



SELLER PROPERTY QUESTIONNAIRE

(C.A.R. Form SPQ, Revised 11/09)

This form is not a substitute for the Real Estate Transfer Disclosure Statement (TDS). It is used by the Seller to provide additional information when a TDS is completed or when no TDS is required.

I. Seller makes the following disclosures with regard to the real property or manufactured home described as 4658 Devonshire Common, Assessor's Parcel No. 501045803900, situated in Fremont, County of Alameda, California, ("Property").

II. The following are representations made by the Seller. Unless otherwise specified in writing, Broker and any real estate licensee or other person working with or through Broker has not verified information provided by Seller. A real estate broker is qualified to advise on real estate transactions. If Seller or Buyer desire legal advice, they should consult an attorney.

III. Note to Seller: PURPOSE: To tell the Buyer about known material or significant items affecting the value or desirability of the Property and help to eliminate misunderstandings about the condition of the Property. Answer based on actual knowledge and recollection at this time. Something that you do not consider material or significant may be perceived differently by a Buyer. Think about what you would want to know if you were buying the Property today. Read the questions carefully and take your time.

IV. Note to Buyer: PURPOSE: To give you more information about known material or significant items affecting the value or desirability of the Property and help to eliminate misunderstandings about the condition of the Property. Something that may be material or significant to you, may not be perceived the same way by the Seller. If something is important to you, be sure to put your concerns and questions in writing (C.A.R. form BMI). Sellers can only disclose what they actually know. Seller may not know about all material or significant items. Seller's disclosures are not a substitute for your own investigations, personal judgments or common sense.

V. SELLER AWARENESS: For each statement below, answer the question "Are you (Seller) aware of..." by checking either "Yes" or "No." Provide explanations to answers in the space provided or attach additional comments and check section VI.

A. STATUTORILY OR CONTRACTUALLY REQUIRED OR RELATED: ARE YOU (SELLER) AWARE OF...

- 1. Within the last 3 years, the death of an occupant of the Property upon the Property...
2. An Order from a government health official identifying the Property as being contaminated by methamphetamine...
3. The release of an illegal controlled substance on or beneath the Property...
4. Whether the Property is located in or adjacent to an "industrial use" zone...
5. Whether the Property is affected by a nuisance created by an "industrial use" zone...
6. Whether the Property is located within 1 mile of a former federal or state ordnance location...
7. Whether the Property is a condominium or located in a planned unit development or other common interest subdivision...
8. Insurance claims affecting the Property within the past 5 years...
9. Matters affecting title of the Property...
10. Material facts or defects affecting the Property not otherwise disclosed to Buyer...

B. REPAIRS AND ALTERATIONS: ARE YOU (SELLER) AWARE OF...

- 1. Any alterations, modifications, remodeling, replacements or material repairs on the Property (including those resulting from Home Warranty claims)...
2. Ongoing or recurring maintenance on the Property (for example, drain or sewer clean-out, tree or pest control service)...
3. Any part of the Property being painted within the past 12 months...

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SPQ REVISED 11/09 (PAGE 1 OF 4)

Buyer's Initials ( ) ( )
Seller's Initials ( ) ( )

Reviewed by \_\_\_\_\_ Date \_\_\_\_\_



SELLER PROPERTY QUESTIONNAIRE (SPQ PAGE 1 OF 4)

Agent: Suzanne Rawlings Phone: 510.226.2432 Fax: 510.894.8414 Prepared using WINForms® software
Broker: RE Realty Experts 41051 Mission Blvd Fremont, CA 94539

Property Address: Fremont, Ca 94536

Date: 1-25-10

Explanation: \_\_\_\_\_

**C. STRUCTURAL, SYSTEMS AND APPLIANCES:**

**ARE YOU (SELLER) AWARE OF...**

- 1. Defects in any of the following, (including past defects that have been repaired) heating, air conditioning, electrical, plumbing (including the presence of polybutelene pipes), water, sewer, waste disposal or septic system, sump pumps, well, roof, gutters, chimney, fireplace, foundation, crawl space, attic, soil, grading, drainage, retaining walls, interior or exterior doors, windows, walls, ceilings, floors or appliances . . . . .  Yes  No

Explanation: \_\_\_\_\_

**D. DISASTER RELIEF, INSURANCE OR CIVIL SETTLEMENT:**

**ARE YOU (SELLER) AWARE OF...**

- 1. Financial relief or assistance, insurance or settlement, sought or received, from any federal, state, local or private agency, insurer or private party, by past or present owners of the Property, due to any actual or alleged damage to the Property arising from a flood, earthquake, fire, other disaster, or occurrence or defect, whether or not any money received was actually used to make repairs . . . . .  Yes  No

Explanation: \_\_\_\_\_

**E. WATER-RELATED AND MOLD ISSUES:**

**ARE YOU (SELLER) AWARE OF...**

- 1. Water intrusion into any part of any physical structure on the Property; leaks from or in any appliance, pipe, slab or roof; standing water, drainage, flooding, underground water, moisture, water-related soil settling or slippage, on or affecting the Property . . . . .  Yes  No
- 2. Any problem with or infestation of mold, mildew, fungus or spores, past or present, on or affecting the Property . . . . .  Yes  No
- 3. Rivers, streams, flood channels, underground springs, high water table, floods, or tides, on or affecting the Property or neighborhood . . . . .  Yes  No

Explanation: \_\_\_\_\_

**F. PETS, ANIMALS AND PESTS:**

**ARE YOU (SELLER) AWARE OF...**

- 1. Pets on or in the Property . . . . .  Yes  No
- 2. Problems with livestock, wildlife, insects or pests on or in the Property . . . . .  Yes  No
- 3. Past or present odors, urine, feces, discoloration, stains, spots or damage in the Property, due to any of the above . . . . .  Yes  No
- 4. Past or present treatment or eradication of pests or odors, or repair of damage due to any of the above . . . . .  Yes  No

If so, when and by whom \_\_\_\_\_

Explanation: \_\_\_\_\_

**G. BOUNDARIES, ACCESS AND PROPERTY USE BY OTHERS:**

**ARE YOU (SELLER) AWARE OF...**

- 1. Surveys, easements, encroachments or boundary disputes . . . . .  Yes  No
- 2. Use or access to the Property, or any part of it, by anyone other than you, with or without permission, for any purpose, including but not limited to, using or maintaining roads, driveways or other forms of ingress or egress or other travel or drainage . . . . .  Yes  No
- 3. Use of any neighboring property by you . . . . .  Yes  No

Explanation: \_\_\_\_\_

Buyer's Initials (            ) (            )  
Seller's Initials (            ) (            )

Reviewed by \_\_\_\_\_ Date \_\_\_\_\_



H. LANDSCAPING, POOL AND SPA:

ARE YOU (SELLER) AWARE OF...

- 1. Diseases or infestations affecting trees, plants or vegetation on or near the Property
2. Operational sprinklers on the Property
(a) If yes, are they automatic or manually operated.
(b) If yes, are there any areas with trees, plants or vegetation not covered by the sprinkler system
3. An operational pool heater on the Property
4. An operational spa heater on the Property
5. Past or present defects, leaks, cracks, repairs or other problems with the sprinklers, pool, spa, waterfall, pond, stream, drainage or other water-related decor including any ancillary equipment, including pumps, filters, heaters and cleaning systems, even if repaired

Explanation:

I. COMMON INTEREST CONDOMINIUMS AND DEVELOPMENTS:

ARE YOU (SELLER) AWARE OF...

- 1. Any pending or proposed dues increases, special assessments, rules changes, insurance availability issues or litigation by or against the Homeowner Association affecting the Property

Explanation:

J. TITLE, OWNERSHIP AND LEGAL CLAIMS:

ARE YOU (SELLER) AWARE OF...

- 1. Any other person or entity on title other than Seller(s) signing this form
2. Leases, options or claims affecting or relating to title or use of the Property
3. Past, present, pending or threatened lawsuits, mediations, arbitrations, tax liens, mechanics' liens, notice of default, bankruptcy or other court filings, or government hearings affecting or relating to the Property, Homeowner Association or neighborhood
4. Any private transfer fees, triggered by a sale of the Property, in favor of private parties, charitable organizations, interest based groups or any other person or entity

Explanation:

K. NEIGHBORHOOD:

ARE YOU (SELLER) AWARE OF...

- 1. Neighborhood noise, nuisance or other problems from sources such as, but not limited to, the following: neighbors, traffic, parking congestion, airplanes, trains, light rail, subway, trucks, freeways, buses, schools, parks, refuse storage or landfill processing, agricultural operations, business, odor, recreational facilities, restaurants, entertainment complexes or facilities, parades, sporting events, fairs, neighborhood parties, litter, construction, air conditioning equipment, air compressors, generators, pool equipment or appliances, or wildlife

Explanation:

L. GOVERNMENTAL:

ARE YOU (SELLER) AWARE OF...

- 1. Ongoing or contemplated eminent domain, condemnation, annexation or change in zoning or general plan that apply to or could affect the Property
2. Existence or pendency of any rent control, occupancy restrictions or retrofit requirements that apply to or could affect the Property
3. Existing or contemplated building or use moratoria that apply to or could affect the Property
4. Current or proposed bonds, assessments, or fees that do not appear on the Property tax bill that apply to or could affect the Property
5. Proposed construction, reconfiguration, or closure of nearby government facilities or amenities such as schools, parks, roadways and traffic signals
6. Existing or proposed Government requirements affecting the Property (i) that tall grass, brush

Buyer's Initials ( ) ( )

Seller's Initials (se) (jc)

Reviewed by Date



Property Address: 4658 Devonshire Common  
Fremont, Ca 94536 Date: 1-25-10

- or other vegetation be cleared; (ii) that restrict tree (or other landscaping) planting, removal or cutting or (iii) that flammable materials be removed . . . . .  Yes  No
7. Any protected habitat for plants, trees, animals or insects that apply to or could affect the Property . . . . .  Yes  No
8. Whether the Property is historically designated or falls within an existing or proposed Historic District . . . . .  Yes  No

Explanation: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

- M. OTHER:** **ARE YOU (SELLER) AWARE OF...**
1. Reports, inspections, disclosures, warranties, maintenance recommendations, estimates, studies, surveys or other documents, pertaining to (i) the condition or repair of the Property or any improvement on this Property in the past, now or proposed; or (ii) easements, encroachments or boundary disputes affecting the Property . . . . .  Yes  No  
(If yes, provide any such documents in your possession to Buyer.)
2. Any past or present known material facts or other significant items affecting the value or desirability of the Property not otherwise disclosed to Buyer . . . . .  Yes  No

Explanation: \_\_\_\_\_  
This is a probate sale. Trustee has never lived in  
the property - disclosures will be limited!  
\_\_\_\_\_  
\_\_\_\_\_

VI.  (IF CHECKED) **ADDITIONAL COMMENTS:** The attached addendum contains an explanation or additional comments in response to specific questions answered "yes" above. Refer to line and question number in explanation.


Seller represents that Seller has provided the answers and, if any, explanations and comments on this form and any attached addenda and that such information is true and correct to the best of Seller's knowledge as of the date signed by Seller. Seller acknowledges (i) Seller's obligation to disclose information requested by this form is independent from any duty of disclosure that a real estate licensee may have in this transaction; and (ii) nothing that any such real estate licensee does or says to Seller relieves Seller from his/her own duty of disclosure.

\* Seller F. G. Lee Carlela Admin Denese Carlile Date 01/22/2010  
\* Seller Jamara J. Carlela Admin Date 01/22/2010

By signing below, Buyer acknowledges that Buyer has read, understands and has received a copy of this Seller Property Questionnaire form.

Buyer \_\_\_\_\_ Date \_\_\_\_\_  
Buyer \_\_\_\_\_ Date \_\_\_\_\_

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