

# 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: 934 Red Bridge Road, Ellsworth,

## 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: 2000 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: East side of House  
Installed BY: P.L. Jones DATE of Installation: 2000  
What is the source of your information: \_\_\_\_\_  
USE: Number of Persons currently using system? 3  
Does system supply water for more than one household? .....  Yes  No  Unknown

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

## 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: West side of House OR  Unknown Date of Installation: \_\_\_\_\_  
Date of Last Servicing: Dec 2009 Name of Company Servicing Tank: Action septic  
Date Last Pumped: \_\_\_\_\_ Have you experienced any malfunctions? .....  Yes  No  
If yes, give the date and describe the problem: pumped tank

LEACH FIELD: .....  Yes  No  Unknown

IF YES: Location: West side of House  
Date of installation of leach field: 2000 Installed by: Mike Salisbury  
Date of Last Servicing: \_\_\_\_\_ Name of Service Company: \_\_\_\_\_  
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? \_\_\_\_\_

SOURCE OF INFORMATION: \_\_\_\_\_

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

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)	Hot Air	Wood Stove		
Age of system(s)/source(s)				
Name of company that services system(s)/source(s)	Dead River			
Date of most recent service call	2006			
Annual consumption per system/source (i.e., gallons, kilowatt hours, cord(s))	400 Gal	2 cord		
Malfunction per system(s)/source(s) within past 2 years				
Other pertinent information				

Buried Oil Supply Line:  Yes  No  Unknown Sleved:  Yes  No  
 Chimney(s) Lined:  Yes  No  Unknown Age: \_\_\_\_\_ 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: 1999

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

**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: \_\_\_\_\_
- 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: \_\_\_\_\_
- 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: \_\_\_\_\_

PROPERTY LOCATED AT 934 Red Bridge Road, Ellsworth,

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: \_\_\_\_\_  
What is your source of information: \_\_\_\_\_

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: \_\_\_\_\_

• Leased Equipment (e.g., propane tank, hot water heater, satellite dish): Type: \_\_\_\_\_  
• Year Built: 1880's What year did Seller purchase property? 1999  
• Roof: Year Built - Structure: ~~1880's~~ 1880's Year Shingles Installed: 1996  
Moisture or leakage: None  
Comments: \_\_\_\_\_

• Foundation/Basement: Sump Pump:  Yes  No  Unknown Comments: \_\_\_\_\_  
Moisture or leakage since you owned the property:  Yes  No  Unknown Comments: Dirt Floor - Wet when rain  
Knowledge of prior moisture or leakage:  Yes  No  Unknown Comments: same

• 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: 200 Amp  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: \_\_\_\_\_

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**

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.

Robert W. McCarthy SELLER \_\_\_\_\_ DATE \_\_\_\_\_  
Laurie J. McCarthy SELLER \_\_\_\_\_ DATE \_\_\_\_\_  
Robert W. McCarthy  
Laurie J. McCarthy

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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Deed of Sale by Personal Representative

Jacqueline W. Dunbar, whose mailing address is 19 Hillcrest Drive, Brewer ME 04412, duly appointed and acting Personal Representative of the Estate of Marion M. Wescott, deceased (testate), as shown by the probate records of Hancock County, Maine, (and not having given notice to each person succeeding to an interest in the real property described below at least ten (10) days prior to the sale, such notice not being required under the terms of the decedent's will), by the power conferred by the Probate Code, and every other power, for consideration paid, grants to Robert W. McCarthy and Laurie J. McCarthy, husband and wife, as joint tenants, whose mailing address is 934 Red Bridge Road, Ellsworth ME 04605, a certain lot or parcel of land, together with all buildings thereon, situated in Ellsworth, Hancock County, Maine, and being the First Lot described in deed from Mary E. Scott to Alvin F. Wescott and Marion M. Wescott, as joint tenants, dated April 24, 1970 and recorded with Hancock County Registry of Deeds in Book 1095, Page 594 as follows:

"A certain lot or parcel of land situated in said Ellsworth and described as follows, to wit: Bounded on the North by land of David Moore; East by the old Bangor road; South by land of William Maddocks, and West by the land of said Moore, being the former homestead of Charles Maddocks, and containing fifty acres more or less, with all the buildings thereon.

Reference is had to the deed from Charles Maddocks to Alexander M. Moore, dated April 15, 1864, and recorded in Book 120, Page 178 of the Hancock County, Maine, Registry of Deeds."

There is excepted and not hereby conveyed the portion thereof described in deed from Marion M. Wescott under the name Westcott to Richard Westcott, et al, dated January 31, 1995 and recorded with said Registry of Deeds in Book 2357, Page 227.

Marion M. Wescott acquired her title to the premises as surviving joint tenant on the death of Alvin F. Wescott.

Said Jacqueline W. Dunbar hereunto sets her hand and seal in her capacity as Personal Representative of the Estate of Marion M. Wescott this 3<sup>d</sup> day of ~~January~~, <sup>February</sup> 1999.

Jacqueline W. Dunbar  
Jacqueline W. Dunbar  
Personal Representative of the Estate of  
Marion M. Wescott

MAINE REAL ESTATE  
TRANSFER TAX PAID

STATE OF MAINE  
Hancock, ss.

February 3  
~~January~~, 1999

Personally appeared the above named Jacqueline W. Dunbar and acknowledged the foregoing instrument to be her free act and deed in her capacity as aforeaid, before me,

*T.C.N.*  
\_\_\_\_\_  
Notary Public

TODD C. NOYES  
ATTORNEY AT LAW

\_\_\_\_\_  
Type or Print Name of Official

99 FEB -5 AM 11: 29

REGISTER OF DEEDS  
HANCOCK COUNTY SS.

*Marilyn Stinson*

REGISTER

#

*Ref Net Card*

**Residential Real Property Disclosure Statement**

**MAINE WARNING: LEAD-BASED PAINT HAZARDS**

Any residence built before 1978 may contain lead sufficient to poison children and sometimes adults. LEAD poisoning poses a particular risk if you are pregnant or may become pregnant. LEAD poisoning in young children may produce permanent neurological damage, including learning disabilities, a reduced intelligence quotient (IQ), impaired memory and behavioral problems such as attention deficit hyperactive disorder and a propensity for violence.

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. The seller of any interest in 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.

The only way to know with certainty whether lead-based paint hazards are present on the property is to test the property for the presence of lead.

**Acknowledgement of State Disclosure Statement.**

The signature below acknowledges that the seller or potential seller has disclosed to me information about lead-based paint hazards as required by 22 M.R.S.A. Section 1328. This acknowledgement does not constitute a waiver of any rights.

**Seller or potential seller**

Robert W. McCarthy 2/23/10  
Signature Date

Robert W McCarthy  
Name printed

Laurie J McCarthy  
Signature Date

Laurie J McCarthy  
Name printed

**Purchaser or potential purchaser**

\_\_\_\_\_  
Signature Date

\_\_\_\_\_  
Name printed

\_\_\_\_\_  
Signature Date

\_\_\_\_\_  
Name printed

**Acknowledgement of federal disclosure of information  
on Lead-Based Paint and/or Lead-Based Paint Hazards**

**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.*

**Seller's Disclosure**

(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).

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(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).

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(ii)  Seller has no reports or records pertaining to lead-based paint and/or lead-based paint hazards in the housing.

**Purchaser's Acknowledgement (initial)**

(c)  Purchaser has received copies of all information listed above.

(d) \_\_\_\_\_ Purchaser has received the pamphlet *Protect Your Family from Lead in Your Home*

(e) Purchaser has (check (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; or

(ii) \_\_\_\_\_ waived the opportunity to conduct a risk assessment or inspection for the presence of lead-based paint and/or lead-based paint hazards.

**Agent's Acknowledgement (initial)**

(f)  Agent has informed the seller of the seller's obligations under 42 U.S.C.4852d and is aware of his/her responsibility to ensure compliance.

**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 accurate.

Robert W. McCarthy 2/23/10  
Seller Date  
Robert W McCarthy

Laurie J. McCarthy  
Seller Date  
Laurie J McCarthy

\_\_\_\_\_  
Purchaser Date

\_\_\_\_\_  
Purchaser Date

\_\_\_\_\_  
Agent Date  
Robert Bond

\_\_\_\_\_  
Agent Date

This form is provided in connection with the PROPERTY LOCATED AT  
934 Red Bridge Road, Ellsworth,