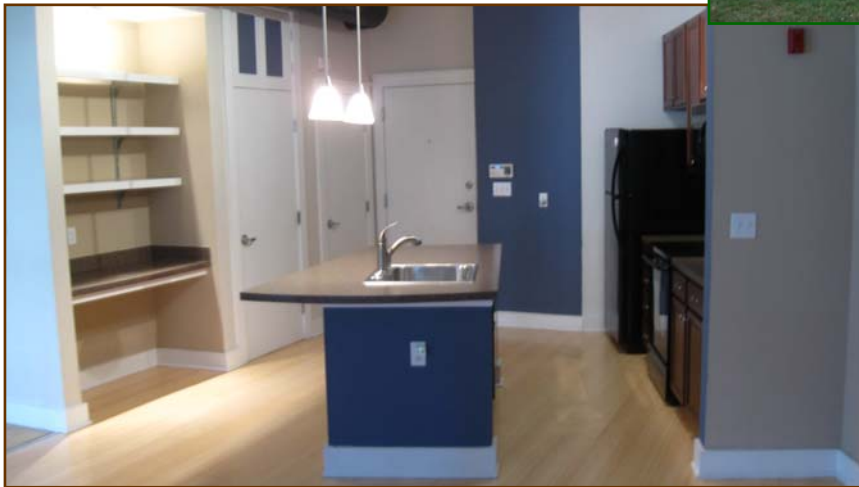


535 S. UPPER STREET #122

718 +/- Square Feet

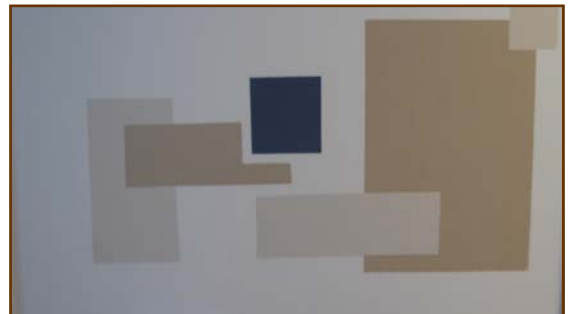
Lexington, Fayette County, Kentucky

Perfectly located—perfectly maintained—perfectly priced! This spacious efficiency offers a large seating area, full kitchen, laundry, Pergo in main area and carpeted bedroom and full bath.



Parking space and additional storage space complete this desirable unit just off garage on first floor. Puppy dogs are welcome with an easy out to the grassy area.

Utilities are \$30 - \$60/month, internet/cable is \$73/monthly; monthly HOA fees are \$214.70 which covers the A/C in building halls, cleaning of the interior of the building, salting & snow removal, landscaping, maintenance, grass cutting, and the exterior of the building is pressure washed about every six months



OFFERED EXCLUSIVELY BY

Price: \$147,500.



Mary Sue Walker-Hughes,
Agent
(859) 619-4770

www.kyhorsefarms.com

518 East Main Street ♦ Lexington, Kentucky 40508 ♦ (859) 255-3657

PROPERTY ADDRESS: 535 S Upper #122 Lexington Ky 40508

SELLER'S DISCLOSURE OF PROPERTY CONDITION

This form applies to residential real estate sales and purchases. This form is **not required** for:

1. Residential purchases of new construction homes if a written warranty is provided;
2. Sales of real estate at auction; or
3. A court supervised foreclosure.

The information in this form is based upon the undersigned's observation and knowledge about the property during the period beginning on the date of his or her purchase of the property on July 2010, and ending on current / Feb 28, 2018
(Date of purchase) (Date of this form)

PROPERTY ADDRESS: 535 S Upper #122 Lexington Ky 40508

PURPOSE OF DISCLOSURE FORM: Completion of this form shall satisfy the requirements of KRS 324.360 that mandates the seller's disclosure of information about the property he or she is about to sell. This disclosure is based solely on the seller's observation and knowledge of the property's condition and the improvements thereon. This disclosure form shall not be a warranty by the seller or seller's real estate agent and shall not be used as a substitute for an inspection or warranty that the purchaser may wish to obtain. This form is a statement of the conditions and other information about the property known by the seller. Unless otherwise advised, the seller does not possess any expertise in construction, architectural, engineering, or any other specific areas related to the construction or condition of the improvements on the property. Other than having lived at or owned the property, the seller possesses no greater knowledge than that which could be obtained upon a careful inspection of the property by the potential buyer. Unless otherwise advised, the seller has not conducted any inspection of generally inaccessible areas such as the foundation or roof. It is not a warranty of any kind by the seller or by any real estate agent representing any seller in this transaction. It is not a substitute for any inspections. The purchaser is encouraged to obtain his or her own professional inspections.

INSTRUCTIONS TO THE SELLER: (1) Complete all numbered items. (2) Report all known conditions affecting the property. (3) Attach additional pages, if necessary, with your signature and the date and time of signing. (4) Complete this form yourself or sign the authorization at the end of this form to authorize the real estate agent to complete this form on your behalf in accordance with KRS 324.360(9). (5) If some items do not apply to your property, mark "not applicable." (6) If you do not know the answer to a question, mark "unknown."

SELLER'S DISCLOSURE: As seller, I/we disclose the following information regarding the property. This information is true and accurate to the best of my/our knowledge as of the date signed. Seller authorizes the real estate agent to provide a copy of this statement to any person or entity in connection with actual or anticipated sale of the property or as otherwise provided by law. The following information is not the representation of the real estate agent.

Please answer all questions. If the answer is yes, please explain. If additional space is needed, use the reverse side or make attachments.

1. HOUSE SYSTEMS

Any past or current problems affecting:

- | | N/A | YES | NO | UNKNOWN |
|--|-----|-----|----|---------|
| (a) Plumbing | | | ✓ | |
| (b) Electrical system | | | ✓ | |
| (c) Appliances | | | ✓ | |
| (d) Floors and walls | | | ✓ | |
| (e) Doors and windows | | | ✓ | |
| (f) Ceiling and attic fans | | | ✓ | |
| (g) Security system | | | ✓ | |
| (h) Sump pump | ✓ | | | |
| (i) Chimneys, fireplaces, inserts | ✓ | | | |
| (j) Pool, hot tub, sauna | ✓ | | | |
| (k) Sprinkler system | ✓ | | | |
| (l) Heating.....age | | | ✓ | |
| (m) Cooling/air conditioning.....age | | | ✓ | |
| (n) Water heater.....age | | | ✓ | |

Explain: _____

2. FOUNDATION/STRUCTURE/BASEMENT

- | | N/A | YES | NO | UNKNOWN |
|--|-----|-----|----|---------|
| (a) Any defects or problems, current or past, to the foundation or slab? | | | ✓ | |
| (b) Any defects or problems, current or past, to the structure or exterior veneer? | | ✓ | | |
| Explain: <u>Not to this unit, but in other parts of complex</u> | | | | |
| (c) Has the basement leaked at any time since you have owned or lived at the property? | ✓ | | | |
| (d) When was the last time the basement leaked? | ✓ | | | |
| (e) Have you ever had any repairs done to the basement? | | | | |
| (f) If you have had basement leaks repaired, when was the repair performed? | | | | |

Explain: _____

Initials (Seller) CPA

Date/Time 2/28/18

Initials (Buyer) _____

Date/Time _____

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PROPERTY ADDRESS: 535 S Upper #122 Lexington KY 40508

- (g) If the basement presently leaks, how often does it leak? (e.g., every time it rains, only after an extremely heavy rain, etc.) _____
- (h) Have you experienced, or are you aware of, any water or drainage problems with regard to the crawl space? _____

N/A YES NO UNKNOWN

3. **ROOF**

- (a) Age of the roof covering? _____
- (b) 1. Has the roof leaked at any time since you have owned or lived at the property? _____
2. When was the last time the roof leaked? _____
- (c) 1. Have you ever had any repairs done to the roof? _____
2. If you have ever had the roof repaired, when was the repair performed? _____
- (d) 1. Have you ever had the roof replaced? _____
2. If you have had the roof replaced, when was the replacement performed? _____
- (e) If the roof presently leaks, how often does it leak? (e.g., every time it rains, only after an extremely heavy rain, etc.) _____
- (f) 1. Have you ever had roof repairs that involved placing shingles on the roof instead of replacing the entire roof covering? _____
2. If yes, when was the repair performed? _____
Explain: _____

N/A YES NO UNKNOWN

4. **LAND/DRAINAGE**

- (a) Any soil stability problems? _____
- (b) Has the property ever had a drainage, flooding, or grading problem? _____
- (c) Is the residence located within a Special Flood Hazard Area (SFHA) mandating the purchase of flood insurance for federally backed mortgages? _____
If yes, what is the flood zone? _____
- (d) Is there a retention/detention basin, pond, lake, creek, spring, or water shed on or adjoining this property? _____
Explain: _____

N/A YES NO UNKNOWN

5. **BOUNDARIES**

- (a) 1. Have you ever received a staked or pinned survey of the property? _____
2. Are the boundaries marked in any way? _____
3. Do you know the boundaries? If yes, provide description below _____
Explain: _____
- (b) Are there any encroachments or unrecorded easements relating to the property of which you are aware? _____
Explain: _____

N/A YES NO UNKNOWN

6. **WATER**

- (a) 1. Source of water supply City water _____
2. Are you aware of below normal water supply or water pressure? _____
- (b) Is there a water purification system or softener remaining with the house? _____
- (c) Has your water ever been tested? If yes, provide results below _____
Explain: _____

N/A YES NO UNKNOWN

7. **SEWER SYSTEM**

- (a) Property is serviced by:
1. Category I. Public Municipal Treatment Facility _____
2. Category II. Private Treatment Facility _____
3. Category III. Subdivision Package Plant _____
4. Category IV. Single Home Aerobic Treatment System ("Home Package Plant") _____
5. Category V. Septic Tank with drain field, lagoon, wetland, other onsite dispersal _____
6. Category VI. Septic Tank with dispersal to an offsite, multi-property cluster treatment system _____
7. Category VII. No Treatment/Unknown _____
- Name of Servicer (if known): _____
- (b) For properties with Category IV, V, or VI systems:
- Date of last inspection (sewer): _____
- Date of last inspection (septic): _____ Date last cleaned (septic): _____
- (c) Are you aware of any problems with the sewer system? _____
Explain: _____

N/A YES NO UNKNOWN

Initials (Seller) CPR Date/Time 2/28/18 12:00 PM

Initials (Buyer) _____ Date/Time _____

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PROPERTY ADDRESS: 535 S. Upper #122 Lexington KY 40508

8. **CONSTRUCTION/REMODELING** N/A YES NO UNKNOWN
- (a) Have there been any additions, structural modifications, or other alterations made? ☒ — ☒ —
- (b) Were all necessary permits and government approvals obtained? ☒ — ☒ —
- Explain: _____
9. **HOMEOWNER'S ASSOCIATION** N/A YES NO UNKNOWN
- (a) 1. Is the property subject to rules or regulations of a homeowner's association? ☒ — ☒ —
2. If yes, what is the yearly assessment? \$ 2,613.60
3. Homeowner's Association Name: Center Court Condo Owners Assoc.
- HOA Primary Contact Name: CRM Companies
- HOA Primary Contact Phone No. 859-225-3680
- (b) Are you aware of any condition that may result in an increase in taxes or assessments? ☒ — ☒ see attached statement
- (c) Are any features of the property shared in common with adjoining landowners such as: walls, fences, driveways, etc? ☒ — ☒ —
- Explain: _____
10. **MISCELLANEOUS** N/A YES NO UNKNOWN
- (a) Was this house built before 1978? ☒ — ☒ —
- (b) Are you aware of any use of urea formaldehyde, asbestos materials, or lead based paint in or on this home? ☒ — ☒ —
- (c) 1. Are you aware of any testing for radon gas? ☒ — ☒ —
2. Results, if tested _____
- (d) Are you aware of any underground storage tanks, old septic tanks, field lines, cisterns or abandoned wells on the property? ☒ — ☒ —
- (e) Are there any other environmental hazards known to seller? (e.g., carbon monoxide, hazardous waste, water contamination or methamphetamine contamination) ☒ — ☒ —

METHAMPHETAMINE CONTAMINATION DISCLOSURE REQUIREMENT

A property owner who chooses **NOT** to decontaminate a property used in the production of methamphetamine **MUST** make written disclosure of methamphetamine contamination pursuant to KRS 224.1-410(10) and 902 KAR 47:200. Failure to properly disclose methamphetamine contamination is a Class D Felony under KRS 224.99-010.

- (f) Are you aware of any present or past wood infestation (e.g., termites, borers, carpenter ants, fungi, etc.)? ☒ — ☒ —
- (g) Are you aware of any damage due to wood infestation? ☒ — ☒ —
- (h) 1. Has the house or other improvements ever been treated for wood infestation? ☒ — ☒ —
2. If yes, when, by whom, and any warranties? _____
- (i) Are you aware of any existing or threatened legal action affecting this property? ☒ — ☒ —
- (j) Are there any assessments other than property assessments that apply to this property (e.g., sewer assessments)? ☒ — ☒ see attached
- (k) Are you aware of any violations of local, state, or federal laws, codes, or ordinances relating to this property? ☒ — ☒ —
- (l) Are you aware of any other conditions that are defective with regard to this property? ☒ — ☒ see attached
- (m) Are there any environmental hazards known to seller? E.g., methamphetamine contamination? ☒ — ☒ —
- (n) Are there any warranties to be passed on? ☒ — ☒ —
- (o) Has this house ever been damaged by fire or other disaster (e.g., tornado, hail, etc.)? ☒ — ☒ —
- If yes, please explain: _____
- (p) Are you aware of the existence of mold or other fungi on the property? ☒ — ☒ —
- (q) Has this house ever had pets living in it? ☒ — ☒ —
- If yes, Explain visiting small dog
- (r) Is the property in a historic district? ☒ — ☒ —

Initials (Seller) CDR Date/Time 12:00 PM 2/28/18

Initials (Buyer) _____ Date/Time _____

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PROPERTY ADDRESS: 535 S. Upper #122 Lexington Ky 40508

SPACE FOR ADDITIONAL INFORMATION

See attached statement

Seller states that the information contained in this Disclosure of Property Condition Form is complete and accurate to the best of his/her/their knowledge and belief. Seller agrees to immediately notify Buyer of any changes that may become known to Seller prior to closing by providing a written addendum hereto.

Daniel A. Andrews

Seller

2/28/18

Date

Christine E. Redwood

Seller

2/28/2018

Date

THE REAL ESTATE AGENT NAMED HERE, _____, HAS BEEN REQUESTED BY THE OWNER TO COMPLETE THIS FORM AND HAS DONE SO. SELLER HEREBY AGREES TO HOLD HARMLESS THE NAMED REAL ESTATE AGENT FOR ANY REPRESENTATIONS THAT APPEAR ON THIS FORM IN ACCORDANCE WITH KRS 324.360(9).

Seller: _____

Date: _____

THE SELLER REFUSES TO COMPLETE THIS FORM AND ACKNOWLEDGES THAT THE REAL ESTATE AGENT SHALL SO INFORM THE BUYER.

Seller: _____
Date: _____

Seller: _____
Date: _____

THE SELLER HAS REFUSED TO COMPLETE THIS FORM AND HAS REFUSED TO ACKNOWLEDGE HIS FAILURE TO COMPLETE THE FORM

Broker/Real estate agent: _____

Date: _____

THE BUYER ACKNOWLEDGES RECEIPT OF THIS FORM.

Buyer

Date

Buyer

Date

THIS FORM PROVIDES THE MINIMUM DISCLOSURES REQUIRED BY LAW. SELLER MAY DISCLOSE ADDITIONAL INFORMATION NOT REQUESTED ON THIS FORM AND MAY RESPOND TO ADDITIONAL INQUIRIES OF THE BUYER.

Initials (Seller) CDE DAW Date/Time 12:00PM 2/28/18

Initials (Buyer) _____ Date/Time _____

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SELLER'S DISCLOSURE OF PROPERTY CONDITION

ADDITIONAL INFORMATION FOR 535 S. UPPER, #122

Center Court Condo Owners Association, representing all individual unit owners, has been in litigation for several years with Center Court's developer and numerous contractors and subcontractors regarding construction defects associated with the property. In late 2017, a settlement was reached between the parties. A net amount of \$1,905,000 was paid to the condo association, of which \$1,777,010 has been allocated to the individual unit owners to compensate for a portion of the remediation assessments paid through 2017. The credit applied to 535 S. Upper, #122, is \$7,949.29. This credit is available to offset any further assessments made after December 31, 2017.

At the annual owners' meeting on February 20, 2018, the association approved a 2018 assessment of \$1,200,000. The portion allocated to 535 S. Upper, #122 is \$5,122.21. Using the available credit of \$7,949.29 this assessment has been paid in full, leaving \$2,827.08 available for future use. This credit balance will carry over to the Buyer at closing.

In summary, Sellers represent that there are no outstanding condominium fees or assessments against the property as of this date.

Dated February 28, 2018 