \_\_\_\_\_

BUYER (sign) \_\_\_\_\_ Date \_\_\_\_\_ Time \_\_\_\_\_ (print) \_\_\_\_\_

BUYER (sign) \_\_\_\_\_ Date \_\_\_\_\_ Time \_\_\_\_\_ (print) \_\_\_\_\_

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The following representations are made by the SELLER and NOT by any real estate licensee. This document is not a substitute for any inspections or professional advice the BUYER may wish to obtain. The following information is based only upon the SELLER's actual knowledge of the property. The SELLER may disclose only what the SELLER actually knows. The SELLER may not know about all material or significant items affecting the property. Y = Yes N = No NK = No Knowledge

SECTION 1: LAND

1. What is the length of ownership of the property by the SELLER? 6 years

2. Lot size or acres

3. Are you aware of any servitudes or encroachments regarding the property, other than typical, customary utility servitudes, that would affect use of the property? [ ] Y [X] N

4. Are you aware of any rights vested in others? Check all that apply and explain at the end of this section. Timber rights [ ] Y [X] N Leased land [ ] Y [X] N Right of ingress or egress [ ] Y [X] N Mineral rights [ ] Y [X] N Right of way [ ] Y [X] N Surface rights [ ] Y [X] N Right of access [ ] Y [X] N Air rights [ ] Y [X] N Servitude of passage [ ] Y [X] N Usufruct [ ] Y [X] N Servitude of drainage [ ] Y [X] N Other [ ] Y [X] N Common driveway [ ] Y [X] N

5. Has any part of the property been determined to be or pending determination as a wetland by the United States Army Corps of Engineers under §404 of the Clean Water Act? [ ] Y [X] N [ ] NK

If yes, documentation shall be attached and become a part of this Property Disclosure Document.

The Clean Water Act is a federal law that protects the wetlands of the United States. Section 404 of the Act contains permit requirements for altering or building on property that has been determined a wetland by the Army Corps of Engineers. The Corps may assess a fee to the SELLER or BUYER of a property for this determination. A property that has been determined a wetland may result in additional costs for a Section 404 permit.

Question Number Explanation of "Yes" answers [ ] Additional sheet is attached

BUYER'S Initials: BUYER'S Initials: SELLER'S Initials: SELLER'S Initials:

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**SECTION 2: TERMITES, WOOD-DESTROYING INSECTS AND ORGANISMS**

6. Has the property ever had termites or other wood-destroying insects or organisms?

a) During the time the SELLER owned the property?

Y  N

b) Prior to the time the SELLER owned the property?

Y  N  NK

c) Was there any damage to the property?

Y  N  NK

d) Was the damage repaired?

Y  N  NK

7. If the property is currently under a termite contract, provide the following:

a) Name of company Terminex

b) Date contract expires 10/04/2025

c) List any structures not covered by contract \_\_\_\_\_

Question Number Explanation of "Yes" answers  Additional sheet is attached

6c Superficial damage to peg board and supporting studs in limited area of shed.

6d Peg board was replaced, studs are structurally intact.

**SECTION 3: STRUCTURE(S)**

8. What is the approximate age of each structure on the property?

Main structure 60 years

Other structures 60 years

9. Have there been any additions or alterations made to the structures during the time the SELLER owned the property?

Y  N

If yes, were the necessary permits and inspections obtained for all additions or alterations?

Y  N  NK

10. What is the approximate age of the roof of each structure?

Main structure 15 years

Other structures 15 years

BUYER'S Initials: \_\_\_\_\_

BUYER'S Initials: \_\_\_\_\_

SELLER'S Initials: DS

SELLER'S Initials: Initial

BUYER'S Initials: \_\_\_\_\_

BUYER'S Initials: \_\_\_\_\_

SELLER'S Initials: \_\_\_\_\_

SELLER'S Initials: \_\_\_\_\_

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11. Are you aware of any defects regarding the following? Check all that apply; and, if yes, explain at the end of this section.

- |                 |                                       |                                       |                   |                                       |                                       |
|-----------------|---------------------------------------|---------------------------------------|-------------------|---------------------------------------|---------------------------------------|
| Roof            | <input checked="" type="checkbox"/> Y | <input type="checkbox"/> N            | Irrigation system | <input type="checkbox"/> Y            | <input checked="" type="checkbox"/> N |
| Interior walls  | <input type="checkbox"/> Y            | <input checked="" type="checkbox"/> N | Ceilings          | <input checked="" type="checkbox"/> Y | <input type="checkbox"/> N            |
| Floor           | <input type="checkbox"/> Y            | <input checked="" type="checkbox"/> N | Exterior walls    | <input type="checkbox"/> Y            | <input checked="" type="checkbox"/> N |
| Attic spaces    | <input type="checkbox"/> Y            | <input checked="" type="checkbox"/> N | Foundation        | <input type="checkbox"/> Y            | <input checked="" type="checkbox"/> N |
| Porches         | <input type="checkbox"/> Y            | <input checked="" type="checkbox"/> N | Basement          | <input type="checkbox"/> Y            | <input checked="" type="checkbox"/> N |
| Steps/Stairways | <input type="checkbox"/> Y            | <input checked="" type="checkbox"/> N | Overhangs         | <input type="checkbox"/> Y            | <input checked="" type="checkbox"/> N |
| Pool            | <input type="checkbox"/> Y            | <input checked="" type="checkbox"/> N | Railings          | <input type="checkbox"/> Y            | <input checked="" type="checkbox"/> N |
| Decks           | <input type="checkbox"/> Y            | <input checked="" type="checkbox"/> N | Spa               | <input type="checkbox"/> Y            | <input checked="" type="checkbox"/> N |
| Windows         | <input type="checkbox"/> Y            | <input checked="" type="checkbox"/> N | Patios            | <input type="checkbox"/> Y            | <input checked="" type="checkbox"/> N |

Other \_\_\_\_\_

12. Has there ever been any property damage, including but not limited to fire, wind, hail, lightning, or other property damage, excluding flood damage referenced in Section 3?

- a) During the time the SELLER owned the property?  Y  N
- b) Prior to the time the SELLER owned the property?  Y  N  NK
- c) If yes, detail all property damages/defects and repair status at the end of this section.

13. Has there been any foundation repair?

- a) During the time the SELLER owned the property?  Y  N
- b) Prior to the time the SELLER owned the property?  Y  N  NK
- c) Is there a transferable warranty available?  Y  N  NK
- d) If yes, provide the name of the warranty company \_\_\_\_\_

14. Does the property contain exterior insulation and finish system (EIFS) or other synthetic stucco?

Y  N  NK

Question Number	Explanation of "Yes" answers	<input type="checkbox"/> Additional sheet is attached
<u>11</u>	<u>Roof-previous roof leak in shed caused limited dry rot to roof deck and joists</u>	
<u>11</u>	<u>ceiling- living room ceiling has minor drywall damage from previous a/c leak</u>	
_____	_____	
_____	_____	

SELLER shall complete and provide the "Disclosure on Lead-Based Paint and Lead-Based Paint Hazard Addendum" that is included with this Property Disclosure Document if any structure was built before 1978.

BUYER'S Initials: \_\_\_\_\_  
BUYER'S Initials: \_\_\_\_\_

BUYER'S Initials: \_\_\_\_\_  
BUYER'S Initials: \_\_\_\_\_

SELLER'S Initials: DS  
SELLER'S Initials: \_\_\_\_\_

SELLER'S Initials: DS  
SELLER'S Initials: \_\_\_\_\_

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**SECTION 4: PLUMBING, WATER, GAS, AND SEWAGE**

15. Are you aware of any defects with the plumbing system?  
a) During the time the SELLER owned the property?  Y  N  
b) Prior to the time the SELLER owned the property?  Y  N

16. Are you aware of any defects with the water piping?  
a) During the time the SELLER owned the property?  Y  N  
b) Prior to the time the SELLER owned the property?  Y  N  
c) The water is supplied by:  
 Municipality  Private utility  On-site system  Shared well system  Other \_\_\_\_\_  
d) How many private wells service the primary residence only? \_\_\_\_\_  
e) If there are private wells, when was the water last tested? Date \_\_\_\_\_ Results \_\_\_\_\_  
f) Are you aware of any polybutylene piping in the structure?  Y  N

17. Is there gas service available to the property?  Y  N  NK  
a) If yes, what type?  Butane  Natural  Propane  
b) If yes, are you aware of any defects with the gas service?  Y  N  
c) If Butane or Propane, are the tanks:  Owned  Leased  
d) If leased, please list service provider: \_\_\_\_\_

18. Are you aware of any defects with any water heater?  
a) During the time the SELLER owned the property?  Y  N  
b) Prior to the time the SELLER owned the property?  Y  N

19. The sewerage service is supplied by:  Municipality  Community  Other \_\_\_\_\_  
a) How many private sewer systems service the primary residence only? \_\_\_\_\_  
b) Is the property serviced by a pump grinder system?  Y  N  NK

Question Number	Explanation of "Yes" answers	<input type="checkbox"/> Additional sheet is attached
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

**SELLER** shall attach a private water/sewage disclosure if the property described herein is not connected to a community sewerage system (i.e., any sewerage system which serves multiple homes/connections) or is not connected to a water system regulated by the Louisiana Department of Health.

BUYER'S Initials: \_\_\_\_\_ BUYER'S Initials: \_\_\_\_\_ SELLER'S Initials: DS SELLER'S Initials: Initial  
BUYER'S Initials: \_\_\_\_\_ BUYER'S Initials: \_\_\_\_\_ SELLER'S Initials: \_\_\_\_\_ SELLER'S Initials: Initial

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**SECTION 5: ELECTRICAL, HEATING AND COOLING, APPLIANCES**

20. Are you aware of any defects with the electrical system?

- a) During the time the SELLER owned the property?  Y  N
- b) Prior to the time the SELLER owned the property?  Y  N
- c) Are you aware of any aluminum wiring in the structure?  Y  N

21. Are you aware of any defects with the heating or cooling systems?

- a) During the time the SELLER owned the property?  Y  N
- b) Prior to the time the SELLER owned the property?  Y  N

22. If a fireplace(s) exists, is it working?

Y  N  NK

23. Are you aware of any defects in any permanently installed or built-in appliances?

- a) During the time the SELLER owned the property?  Y  N
- b) Prior to the time the SELLER owned the property?  Y  N

24. Does the property or any of its structures contain any of the following? Check all that apply and provide additional details at the end of this section.

- |                          |                                       |                            |                             |   |                            |                                       |  |
|--------------------------|---------------------------------------|----------------------------|-----------------------------|---|----------------------------|---------------------------------------|--|
| Security alarm           | <input checked="" type="checkbox"/> Y | <input type="checkbox"/> N | <input type="checkbox"/> NK | Generator   | <input type="checkbox"/> Y | <input checked="" type="checkbox"/> N | <input type="checkbox"/> NK            |
| Fire alarm               | <input checked="" type="checkbox"/> Y | <input type="checkbox"/> N | <input type="checkbox"/> NK | Smoke detector<br><i>(10-yr. lithium battery)</i> | <input type="checkbox"/> Y | <input type="checkbox"/> N            | <input checked="" type="checkbox"/> NK |
| Solar panel              | <input checked="" type="checkbox"/> Y | <input type="checkbox"/> N | <input type="checkbox"/> NK | CO detector<br><i>(Long-life, sealed battery)</i> | <input type="checkbox"/> Y | <input type="checkbox"/> N            | <input checked="" type="checkbox"/> NK |
| Audio/Video surveillance | <input checked="" type="checkbox"/> Y | <input type="checkbox"/> N | <input type="checkbox"/> NK |   |                            |                                       |  |

a) Are any of the items leased?  Y  N  NK

b) If leased, please list service provider: solar panels - Posigen

Question Number	Explanation of "Yes" answers	<input type="checkbox"/> Additional sheet is attached
<u>23a</u>	<u>Built in refrigerator makes a noise when the compressor shuts off.</u>	
	<u>Does not affect the performance.</u>	

BUYER'S Initials: \_\_\_\_\_  
BUYER'S Initials: \_\_\_\_\_

BUYER'S Initials: \_\_\_\_\_  
BUYER'S Initials: \_\_\_\_\_

SELLER'S Initials: DS  
SELLER'S Initials: \_\_\_\_\_

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**NATIONAL FLOOD INSURANCE PROGRAM (NFIP)**

33. Has the SELLER made an NFIP claim for this property?                       Y     N  
 a) If YES, was the claim approved?                       Y     N  
 b) If YES, what was the amount received? \_\_\_\_\_
34. Did the previous owner make an NFIP claim for this property?                       Y     N     NK  
 a) If YES, was the claim approved?                       Y     N     NK  
 b) If YES, what was the amount received? \_\_\_\_\_

**FEDERAL DISASTER ASSISTANCE/GRANT**

35. If the SELLER or previous owner has previously received federal flood disaster assistance and such assistance was conditioned upon obtaining and maintaining flood insurance on the property, federal law, i.e. 42 U.S.C. § 5154a, mandates that prospective purchasers be advised that they will be required to maintain insurance on the property and that if insurance is not maintained and the property is thereafter damaged by a flood disaster, the purchaser may not be eligible for additional federal flood disaster assistance. To the best of the SELLER’s knowledge, has federal flood disaster assistance been previously received regarding the property?                       Y     N     NK  
 a) If YES, from which federal agency (e.g., FEMA, SBA)? \_\_\_\_\_  
 b) If YES, what was the amount received? \_\_\_\_\_  
 c) If YES, what was the purpose of the assistance (e.g., elevation, mitigation, restoration)? \_\_\_\_\_

**ROAD HOME PROGRAM**

36. Was SELLER a recipient of a **Road Home grant**?                       Y     N
37. Was a previous owner of the property a recipient of a **Road Home grant**?                       Y     N     NK
- If YES, complete (a) – (c) below:
- a) Is the property subject to the Road Home Declaration of Covenants Running with the Land or other requirements to obtain and maintain flood insurance on the property?                       Y     N     NK
- b) If YES, attach a copy of the Road Home Program Declaration of Covenants other requirements to obtain and maintain flood insurance on the property.
- c) Has the SELLER or PREVIOUS OWNER(S) personally assumed any terms of the Road Home Program Grant Agreement?                       Y     N     NK

Question Number	Explanation of “Yes” answers	<input type="checkbox"/> Additional sheet is attached
<u>25a</u>	<u>water accumulation in backyard during very heavy rains, was remedied by altering gutters and rerouting downspouts.</u>	
<u>26a</u>	<u>Living room floor water damage repaired. water intrusion into master bath floor remedied. Laundry room sink leak damaged adjacent floor - remedied.</u>	

BUYER’S Initials: \_\_\_\_\_                      BUYER’S Initials: \_\_\_\_\_                      SELLER’S Initials:                       SELLER’S Initials:   
 BUYER’S Initials: \_\_\_\_\_                      BUYER’S Initials: \_\_\_\_\_                      SELLER’S Initials: \_\_\_\_\_                      SELLER’S Initials: \_\_\_\_\_



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46. Is there a homestead exemption in effect? [X] Y [ ] N [ ] NK

47. Is there any pending litigation regarding the property not previously disclosed in this document? [ ] Y [X] N [ ] NK

48. Has an animal or pet ever inhabited the structure?
a) During the time the SELLER owned the property? [X] Y [ ] N
b) Prior to the time the SELLER owned the property? [ ] Y [ ] N [X] NK

49. Does the property or any of its structures contain any of the following? Check all that apply and provide additional details at the end of this section.

- Asbestos [ ] Y [ ] N [X] NK Formaldehyde [ ] Y [ ] N [X] NK
Radon gas [ ] Y [ ] N [X] NK Chemical storage tanks [ ] Y [ ] N [X] NK
Contaminated soil [ ] Y [ ] N [X] NK Contaminated water [ ] Y [ ] N [X] NK
Hazardous waste [ ] Y [ ] N [X] NK Toxic mold [ ] Y [ ] N [X] NK
Mold/Mildew [ ] Y [ ] N [X] NK Electromagnetic fields [ ] Y [ ] N [X] NK
Contaminated drywall/sheetrock [ ] Y [ ] N [X] NK Contaminated flooring [ ] Y [ ] N [X] NK
Other adverse materials or conditions [ ] Y [ ] N [X] NK

50. Is there or has there ever been an illegal laboratory for the production or manufacturing of methamphetamine in operation on the property? [ ] Y [ ] N [X] NK

51. Is there a cavity created within a salt stock by dissolution with water underneath the property? [ ] Y [ ] N [X] NK

52. Is there a solution mining injection well within 2640 feet (1/2 mile) of the property? [ ] Y [ ] N [X] NK

Table with 3 columns: Question Number, Explanation of "Yes" answers, and Additional sheet is attached. Row 1: 48a, we have pets, [ ]

BUYER'S Initials: \_\_\_\_\_ BUYER'S Initials: \_\_\_\_\_ SELLER'S Initials: [Signature] SELLER'S Initials: [Signature]

