

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: 77 Rockledge Ave., Portland, ME 04102

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: n/a 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? n/a

• IF PRIVATE:

INSTALLATION: Location: n/a
Installed BY: n/a DATE of Installation: _____
What is the source of your information: n/a

USE: Number of Persons currently using system? n/a
Does system supply water for more than one household? Yes No Unknown

COMMENTS: none

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: left side OR Unknown Date of Installation: 2001
Date of Last Servicing: unk Name of Company Servicing Tank: unk
Date Last Pumped: unk Have you experienced any malfunctions? Yes No
If yes, give the date and describe the problem: _____

LEACH FIELD: Yes No Unknown

IF YES: Location: left side
Date of installation of leach field: 2001 Installed By: Murray & Sons
Date of Last Servicing: unk Name of Service Company: unk
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? yes

SOURCE OF INFORMATION: public record

COMMENTS: none

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)	<u>Toyo A-1</u>	<u>Electric</u>		
Age of system(s)/source(s)	<u>2001</u>	<u>2001</u>		
Name of company that services system(s)/source(s)	<u>Darling Plumbing & Heating</u>	<u>T.A. Napolitano</u>		
Date of most recent service call	<u>unk</u>	<u>unk</u>		
Annual consumption per system/source (i.e., gallons, kilowatt hours, cord(s))	<u>unk</u>	<u>unk</u>		
Malfunction per system(s)/source(s) within past 2 years	<u>unk</u>	<u>no</u>		
Other pertinent information	<u>no</u>	<u>no</u>		

Buried Oil Supply Line: Yes No Unknown Sleved: Yes No
 Chimney(s) Lined: Yes No Unknown Age: 2001 Last Cleaned: unk
 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: _____

COMMENTS: none

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? n/a
 What materials are, or were, stored in the tank(s)? n/a
 Age of tank(s): n/a Size of tank(s): n/a
 Location: n/a
 Have you experienced any problems such as leakage? n/a
 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: none

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: none

C. RADON/AIR - Current or previously existing:
 Has the property been tested? Yes No Unknown
 IF YES: Date: n/a By: n/a
 Results: n/a If applicable, What remedial steps were taken? n/a
 Has the property been tested since remedial steps? Yes No Unknown
 Are test results available? Yes No Results & Comments: n/a

D. RADON/WATER - Current or previously existing:
 Has the property been tested? Yes No Unknown
 IF YES: Date: n/a By: n/a
 Results: n/a If applicable, What remedial steps were taken? n/a
 Has the property been tested since remedial steps? Yes No Unknown
 Are test results available? Yes No Results & Comments: n/a

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: none

PROPERTY LOCATED AT 77 Rockledge Ave., Portland, ME 04102

F. OTHER HAZARDOUS MATERIALS - Current or previously existing:

TOXIC MATERIAL: Yes No Unknown OTHER: unk
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: Little Diamond Island Homeowners Assoc.
What is your source of information: Public record

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: 2001 How long has Seller owned it: 2001
- Roof: Year Built - Structure: 2001 Age - Shingles: 2001
Moisture or leakage: no
Comments: none
- 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
- 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: None

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.

[Signature]
SELLER
[Signature]
SELLER

2/3/09
DATE
2-4-09
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

BUYER

DATE

DATE

Residential Real Property Disclosure Statement

MAINE WARNING: LEAD-BASED PAINT HAZARDS

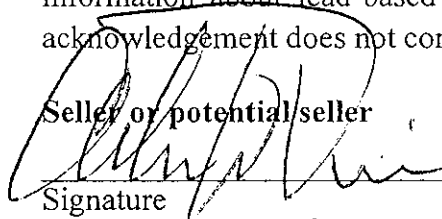

Any residence built before 1978 may contain lead sufficient to poison children and sometimes adults. LEAD poisoning poses a particular risk if you are pregnant or may become pregnant. LEAD poisoning in young children may produce permanent neurological damage, including learning disabilities, a reduced 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		Purchaser or potential purchaser	
	<u>2/3/09</u>	_____	_____
Signature	Date	Signature	Date
Name printed _____		Name printed _____	
	<u>2-4-09</u>	_____	_____
Signature	Date	Signature	Date
Name printed _____		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).

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

AD 9

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

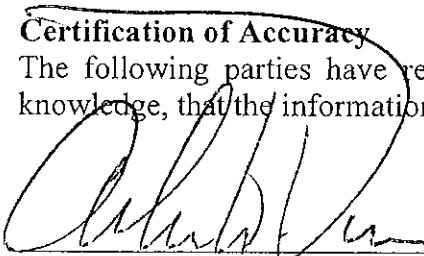
(ii) _____ waived the opportunity to conduct a risk assessment or inspection for the presence of lead-based paint and/or lead-based paint hazards.

Agent's Acknowledgement (initial)

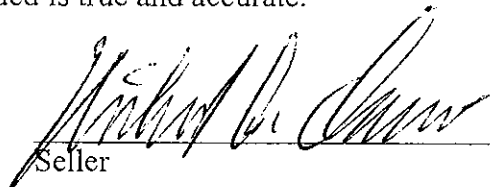
(f) TF Agent has informed the seller of the seller's obligations under 42 U.S.C.4852d and is aware of his/her responsibility to ensure compliance.

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.



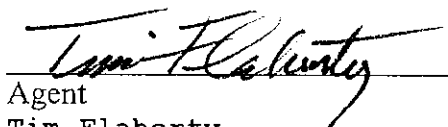
Seller
Date 2/3/09



Seller
Date 2-4-09

Purchaser
Date

Purchaser
Date



Agent
Tim Flaherty
Date 2/4/09

Agent
Date

This form is provided in connection with the PROPERTY LOCATED AT
0 Rockledge Ave., Portland, ME 04102



Q. Can I use my water for bathing if it has high arsenic?

Answer: Studies have shown that little arsenic gets into adults from bathing. But we do not have studies on young kids. Kids might get more arsenic in them while bathing because of their bathing habits. We have a study underway to check this. For now, if you are concerned, call us toll-free to discuss exposure from bathing.



Q. Can I use my water for cooking if it has arsenic in it?

Answer: The answer depends on how much arsenic is in your water, how much water is either absorbed or used when cooking a food, and how often you eat such foods. Pasta, rice, oatmeal and dried beans are examples of foods that absorb a lot of water when cooked. Soup and jello are examples of foods that use water by recipe. If your water has more than 0.05 mg/L arsenic, contact us for information about use in cooking.

Q. How likely is it that my well water has high arsenic?

Answer: Based on the current information we have, it looks like about 1 out of every 10 Maine homes with a private well have arsenic levels of concern. Drilled bedrock wells are more likely to have high arsenic levels than dug wells, wellpoints, or wells that are drilled into sand and gravel.

How do I get more information about arsenic in private well water?

➔ For more information on the health effects of arsenic, contact:

Andrew E. Smith, SM, ScD.
State Toxicologist
Environmental Toxicology Program
Bureau of Health
11 State House Station
Augusta, ME 04333
Toll Free: 866-292-3474
Email: andy.e.smith@state.me.us

Website:

janus.state.me.us/dhs/bohftp/index.html

➔ For more information on treatment systems for removing arsenic from well water, contact:

David Braley, Geologist
Drinking Water Program
Bureau of Health
11 State House Station
Augusta, ME 04333
Tel: (297) 287-3194
Email: david.braley@state.me.us

Website:

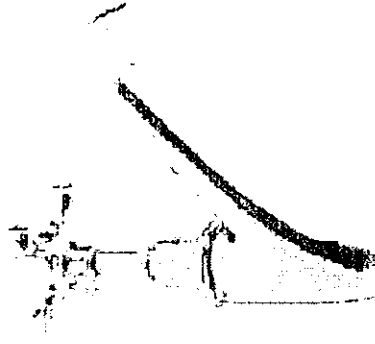
janus.state.me.us/dhs/eng/water/index.htm



Kevin W. Concannon, Commissioner
May 13, 2002

HAVE YOU TESTED YOUR WELL WATER FOR ARSENIC?

Health Information for Private Well Users



Arsenic in Well Water



Maine Bureau of Health

Arsenic in Well Water: The Problem You Can't See, Smell, or Taste

It's hard to believe that water that looks, smells, and tastes fine may not be safe to drink. But the truth is that many private wells in Maine yield water that is high in arsenic.



Arsenic is a naturally occurring chemical found in soil and rocks. Some rocks have higher levels of arsenic, and this may explain why some drilled wells have high arsenic water. And in some areas, past use of arsenic-containing pesticides on blueberry, apple and potato crops may add to the arsenic water problem.

The Harm Caused by Arsenic

People who drink water high in arsenic for many years are more likely to get cancer. Drinking water very high in arsenic can also cause stomach pain, nausea, vomiting and diarrhea, numbness or tingling in the hands and feet, as well as effects on blood and the heart.

How likely you are to get cancer or any other health effects from arsenic in water depends on three major factors:

- How much arsenic is in your water;
- How much tap water you drink;
- How long you have been drinking the water.

If you are concerned about health problems possibly due to arsenic in your well water, you should discuss them with your doctor. The Bureau of Health recommends that all household wells be tested for arsenic.



Answers to Some Commonly Asked Questions

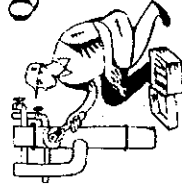


Q. How much is too much arsenic in well water?

Answer: Test results for arsenic in water are often reported as the number of *milligrams* of arsenic in a *liter* of water (mg/L for short). A liter is about a quart. The Bureau of Health guideline for arsenic in domestic well water is 0.01 milligrams of arsenic per liter of water. The current federal government standard for regulated water supplies is 0.05 mg/L, but this will be lowered to 0.01 mg/L.

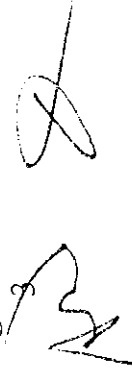
Q. I just found out I have high arsenic water. What should I do?

Answer: If your water has more than 0.01 mg/L arsenic, we recommend you begin taking steps to reduce how much of this water you drink. Switching to bottled water will greatly reduce how much arsenic gets into your body. It will also allow you to safely take your time in deciding what, if any, treatment you want to have installed to remove arsenic from your well water. Sometimes, simply switching to bottled water is all that is needed.



Q. Is there a way to remove arsenic from well water?

Answer: Yes. We advise consulting one or more water treatment companies to help in choosing an arsenic removal system. This is because the choice of a treatment system depends on what else is in your water and how much water you need to treat. While we do not recommend any specific treatment system, we do advise selection of treatment systems that have been certified for arsenic removal by NSF International (www.nsf.org). Also, be sure to test at least once a year after any system is installed to make sure it is working.





Fact Sheet: Arsenic Treated Wood

Department of Health and
Human Services
11 State House Station
Augusta, ME 04333

Maine CDC
Environmental and
Occupational Health Program

Toll Free in Maine: 866-292-3474
Fax: 207-287-3981
TTY: 207-287-8066
Email: ehu@maine.gov

Does Your New Home Have Arsenic (CCA) Treated Wood?

IF YOU WORK WITH CCA WOOD

- NEVER burn CCA wood.
- Wear gloves when handling CCA wood
- Wear a dust mask when sanding or cutting CCA wood
- Don't work with CCA wood in an enclosed area (like a garage)

Apply a coating to seal the wood every 1-2 years

About half of all Maine homes have a deck, or playground or some other structure that is made of wood treated with arsenic. This wood is called "CCA pressure-treated wood" or just "pressure-treated" wood. The wood was treated with arsenic to protect against rot and insects.

Too much arsenic can cause cancer. So it is good to prevent arsenic getting into your body when you can. When you touch wood treated with arsenic, you can get arsenic on your hands. The arsenic on your hands can get into your mouth if you are not careful about washing before eating. Young children are most at risk because they are more likely to put their hands in their mouths. The good news is that there are simple things you can do to protect yourself and your family from arsenic treated wood. This fact sheet will tell you how.



Children touching unsealed treated wood, and then putting their hands in their mouths is the biggest concern.

TO LEARN MORE

Eric Frohberg
Environmental and
Occupational Health
Program
Maine CDC
Toll-free in Maine 866-
292-3474
TTY: 207-287-8066
www.maine.gov/dhhs/
eohp

First: Does your house have arsenic treated (CCA) wood?

When arsenic treated wood is new, it tends to have a greenish tint. When CCA wood is older, it is harder to tell. Ask your realtor if the seller knows whether CCA wood was used. You can also test the wood to find out if it contains arsenic. Call us to find out how.

Second: If so, reduce contact with the arsenic.

You can lower the amount of arsenic on the surface of the wood by applying a coating on the wood every 1-2 years. Oil-based sealants, varnishes, or polyurethane work best for sealing arsenic in the wood. Be sure to wash your children's hands when they finish playing on or near CCA wood.

Third: If you have any questions, call us toll-free in Maine: 866-292-3474

Common Questions

What is CCA wood?

CCA wood is made by dipping the wood in a mixture of chemicals. These chemicals include chromium, copper, and arsenic. This protects the wood against insects and rot. This wood is known as CCA wood or "pressure treated" wood. Most pressure treated wood in the U.S. is CCA wood. After December 31, 2003, no more CCA wood will be made for use around homes. CCA wood may still be sold for home use until April 1, 2004 in the state of Maine.

What is Arsenic?

Arsenic is found in soil and rocks. Most people get a little arsenic every day from the food they eat. Also, some people have arsenic in their private wells, which is why it is important that anyone with a well have it tested for arsenic. People who are exposed to too much arsenic over many years are more likely to get cancer.