

ITEMS TO CONVEY/FINAL WALK-THROUGH INSPECTION

Seller **Michael D McCarty,PhD, Donna M McCarty**

Street Address **409 S Queen St** County **Berkeley, WV, City Of Martinsburg**

City **Martinsburg**, West Virginia Zip **25401**

Yes	# Items	Yes	# Items	Yes	# Items
<input checked="" type="checkbox"/>	___	<input type="checkbox"/>	___	<input checked="" type="checkbox"/>	___
	Alarm System		Garage Opener		Storage Shed
<input checked="" type="checkbox"/>	___	<input type="checkbox"/>	___	<input checked="" type="checkbox"/>	___
	Microwave		w/remote		Stove or Range
<input checked="" type="checkbox"/>	___	<input type="checkbox"/>	___	<input type="checkbox"/>	___
	Ceiling Fan		Heating Stove		Wall Mount Brackets
<input checked="" type="checkbox"/>	___		_____ (Type)	<input checked="" type="checkbox"/>	___
	Clothes Dryer				Wall Oven
<input checked="" type="checkbox"/>	___	<input type="checkbox"/>	___	<input type="checkbox"/>	___
	Clothes Washer		Hot Tub, Equip & Cover		Water Treatment System
<input checked="" type="checkbox"/>	___	<input type="checkbox"/>	___	<input type="checkbox"/>	___
	Cooktop/Counter		Playground Equipment		Window A/C/ Unit
<input checked="" type="checkbox"/>	___	<input type="checkbox"/>	___	<input checked="" type="checkbox"/>	___
	Dishwasher		Pool, Equip, & cover		Window Blinds/Shades/Hardware
<input type="checkbox"/>	___	<input checked="" type="checkbox"/>	___	<input checked="" type="checkbox"/>	___
	Disposal		Refrigerator w/o ice maker		Window Treatments Installed
<input checked="" type="checkbox"/>	___	<input type="checkbox"/>	___		
	Freezer		Refrigerator w/ice maker		

A. Smart Devices

B. As-Is Items: Seller will not warrant the condition or working order of the following items and/or systems:
CLAWFOOT TUB IS NOT CONNECTED TO WATER-DECORATIVE ONLY

C. Other Items To Convey:

D. Items NOT listed DO NOT convey.

SELLER		PURCHASER:	
<i>MICHAEL D. MCCARTY, PhD</i>	08/18/24		
Signature Michael D McCarty,PhD	Date	Signature	Date
<i>DONNA M. MCCARTY</i>	08/18/24		
Signature Donna M McCarty	Date	Signature	Date

FINAL WALK-THROUGH INSPECTION

Final Walk-Through Inspection made on _____.
Purchaser has inspected the property and found it to be in accordance with the terms of the Contract. All items are in acceptable condition (see Residential Sales Contract #9), Exceptions are noted below.

- Seller to credit the Purchaser \$ _____.
- Repairs to be paid from escrow as per escrow agreement.
- Seller to correct discrepancies within _____ days.

The Agent shall not be liable for any breach of any agreement made by the Seller and Purchaser above.

SELLER:	PURCHASER:
Signature Michael D McCarty,PhD	Signature
Date	Date
Signature Donna M McCarty	Signature
Date	Date

Disclosure of Information on Lead-Based Paint and Lead-Based Paint Hazards

For the sale of Property at: 409 S Queen St, Martinsburg, WV 25401

SELLER REPRESENTS AND WARRANTS, INTENDING THAT SUCH BE RELIED UPON REGARDING THE ABOVE PROPERTY, THAT (each Seller initial ONE of the following and state Year Constructed): 1878

Authentisign
Authentisign
MM *MM*

- Property (all portions) was constructed after January 1, 1978. (If initialed, complete section V only.)
- Property (any portion) was constructed before January 1, 1978. (If initialed, complete all sections.)
- Seller is unable to represent and warrant the age of the property. (If initialed, complete all sections.)

SELLER AGREES TO COMPLY WITH REQUIREMENTS OF THE FEDERAL RESIDENTIAL LEAD-BASED PAINT HAZARD REDUCTION ACT OF 1992.

Lead Warning Statement. Every purchaser of any interest in residential real property on which a residential dwelling was built prior to 1978 is notified that such property may present exposure to lead from lead-based paint that may place young children at risk of developing lead poisoning. Lead poisoning in young children may produce permanent neurological damage, including learning disabilities, reduced intelligence quotient, behavioral problems, and impaired memory. Lead poisoning also poses a particular risk to pregnant women. The seller of any interest in residential real property is required to provide the buyer with any information on lead-based paint hazards from risk assessments or inspections in the seller's possession and notify the buyer of any known lead-based paint hazards. A risk assessment or inspection for possible lead-based paint hazards is recommended prior to purchase.

II. Seller Disclosure (each Seller complete items 'a' and 'b' below)

- (a) Presence of lead-based paint and/or lead-based paint hazards (check (i) or (ii) below):
 - (i) Known lead-based paint and/or lead-based paint hazards are present in the housing (explain). _____
 - (ii) Seller has no knowledge of lead-based paint and/or lead-based paint hazards in the housing.
- (b) Records and reports available to the Seller (check (i) or (ii) below):
 - (i) Seller has provided the Purchaser with all available records and reports pertaining to lead-based paint and/or lead-based paint hazards in the housing (list documents below). _____
 - (ii) Seller has no reports or records pertaining to lead-based paint and/or lead-based paint hazards in the housing.

III. Purchaser Acknowledgment (each Purchaser/Tenant initial and complete items c, d, e, and f below)

- c. _____ Purchaser has read the Lead Warning Statement above.
- d. _____ Purchaser has received copies of all information listed above. _____ (If none listed, initial here.)
- e. _____ Purchaser has received the pamphlet Protect Your Family from Lead in Your Home.
- f. Purchaser has (each Purchaser initial (i) or (ii) below):
 - (i) _____ Received a 10-day opportunity (or mutually agreed upon period) to conduct a risk assessment or inspection for the presence of lead-based paint and/or lead-based paint hazards.
 - (ii) _____ Waived the opportunity to conduct a risk assessment or inspection for the presence or lead-based paint and/or lead-based paint hazards

IV. Agent's Acknowledgment (initial item 'g' below)

SPY Listing and Selling Sales Associates are aware of their duty to ensure compliance with 42 U.S.C. 4852d. These Associates have informed the Seller and the Purchaser of their obligation under this law as evidenced by the Seller and the Purchaser having completed this form.

V. Certification of Accuracy

The following parties have reviewed the information above and certify, to the best of their knowledge, that the information they have provided is true and

<i>MICHAEL D. MCCARTY, PhD</i>	08/18/24	_____	_____
Seller	Date	Purchaser	Date
<i>DONNA M. MCCARTY</i>	08/18/24	_____	_____
Seller	Date	Purchaser	Date
<i>Donna M. McCarty</i>	08/17/24	_____	_____
Agent	Date	Agent	Date

Samantha Young

EPBR Lead Paint 8/2017

NOTICE OF AGENCY RELATIONSHIP

When working with a real estate agent in buying or selling real estate West Virginia Law requires that you be informed of whom the agent is representing in the transaction.

The agent may represent the seller, the buyer, or both. The party represented by the agent is known as the agent's principal and as such, the agent owes the principal the duty of utmost care, integrity, honesty and loyalty.

Regardless of whom they represent, the agent has the following duties to both the buyer and the seller in any transaction:

- * Diligent exercise of reasonable skill and care in the performance of the agent's duties.
- * A duty of honest and fair dealing and good faith.
- * Must offer all property without regard to race, color, religion, sex, ancestry, physical or mental handicap, national origin or familial status.
- * Must promptly present all written offers to the owner.
- * Provide a true legible copy of every contract to each person signing the contract.

The agent is not obligated to reveal to either party any confidential information obtained from the other party which does not involve the affirmative duties set forth above.

Should you desire to have a real estate agent represent you as your agent, you should enter into a written contract that clearly establishes the obligations of both parties. If you have any questions about the roles and responsibilities of a real estate agent, they can provide information upon your request.

In compliance with the West Virginia Real Estate License Act, all parties are hereby notified that:

(printed name of agent) **SAMANTHA P. YOUNG**, affiliated with

(firm name) **Young & Associates**, is acting as agent of:

- The Seller, as listing agent or subagent. The Buyer, as the buyer's agent.
 Both the Seller and Buyer, with the full knowledge and consent of both parties.

CERTIFICATION			
By signing below, the parties certify that they have read and understand the information contained in this disclosure and have been provided with signed copies prior to signing any contract.			
<small>Seller</small> <i>MICHAEL D. MCCARTY, PhD</i> <small>Michael D. McCarty, PhD</small>	<small>Date</small> 08/18/24	<small>Buyer</small> 	<small>Date</small>
<small>Seller</small> <i>DONNA M. MCCARTY</i> <small>Donna M McCarty</small>	<small>Date</small> 08/18/24	<small>Buyer</small> 	<small>Date</small>
<small>Seller</small> -	<small>Date</small> 	<small>Buyer</small> 	<small>Date</small>

I hereby certify that I have provided the above named individuals with a copy of this form prior to signing any contract.

Agent's Signature *Samantha P. Young*
Date 08/17/24

WV Real Estate Commission
300 Capitol Street, Suite 400
Charleston, WV 25301
304.558.3555
<http://rec.wv.gov>

This form has been promulgated by the WVREC for required use by all West Virginia real estate licensees.



West Virginia

VOLUNTARY RESIDENTIAL PROPERTY DISCLOSURE STATEMENT

(This is not a warranty of the property condition)

Property Address 409 S Queen St, Martinsburg, WV 25401

Legal Description C A MILLER RESIDENCE PROPERTY LT 54.5X309

NOTICE TO PURCHASER: The information provided is the representation of the Sellers to the best of their knowledge as of the date noted. Disclosure by the Sellers 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 Sellers as to the condition of the property of which the Sellers have no knowledge or other conditions of which the Sellers have no actual knowledge.

SELLER:

- 1. Year Built? 1878
2. How long have you owned the property? 2007
3. Dates lived in the property. _____

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

Water Supply Public Well Other _____
Sewage Disposal Public Septic System approved for _____ (#) BR
Heating Oil Natural Gas Electric Bottled Heat Pump Age 2010/2024 Other
Air Conditioning Oil Natural Gas Electric Bottled Heat Pump Age 10/24 Other
Hot Water Oil Natural Gas Electric Capacity _____ Age 2 ELECTRIC/ 1 GAS Other
Internet Access in Home Yes or No; Current Provider _____
Comments _____

Please indicate to the best of your knowledge with respect to the following:

- 1. Foundation: Any settlement or other problems? Yes No Unknown N/A

Comments: _____

- 2. Basement/Crawlspace/Cellar: Any leaks or evidence of moisture? Yes No Unknown N/A

Comments: _____

- 3. Roof: Any leaks or evidence of moisture? Yes No Unknown N/A

Type of Roof: metal/arch shingle Age 2010/?

Is there any existing fire-retardant treated plywood Yes No Unknown N/A

Comments: _____

- 4. Other Structural Systems, including exterior walls and floors:

Any defects (structural or otherwise)? Yes No Unknown N/A

Comments: _____



5. Plumbing System: Is the system in operating condition? Yes No Unknown N/A

Comments: _____

6. Heating Systems: Is heat supplied to all finished rooms: Yes No Unknown N/A

Are the systems in operating condition? Yes No Unknown N/A

Comments: **except kitchen/ upper bath back of home/ 4 HVAC and 4 Mini splits** _____

7. Air Conditioning System:

Is cooling supplied to all finished rooms: Yes No Unknown N/A

Is the system in operating condition? Yes No Unknown N/A

Comments: **except upper bath back of home/ 4 HVAC and 4 mini splits** _____

8. Electric Systems: Are there any problems with electrical fuses, circuit breakers, outlets or wiring?

Yes No Unknown N/A

Comments: _____

9. Septic Systems: Is the septic system functioning properly? Yes No Unknown N/A

When was the system was last pumped? Date: _____ Unknown

Comments: _____

10. Water Supply: Any problem with water supply? Yes No Unknown N/A

Home water treatment system: Yes No Unknown N/A Leased

Fire sprinkler system: Yes No Unknown N/A

Are the systems in operating condition? Yes No Unknown N/A

Comments: **3 hot water heaters** _____

11. Public Service Connections: Has Seller received any communication regarding public service connection requirements? Yes No Unknown N/A

Comments: _____

12. Insulation:

In exterior walls? Yes No Unknown N/A

In ceiling/attic? Yes No Unknown N/A

In any other areas? Yes No Unknown N/A

Where? _____

Comments: **attic was spray insulation 2022** _____

13. Exterior Drainage: Does water stand on the property for more than 24 hours after rain?

Yes No Unknown N/A

Are gutters and downspouts in good repair? Yes No Unknown N/A

Comments: _____

14. Wood-destroying insects: Any infestation and/or prior damage?

Yes No Unknown N/A

Any treatments or repairs? Yes No Unknown

Any warranties? Yes No Unknown

Comments: _____



15. Are there any hazardous or regulated materials (including, but not limited to, licensed landfills, asbestos, methamphetamine lab, radon gas, lead-based paint, underground storage tanks, any mining operations or other past contamination) on the property

Yes No Unknown N/A

If yes, please specify _____

16. 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 N/A

Comments: _____

17. Are there Fireplace(s)/Woodstove(s)/Chimney(s) Yes No Unknown N/A
In good working condition? Yes No Unknown N/A

Comments: 2 FIREPLACE SET WITH GAS- OTHERS ARE DECORATIVE ONLY

18. 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 N/A

If yes, please specify _____

19. If you or a contractor has made improvements to the property, were the required permits pulled from the county or local permitting office?

Yes No Unknown N/A

Comments: 2010 enclosed the patio

20. Is the property located in a flood zone, farmland/conservation area, wetland area and/or historic district designated by locality?

Yes No Unknown N/A

Comments: _____

21. Is the property subject to any restrictions imposed by a Home Owners Association, community association or any deed restrictions?

Yes No Unknown N/A

Comments: _____

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

Yes No Unknown N/A

Comments: _____

NOTE: Seller may wish to disclose the condition of other buildings on the property on a separate VOLUNTARY RESIDENTIAL PROPERTY DISCLOSURE STATEMENT.

Authentisign
MICHAEL D. MCCARTY, PhD

08/18/24

Authentisign
Seller **Michael D McCarty, PhD**

Date

Authentisign
DONNA M. MCCARTY

08/18/24

Seller **Donna M McCarty**

Date

Purchaser

Date

Purchaser

Date

DISCLAIMER

NOTICE TO SELLER: Sign this statement only if you elect to sell the property without representations and warranties as to its condition, except as otherwise provided in the contract of sale and in the listing of latent defects set forth below; otherwise, complete and sign the VOLUNTARY RESIDENTIAL PROPERTY DISCLOSURE STATEMENT.

Except for the latent defects listed below, the undersigned Seller of the real property make no representations or warranties as to the condition of the real property or any improvements thereon, and the purchaser will be receiving the real property "as is" with all defects, including latent defects, which may exist.

The Seller has actual knowledge of the following latent defects: _____

Seller Michael D McCarty, PhD

_____ Date

Seller Donna M McCarty

_____ Date

The purchaser acknowledges receipt of this Disclosure/Disclaimer Document.

_____ Purchaser

_____ Date

_____ Purchaser

_____ Date

