

# SELLER'S PROPERTY DISCLOSURE

Under Maine Law, certain information must be made available to buyers prior to or during preparation of an offer. This statement has been prepared to assist prospective buyers in evaluating this property. This disclosure is not a warranty of the condition of the property and is not part of any contract between the Seller and any buyer. The Seller authorizes the Listing Broker in this transaction to disclose the information in this statement to other real estate licensees and to prospective buyers of this property. The Seller agrees to notify the Listing Broker promptly of any changes in the information and this form will be appropriately changed with an amendment date. Inspections are highly recommended.

**NOTE: DO NOT LEAVE ANY QUESTIONS BLANK. WRITE N/A (NOT APPLICABLE) OR UNKNOWN IF NEEDED.**

PROPERTY LOCATED AT: 44 Moses Little Drive, Windham,

## SECTION I. WATER SUPPLY

TYPE OF SYSTEM:  Public  Private  Seasonal  Unknown  
 Drilled  Dug  Other

MALFUNCTIONS: Are you aware of or have you experienced any malfunctions with the (public/private/other) water system?

Pump:  Yes  No  N/A Quantity:  Yes  No  Unknown  
Quality:  Yes  No  Unknown

If YES to any question, please explain in the comment section below or with attachment.

WATER TEST: Have you had the water tested?  Yes  No  
IF YES: Date of most recent test: \_\_\_\_\_ Are test results available?  Yes  No  
To your knowledge, have any test results ever been reported as unsatisfactory or satisfactory with notation?  Yes  No  
IF YES, are test results available?  Yes  No  
What steps were taken to remedy the problem? \_\_\_\_\_

• IF PRIVATE:

INSTALLATION: Location: NA  
Installed BY: na DATE of Installation: \_\_\_\_\_  
What is the source of your information: na  
USE: Number of Persons currently using system? na  
Does system supply water for more than one household?  Yes  No  Unknown

COMMENTS: Public Water per sellers and public records

## SECTION II. WASTE WATER DISPOSAL

TYPE OF SYSTEM:  Public  Private  Quasi-Public  Unknown

• IF PUBLIC OR QUASI-PUBLIC:

Have you experienced any problems such as line or other malfunctions?  Yes  No  
What steps were taken to remedy the problem? \_\_\_\_\_

• IF PRIVATE:

TANK:  Septic Tank  Holding Tank  Cesspool  Other: \_\_\_\_\_  
Tank Size:  500 Gal.  1000 Gal.  Unknown  Other: \_\_\_\_\_  
Tank Type:  Concrete  Metal  Unknown  Other: \_\_\_\_\_  
Location: Front Yard OR  Unknown Date of Installation: 1990  
Date of Last Servicing: October 12, 2007 Name of Company Servicing Tank: Arkie Rogers  
Date Last Pumped: October 12 2007 Have you experienced any malfunctions?  Yes  No  
If yes, give the date and describe the problem: \_\_\_\_\_

LEACH FIELD:  Yes  No  Unknown  
IF YES: Location: Front Yard  
Date of installation of leach field: 1990 Installed by: J&E Builders  
Date of Last Servicing: UNK Name of Service Company: UNK  
Have you experienced any malfunctions?  Yes  No  
If yes, give the date and describe the problem & what steps were taken to remedy: \_\_\_\_\_

Does Seller have records of the septic system design indicating the number of bedrooms the system was designed for?  Yes  No  
IF YES, is it available? Yes-HHE200

SOURCE OF INFORMATION: HHE200, public records, seller

COMMENTS: None

IS SYSTEM LOCATED IN A SHORELAND ZONE?  Yes  No  Unknown  
Is System located in a Coastal Shoreland Zone?  Yes  No  Unknown

**SECTION III. HEATING SYSTEM(S)/SOURCES(S)**

Heating System(s)/Source(s)	SYSTEM 1	SYSTEM 2	SYSTEM 3	SYSTEM 4
TYPE(S)	FHWBB			
Age of system(s)/source(s)	1990/seller			
Name of company that services system(s)/source(s)	Downeast Energy/seller			
Date of most recent service call	Aug. 2009			
Annual consumption per system/ source (i.e., gallons, kilowatt hours, cord(s))	762-09/10 642-08/09			
Malfunction per system(s)/ source(s) within past 2 years	yes-replaced HW heater control			
Other pertinent information	None			

Buried Oil Supply Line:  Yes  No  Unknown Sleeced:  Yes  No  
 Chimney(s) Lined:  Yes  No  Unknown Age: 1990 Last Cleaned: \_\_\_\_\_  
 Is more than one heat source vented through one flue?  Yes  No  Unknown Had a chimney fire:  Yes  No  Unknown  
 Has chimney been inspected?  Yes  No  Unknown; If Yes, when: \_\_\_\_\_  
 COMMENTS: **SEPARATE FLUS DETERMINED FROM VISUAL INSPECTION.**

**SECTION IV. HAZARDOUS MATERIAL**

The licensee is disclosing that the Seller is making representations contained herein.

A. UNDERGROUND STORAGE TANKS - Current or previously existing:  
 Are there now, or have there ever been, any underground storage tanks on your property?  Yes  No  Unknown  
 IF YES: Are tanks in current use?  Yes  No  
 IF NO above: How long have tank(s) been out of service? \_\_\_\_\_  
 What materials are, or were, stored in the tank(s)? \_\_\_\_\_  
 Age of tank(s): \_\_\_\_\_ Size of tank(s): \_\_\_\_\_  
 Location: \_\_\_\_\_  
 Have you experienced any problems such as leakage? \_\_\_\_\_  
 Are tanks registered with the Dept. of Environmental Protection?  Yes  No  Unknown  
 If tanks are no longer in use, have tanks been abandoned according to D.E.P.?  Yes  No  Unknown  
 Comments: \_\_\_\_\_

B. ASBESTOS - Current or previously existing:  
 • as insulation on the heating system pipes or duct work?  Yes  No  Unknown  
 • in the siding?  Yes  No  Unknown • in the roofing shingles?  Yes  No  Unknown  
 • in flooring tiles?  Yes  No  Unknown • other: \_\_\_\_\_  Yes  No  Unknown  
 IF YES: Source of Information: \_\_\_\_\_  
 COMMENTS: **none**

C. RADON/AIR - Current or previously existing:  
 Has the property been tested?  Yes  No  Unknown  
 IF YES: Date: \_\_\_\_\_ By: \_\_\_\_\_  
 Results: \_\_\_\_\_ If applicable, What remedial steps were taken? \_\_\_\_\_  
 Has the property been tested since remedial steps?  Yes  No  Unknown  
 Are test results available?  Yes  No Results & Comments: \_\_\_\_\_

D. RADON/WATER - Current or previously existing:  
 Has the property been tested?  Yes  No  Unknown  
 IF YES: Date: \_\_\_\_\_ By: \_\_\_\_\_  
 Results: \_\_\_\_\_ If applicable, What remedial steps were taken? \_\_\_\_\_  
 Has the property been tested since remedial steps?  Yes  No  Unknown  
 Are test results available?  Yes  No Results & Comments: **public water**

E. LEAD-BASED PAINT/PAINT HAZARDS - Current or previously existing: (Note: Lead-based paint is most commonly found in homes constructed prior to 1978: See EPA Disclosure brochure/form and Maine Lead Warning for more information)  
 Is there now or has there ever been lead-based paint and/or lead-based paint hazards on the property?  Yes  No  Unknown  
 Unknown but possible due to age  
 IF YES, describe location and the basis for the determination: \_\_\_\_\_  
 Do you know of any records or reports pertaining to such lead-based paint or lead-based paint hazards:  Yes  No  
 IF YES, describe: \_\_\_\_\_

Are you aware of any cracking, peeling or flaking paint?  Yes  No

COMMENTS: \_\_\_\_\_

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PROPERTY LOCATED AT 44 Moses Little Drive, Windham,

F. OTHER HAZARDOUS MATERIALS - Current or previously existing:

TOXIC MATERIAL:  Yes  No  Unknown

OTHER: \_\_\_\_\_

LAND FILL:  Yes  No  Unknown

RADIOACTIVE MATERIAL:  Yes  No  Unknown

Buyers are encouraged to seek information from professionals regarding any specific issue or concern.

**SECTION V. GENERAL INFORMATION**

Is the property subject to or have the benefit of any encroachments, easements, rights-of-way, leases, rights of first refusal, life estates, private way, private road/homeowner associations or restrictive covenants?  Yes  No  Unknown

IF YES: Explain: see deed, common areas for development-\$125 annual fee for maintenance/insur.

What is your source of information: Seller

Are there any tax exemption or reduction for this property for any reason including but not limited to: Tree Growth, Open Space and Farmland, Veteran's, Homestead Exemption, Blind, Working Waterfront?  Yes  No  Unknown

IF YES: Explain: Homestead

- Leased Equipment (e.g., propane tank, hot water heater, satellite dish): Type: None
- Year Built: 1990 What year did Seller purchase property? 1990
- Roof: Year Built - Structure: 1990 Year Shingles Installed: 1990  
Moisture or leakage: Yes, leaked once near chimney. Roof repaired, none since  
Comments: \_\_\_\_\_
- Foundation/Basement: Sump Pump:  Yes  No  Unknown Comments: \_\_\_\_\_  
Moisture or leakage since you owned the property:  Yes  No  Unknown Comments: \_\_\_\_\_  
Knowledge of prior moisture or leakage:  Yes  No  Unknown Comments: \_\_\_\_\_
- Mold: Has the property ever been tested for mold?  Yes  No  Unknown If YES, are test results available?  Yes  No
- Electrical:  Fuses  Circuit Breaker  Other: \_\_\_\_\_  Unknown
- Has the property been surveyed?  Yes  No  Unknown If YES, is the survey available?  Yes  No
- Manufactured Housing: Mobile Home -  Yes  No Modular:  Yes  No
- KNOWN MATERIAL DEFECTS about Physical Condition and/or value of Property, including those that may have an adverse impact on health/safety: None

Seller shall be responsible and liable for any failure to provide known information regarding known material defects to the Buyer.

ATTACHMENTS EXPLAINING CURRENT PROBLEMS, PAST REPAIRS OR ADDITIONAL INFORMATION IN ANY SECTION IN DISCLOSURE:  Yes  No

**SECTION VI. ADDITIONAL INFORMATION**

None

As Sellers, we have provided the above information and represent that all information is correct. To the best of our knowledge, all systems and equipment, unless otherwise noted on this form, are in operational condition.

Neither Seller nor any Broker makes any representations as to the applicability of, or compliance with, any codes of any sort, whether state, municipal, federal or any other, including but not limited to fire, life safety, building, electrical or plumbing.

Doris S Aiken  
SELLER

6/7/10  
DATE

Roger B Cousineau  
SELLER  
Roger B Cousineau

6-7-10  
DATE

I/We have read and received a copy of this disclosure, the arsenic in wood fact sheet, the arsenic in water brochure, and understand that I/we should seek information from qualified professionals if I/we have questions or concerns.

\_\_\_\_\_  
BUYER

\_\_\_\_\_  
DATE

\_\_\_\_\_  
BUYER

\_\_\_\_\_  
DATE



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REQUESTED BY  
AND AFTER RECORDING RETURN TO:  
Richard J. Abbondanza, Esq.  
Hopkinson, Abbondanza & Backer  
511 Congress Street, Suite 801  
Portland, ME 04101

## WARRANTY DEED

**THIS INDENTURE WITNESSETH**, that **DORIS S. AIKEN** ("Grantor"), of Cumberland County, in the State of Maine, surviving joint tenant of Donald J. Aiken, **CONVEYS AND WARRANTS** to **DORIS S. AIKEN and ROGER B. COUSINEAU, Trustees, or their successors in trust, under the DORIS S. AIKEN LIVING TRUST** dated **January 11, 2006, and any amendments thereto**, of Cumberland County, Maine, for valuable consideration, the receipt of which is hereby acknowledged, with Warranty covenants, certain real estate in the Town of Windham, Cumberland County, in the State of Maine, described as follows in a deed from JOSEPH PAOLINO, JR. and LINDA M. PAOLINO to DONALD J. AIKEN and DORIS S. AIKEN, as joint tenants, which deed was dated March 29, 1990, and recorded in the Cumberland County Registry of Deeds on April 2, 1990, in Book 9127, Page 202:

A certain lot or parcel of land situated in the Town of Windham, County of Cumberland and State of Maine, being more particularly bounded and described as Lot 11, delineated on plan entitled "Moses Little Farm, a Residential Subdivision, Windham, Maine", dated July 24, 1987 made by Sebago Technics, Inc. and recorded in Cumberland County Registry of Deeds in Plan Book 168, Page 26.

This conveyance is made subject to and with the benefit of the following items:

1. Terms and conditions, including but not limited to a "conservation easement" and stream setback, noted on said plan.

- 2. Terms and conditions of Declaration of Protective Covenants and Common Easements dated January 22, 1988 and recorded in Book 8156, Page 43.
- 3. Terms and conditions of Maine Department of Environmental Protection Order dated November 20, 1987 and recorded in said Registry of Deeds in Book 8096, Page 11, including but not limited to that term prohibiting further subdivision of the lots shown upon said plan without the prior approval of the Board of Environmental Protection.

Excepting and reserving to the Grantor herein, however, all right, title and interest which the Grantor may have in and to the proposed way or ways abutting the above-described premises as depicted on such plan recorded in the Cumberland County Registry of Deeds in Plan Book 168, Page 26. The purpose of this reservation is to preserve the Grantor's rights in and to such ways pursuant to 23 M.R.S.A. § 3031(4) and to 33 M.R.S.A. §§ 460 et seq.

This conveyance is subject to all restrictions, easements and encumbrances of record.

Grantor: *Doris S. Aiken*  
DORIS S. AIKEN

STATE OF MAINE )  
 ) SS:  
COUNTY OF CUMBERLAND )

Received  
Recorded Register of Deeds  
Jul 31, 2006 11:06:34A  
Cumberland County  
John B O'Brien

Before me, a Notary Public in and for said County and State, personally appeared DORIS S. AIKEN, who acknowledged execution of the foregoing Warranty Deed to be her free act and deed.

WITNESS my hand and notarial seal this 26<sup>th</sup> day of July 2006.

*Anita S. Weiner*  
ANITA S. WEINER - NOTARY PUBLIC

ANITA S. WEINER  
Notary Public, Maine  
My Commission Expires  
February 6, 2013

My Commission Expires: February 6, 2013

SEAL

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This instrument prepared by Richard J. Abbondanza, Attorney, Hopkinson Abbondanza & Backer, 511 Congress Street, Suite 801, Portland, Maine 04101, (207) 772-5845