

## 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: 82 ACADIAN WOODS ROAD, BAR HARBOR, ME 04609

### SECTION I. WATER SUPPLY

TYPE OF SYSTEM:       Public                       Private                       Seasonal                       Unknown  
                                   Drilled                       Dug                       Other SEPTIC

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: \_\_\_\_\_  
                                  Installed BY: \_\_\_\_\_ DATE of Installation: \_\_\_\_\_  
                                  What is the source of your information: \_\_\_\_\_  
 USE: Number of Persons currently using system? 8  
                                  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: \_\_\_\_\_ OR  Unknown   Date of Installation: 2004  
 Date of Last Servicing: 2008   Name of Company Servicing Tank: \_\_\_\_\_  
 Date Last Pumped: 2008   Have you experienced any malfunctions? .....    Yes    No  
 If yes, give the date and describe the problem: \_\_\_\_\_

LEACH FIELD: .....    Yes    No    Unknown  
 IF YES: Location: \_\_\_\_\_  
 Date of installation of leach field: 2004   Installed By: \_\_\_\_\_  
 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

July 2007      Page 1 of 3 - SPD      Buyer(s) Initials \_\_\_\_\_      Seller(s) Initials SC

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

Heating System(s)/Source(s)	SYSTEM 1	SYSTEM 2	SYSTEM 3	SYSTEM 4
TYPE(S)				
Age of system(s)/source(s)	2004			
Name of company that services system(s)/source(s)				
Date of most recent service call	Maintenance 2009			
Annual consumption per system/source (i.e., gallons, kilowatt hours, cord(s))				
Malfunction per system(s)/source(s) within past 2 years				
Other pertinent information				

Buried Oil Supply Line:  Yes  No  Unknown  
 Chimney(s) Lined:  Yes  No  Unknown Age: \_\_\_\_\_  
 Is more than one heat source vented through one flue?  Yes  No  Unknown  
 Sleevd:  Yes  No  
 Last Cleaned: \_\_\_\_\_  
 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 flooring tiles?  Yes  No  Unknown  
 • in the roofing shingles?  Yes  No  Unknown  
 • other: \_\_\_\_\_  
 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: 2004 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  
 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: \_\_\_\_\_

July 2007 Page 2 of 3 - SPD Buyer(s) Initials \_\_\_\_\_ Seller(s) Initials \_\_\_\_\_

PROPERTY LOCATED AT 82 ACADIAN WOODS ROAD, BAR HARBOR, ME 04609

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 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: satellite dish

Age: Age of House: 5 How long has Seller owned it:

Roof: Age - Structure: 5 Age - Shingles: 5

Moisture or leakage: NO

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

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

KNOWN MATERIAL DEFECTS about Physical Condition and/or value of Property, including those that may have an adverse impact on health/safety:

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.

Signature of Barbara Cusumano

SELLER

BARBARA CUSUMANO

Signature of Robert Saccamanno

SELLER

ROBERT SACCAMANNO

5/18/09

DATE

5/18/09

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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CUSUMANO,

**ACADIAN WOODS SUBDIVISION  
QUITCLAIM DEED WITH COVENANT**

KNOW ALL MEN BY THESE PRESENTS that we, **James C. Scott, Jr. and J. Mark Nyborg**, whose mailing address is 8 Plover Lane, Sullivan, ME 04664, for consideration paid, hereby **GRANT and RELEASE** to **Barbara Cusumano and Robert Saccamanno**, as joint tenants and not tenants in common, whose mailing address is 18 Katherine Court, Glassboro, NJ 08028, with **QUITCLAIM COVENANT**, a certain lot or parcel of land, with the buildings thereon, bounded and described as follows:

A certain lot or parcel of land with the buildings thereon situated on Mill Brook Road, so-called, in Bar Harbor, Hancock County, Maine, and being Lot Number 10 as shown on a Plan entitled "Acadian Woods Subdivision, Norway and Old Norway Drives, Bar Harbor, Hancock Co., Maine", by James W. Sewall Co., dated August 4, 1993, amended November 25, 1993, consisting of two sheets, recorded in the Hancock County Registry of Deeds in Plan Book 26, Pages 37 and 38 (the "Plan"), to which Plan reference can be made for a more particular description of the premises.

The above-described premises (the "Premises") are conveyed subject to and with the benefit of the matters set forth on the Plan, including the 25-foot-wide trail easement to Conservation Area 1 as shown on the Plan. Said easement is reserved for the benefit of Lots 1 through 22 shown on the Plan. It is to be used for non-motorized access and the easement area may be improved by an unpaved trail not to exceed eight feet in width.

The Premises are conveyed subject to and with the benefit of that certain Declaration of Covenants, Conditions and Restrictions dated April 14, 1994, and recorded in said Registry of Deeds in Book 2249, Page 142.

The Premises are conveyed subject to and with the benefit of any and all easements and restrictions of record insofar as the same may be still in force and applicable, including the restriction set forth in the deed dated April 30, 1986, from National Park Foundation to Acadian Farm Corporation recorded in said Registry of Deeds in Book 1578, Page 114 prohibiting the use of the Premises for the purpose of operating "lodging house", "boarding house" or "tourist house" as these terms are defined in the Bar Harbor Zoning Ordinance.

The Premises are conveyed with the benefit of the right to pass and repass over Mill Brook Road, Mill Brook Circle, and Acadian Woods Road for all purposes for which public ways are commonly used in said Town of Bar Harbor.

Being a portion of the premises conveyed from The Lyme Timber Company Limited Partnership to Roy T. Van Vleck, Trustee Under Declaration of Trust, in

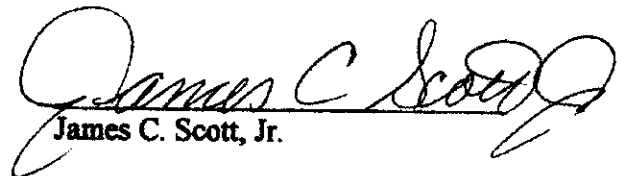
MAINE REAL ESTATE  
TRANSFER TAX PAID

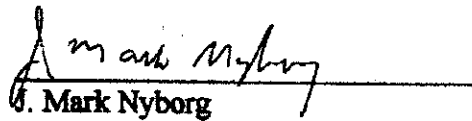
BK2894 PG246

a deed dated December 8, 1993, and recorded in the Hancock County, Maine, Registry of Deeds in Book 2198, Page 335.

Meaning and intending to convey the same Premises conveyed in the deed from Roy T. Van Vleck, Trustee, to the said James C. Scott, Jr., and J. Mark Nyborg dated July 17, 1998, and recorded in the Hancock County, Maine, Registry of Deeds in Book 2754, Page 561.

Witness our hands this 14<sup>th</sup> day of January, 2000.

  
James C. Scott, Jr.


  
J. Mark Nyborg

STATE OF MAINE  
Hancock, ss.

January 14, 2000

Personally appeared the above-named James C. Scott, Jr., and J. Mark Nyborg, and stated that the above instrument was executed as their free act and deed.

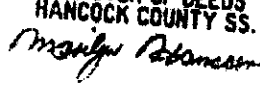
Before me,

  
\_\_\_\_\_  
Attorney at Law/Notary Public

George P. Keser  
Printed name

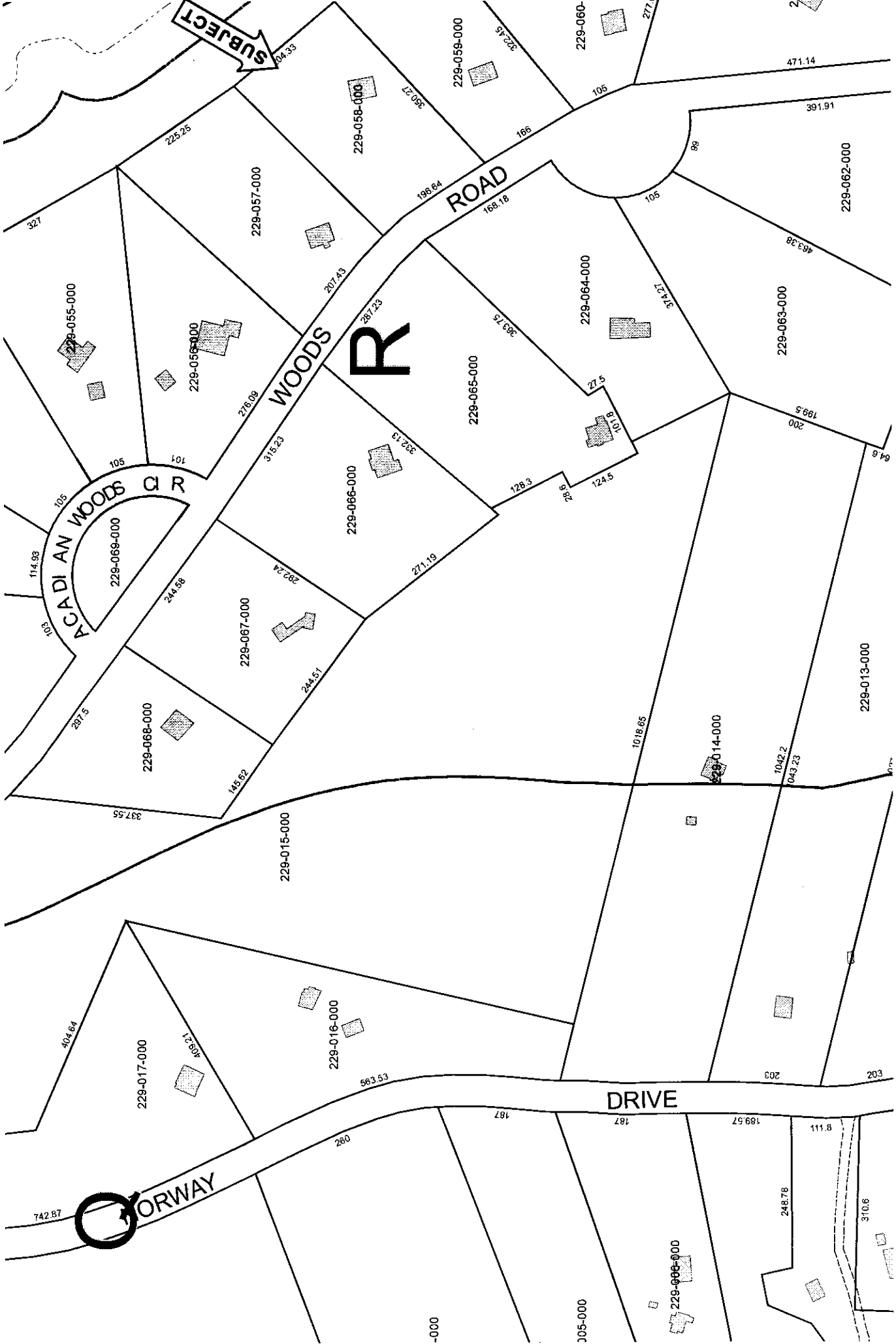
**SEAL**  
My Commission Expires 10-26-05

2000 JAN 18 AM 9:48

REGISTER OF DEEDS  
HANCOCK COUNTY SS.  
  
REGISTER

Acadian Woods Subdivision Deed, Page 2 of 2

2



**SUBJECT**

**R**

**ACADIAN WOODS CIR**

**WOODS ROAD**

**DRIVE**

**NORWAY**