



TOWN OF PAONIA
214 GRAND AVENUE
TUESDAY, APRIL 01, 2025
SPECIAL TOWN BOARD MEETING 6:30 PM
[HTTPS://US02WEB.ZOOM.US/J/87899760706](https://us02web.zoom.us/j/87899760706)
MEETING ID: 878 9976 0706

Roll Call

Approval of Agenda

Actions & Presentations

[Consideration](#) of Evidence of Sewer Tap at Lot 2, Dorris Avenue.

Adjournment



**TOWN OF PAONIA
BOARD OF TRUSTEES MEETING
STAFF REPORT**

AGENDA ITEM:	Consideration of Evidence of Sewer Tap at Lot 2, Dorris Avenue
SUBMITTED BY:	Stefen Wynn, Town Administrator & Treasurer
DATE:	3.31.2025
BACKGROUND:	Town Staff received an urgent request to review documentation or lack of documentation for a water and sewer tap for Dorris Avenue Lot 2. During the research, a water tap was found to have been paid in full by the previous property owner in 2002. During that same period from 2002 - 2005, there was a moratorium on out of town water taps that caused a rush of purchasing for water taps. Town staff were able to find that a water tap had been purchased for Lot 2 Dorris Avenue on 5/17/2002, but can't find evidence of a sewer tap ever being paid for either Lot 2 or Lot 1 (now addressed as 104 Dorris Avenue). The Town also found a letter from the building official dated May 21, 2007 for 1519 1st Street and 1521 1st Street, both also known as Dorris Avenue Lots 1 & 2 that says, "both of the above zones require a minimum of 6,000 square feet to be considered a buildable lot within city limits. If there is more than one unit, the square footage requirement is 8000 square feet (LDR section 10.03). A water and sewer tap must be purchased for EACH UNIT. For example, a duplex must have a total of two water and two sewer taps." This letter is also in the attachments for your consideration. It would stand to reason that the Town was able to find evidence of water taps paid by the property owner, but was unable to find sewer taps paid for by the owner - it's typical that water and sewer taps are either paid at the same time, or when the property is ready to connect to the system. It's more typical that sewer taps are paid when a building permit has been applied for construction and the property is ready to connect since there hasn't been a moratorium on sewer taps. In this case there are records of water taps being paid for in full ahead of a previous water moratorium, but that there isn't a record of a sewer tap being paid for at all even though it shows up on a title 'with or without warranty.' This is most likely because a sewer tap hasn't been paid for by the property owner or any other property owner in years' past. The Town does not approve real estate listings or verify accurate information prior to listing property for sale, that is solely the responsibility of the Realtor and the selling property owner called a Seller's Property Disclosure form.
BUDGET:	
RECOMMENDATION:	Staff have brought this to the Board to decide as required under the water moratorium and based on the resolution for water standby and its application to sewer taps as well. When staff can't find records supporting that a tap has been purchased it is to be brought to the Board for consideration. This is a unique situation in that this is the first property that has a closing this week, and is impacted by Resolution 10-2025. We have no recommendation other than the evidence we've found is based solely on water taps being purchased and no evidence of sewer taps being paid for by either lot 1 or lot 2 Dorris Avenue.
ATTACHMENT:	ATTACHMENT A: Urgent Sewer Tap Documentation Issue - Lot 2 Dorris Avenue (Realtor's Email to Board) ATTACHMENT B: TBD Lot 2 -Dorris Ave_Redacted (Including evidence of water tap payment and Letter from Building Official in 2007) ATTACHMENT C: 104 Dorris Ave_Redacted (other Lot 1 for Dorris Ave) ATTACHMENT D: Sellers Property Disclosure (Form Required by Sellers in Colorado to sell their property)

From: [Patti Kaech](#)
To: [K Swartz](#); [Paige S](#); [Stefen Wynn](#); [Kaja Bowman](#); [Lucy H](#); [John V](#); [Rick S](#); [Walter Czech](#); [Mike H](#); amirav@townofpaonia.com
Cc: [Marsha Brezonick](#)
Subject: Urgent Sewer Tap Documentation Issue – Lot 2 Dorris Ave
Date: Friday, March 28, 2025 3:25:00 PM
Attachments: [lots 1&2 Nicholof Subdivision.pdf](#)
[44009223 Water Sewer Status Letter.pdf](#)

Dear Trustees and Staff,

I sent this email yesterday but didn't have all the email address so starting a new thread.

Attached is a document pertaining to Lot 2 on Dorris Avenue. We are scheduled to close on this property next week. However, today we were informed by the Title Company that there is no record of the Sewer Tap being paid. As a result, it is now presumed unpaid, and the responsibility has shifted to the Seller to provide documentation—though they are not the original party who would have made the payment.

When the Sellers purchased the property, they were told that both the Water Tap and Sewer Tap had been paid, and that these were transferred with the property. For clarification: Marsha represents the Sellers, and I represent the Buyers.

Unfortunately, we are now beyond our inspection and objection deadlines. If the Buyers choose not to proceed with the closing, they will lose their earnest money deposit. We were only informed today that the Town is unable to search for the Sewer Tap payment unless provided with a specific date range—something neither Marsha nor I can provide. The prior owner is currently out of the country and may no longer have access to old records or a canceled check.

I'd like to acknowledge and thank Kaja for successfully locating the Water Tap records—her help is appreciated. However, my understanding is that the new policy requiring a date range for record searches applies only to Water Taps, not Sewer Taps. Unfortunately, it's now being applied to Sewer Taps as well.

The attached deed references four Sewer Taps, as there were previously plans to build two duplexes—one on Lot 1 and one on Lot 2. At that time, two Sewer Taps were assigned to each lot. Now, the Town is requesting payment for what appears to be a third Sewer Tap for Lot 2. Notably, the owner of Lot 1 was already charged for an additional tap and is now due a refund.

We find ourselves at a difficult impasse. The Buyers are contractually obligated to close or lose their earnest money. The Sellers risk losing the sale entirely. Both agents—Marsha and myself—stand to lose our commissions. And it appears the

Town is seeking payment for a Sewer Tap that was previously paid, which feels unfair and, frankly, extortionate under the circumstances.

We are requesting immediate assistance in reviewing this matter. It seems highly likely that this tap was paid for, and we urge the Town to search its records—without requiring a specific date range—to help bring this issue to resolution and avoid undue harm to all parties involved. We'd also like to know a definition of a standby water and sewer tap.

Thank you for your time and attention to this matter.

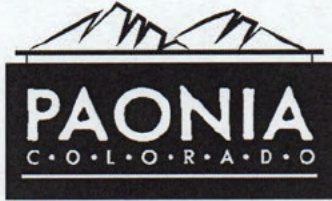
PS Attachments: 1. The Deed which shows 2 Water Taps and 4 Sewer Taps on a sale of this property. At that time the address was 1st Street not Dorris Ave. 2. A copy of what we received from Title Co this morning which also doesn't have the correct Buyers name on it from the Town.

--

Kindest Regards,

Patti





Town of Paonia

214 Grand Ave.
P.O. Box 460
Paonia, CO 81428
(970) 527-4101

To Whom It May Concern,

A request was made by a title company for property information.

Address: TBD Dorris Ave (lot 2)

Seller: RJM Rentals LLC

Buyer: Carolyn Z. Shelton AND James L. Shelton

This property has a water tap purchases in 2002 and meets the towns requirements outlined in resolution 10-2025 as a lawfully serviced water tap. There are installation costs associated with connecting that water tap to the Town of Paonia water system. Those costs would be the responsibility of the property owner at time of connection.

The Town of Paonia is unable to confirm the purchase of a sewer tap at this property however property owners with the Town of Paonia have a right to connect to the sewer system. This process would involve purchasing a sewer tap as outlined in Town of Paonia code sec. 13-5-210 through 13-5-380.

If it is believed that a sewer tap was purchased for this property the Town staff is happy to assist in further record searches if a date or date range for a believed purchase or subdivision can be provided.

Provided with this letter is a years billing history for this property.

There is a transfer fee for all utility transfers of **\$50**.

Thank you,
Town of Paonia Staff
3-27-2025

Town Use Only: Property's Account No. : _____

21 May 2007

Mr. Robin Nicholoff
36295 Sunshine Mesa Road
Hotchkiss, CO 81419-6204

Re: 1519/1521 First Street

Dear Mr. Nicholoff,

It has come to the Town's attention that you intend to build duplex units on the property known at 1519 and 1521 First Street in Paonia.

There are items of importance that need to be addressed prior to any start of construction.

The property is currently zoned R-1, Single Family Residential. A duplex would require that the property be rezoned to a R-2, Medium Density Residential or R-3, Higher Density Residential District. Enclosed is a Special Review/Variance application form should you decide to pursue this avenue.

Both of the above zones require a minimum of 6000 square feet to be considered a buildable lot within city limits. If there is more than one unit, the square footage requirement is 8000 square feet (LDR Section 10.03). A water and sewer tap must be purchased for each unit. For example, a duplex must have a total of two water and two sewer taps.

A site development and building plans must be submitted as part of a package to apply for the required building permit, which may only be issued after the zoning application has been approved through the Planning and Zoning Commission and the Town Council.

Please contact me with any questions or concerns regarding this matter. I am available on Mondays and Thursdays, or via telephone on those days at 527-2487. The Town Clerk is able to accept the Special Review/Variance application anytime during the week from 8:00 am to 4:30 pm.

Respectfully,

Neal Black
Building Official

NB:bp

Enclosure

Town of Paonia

7



FACSIMILE TRANSMITTAL SHEET

TO:

Land Title Comp

FROM:

Samira Vetter

COMPANY:

DATE:

FAX NUMBER:

800/886-6054

TOTAL NO. OF PAGES, INCLUDING COVER

2

PHONE NUMBER:

970/874-6876

SENDER'S REFERENCE NUMBER:

970/527-4101 Ext 2010

RE:

Final Bill

YOUR REFERENCE NUMBER:

☐ URGENT ☐ FOR REVIEW ☐ PLEASE COMMENT ☐ PLEASE REPLY ☐ PLEASE
RECYCLE

NOTES/COMMENTS:

Samira Vetter
Finance Clerk
(970) 527-4101 Ext: 2010
samiraV@townofpaonia.com

Town of Paonia
PO Box 460
214 Grand Avenue
Paonia CO 81428-0460
(970) 527-4101

Aug 08, 2022

Customer Number: [REDACTED]
STEPHEN NICHOLOFF
[REDACTED]
PAONIA CO 81428-[REDACTED]

FINAL BILLING

Disconnect Date: Jul 31, 2022
Service Address: LOT 2 DORRIS AVENUE

Previous Date	Previous Reading	Current Date	Current Reading	Multiplier	Usage	Amount	
						70.00	Previous Balance
						70.00 -	Current Payments/Adjustments
						37.00	Water Standby
						60.00	Sewer Stand-By
						3.00	Sidewalk Fee
						.00	Sales and Service
						25.00	FINAL READ
						.00	Late Fee
						125.00	Total
						.00	Deposit Applied
						125.00	Balance Due

Service	Deposit Date	Deposit Amount	Applied	Refund
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Refund Date: _____ Refund Check Number: _____ Refunded Amount: _____

Entry Report - Account Order

TOWN OF PAONIA

Entry #	Journal	Batch	Date	Account	Document	Description	Debits	Credits	Balance
3602.2									
57,893	R	1468	05/07/02		3374	Water Tap - 223 Niagra		\$3,500.00	(\$3,500.00)
57,926	R	1471	05/10/02		3384	Patricia Reynolds/Water Tap		\$3,500.00	(\$7,000.00)
57,928	R	1472	05/10/02		3383	Nicholoff/Water Tap-Lot 2		\$3,500.00	(\$10,500.00)
57,929	R	1472	05/10/02		3382	Nicholoff/Water Tap-Lot 1		\$3,500.00	(\$14,000.00)
58,535	R	1484	05/17/02		3404	32 Pan Am-Water Tap		\$3,500.00	(\$17,500.00)
64,871	R	1706	10/01/02		3650	Crk Vista Lt #3 Funk Water Tap		\$3,500.00	(\$21,000.00)
ACCOUNT 3602.2 TOTAL:							\$0.00	\$21,000.00	(\$21,000.00)
TOTAL OF JOURNAL(S):							\$0.00	\$21,000.00	(\$21,000.00)

Not sure if TBD Lot 2 Dorris or if
 could have been 104 Dorris or 109
 Freedom or different lot(s)
 seems likely to be 104 Dorris + TBD Lot 2 Dorris

Lot 2 Dorris Av

Lot 2 Dorris

Doc Fee: \$8.85

WARRANTY DEED

HTC 10491072

This Deed, made December 14, 2016

Between **Robin B. Nicholoff and Gretchen Nicholoff** of the County Delta, State of COLORADO, grantor(s) and **Stephen C. Nicholoff**, a Tenant in Severalty whose legal address is P.O. Box 82 Erie, CO 80516 County of Boulder, and State of COLORADO, grantee.

WITNESS, That the grantor, for and in the consideration of the sum of **EIGHTY-EIGHT THOUSAND FIVE HUNDRED DOLLARS AND NO/100'S (\$88,500.00)** the receipt and sufficiency of which is hereby acknowledged, has granted, bargained, sold and conveyed, and by these presents does grant, bargain, sell, convey and confirm, unto the grantee, their heirs and assigns forever, all the real property together with improvements, if any, situate, lying and being in the County of Delta, State of COLORADO described as follows:

Lots 1 and 2 in Block 3 of Dorris Subdivision,
County of Delta, State of Colorado

Together with, without warranty, Two (2) Town of Paonia water tap and Four (4) Town of Paonia sewer taps

also known by street and number as **1519 & 1521 1st. Street, Paonia, CO 81428**

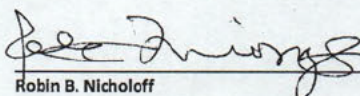
TOGETHER with all and singular hereditaments and appurtenances, thereunto belonging, or in anywise appertaining, and the reversion and reversions, remainder and remainders, rents issues and profits thereof, and all the estate, right, title, interest, claim and demand whatsoever of the grantor, either in law or equity, of, in and to the above bargained premises, with the hereditaments and appurtenances.

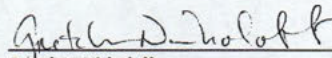
TO HAVE AND TO HOLD said premises above bargained and described, with the appurtenances, unto the grantee, his heirs and assigns forever. And the grantor, for himself, his heirs and personal representatives, does covenant, grant, bargain and agree to and with the grantee, his heirs and assigns, that at the time of the enrolling and delivery of these presents, he is well seised of the premises above conveyed, has good, sure, perfect, absolute and indefeasible estate of inheritance, in law, in fee simple, and has good right, full power and lawful authority to grant, bargain, sell and convey the same in manner and form as aforesaid, and that the same are free and clear from all former and other grants, bargains, sales, liens, taxes, assessments, encumbrances and restrictions of whatever kind of nature so ever, except for taxes for the current year, a lien but not yet due and payable, and those specific Exceptions described by reference to recorded documents as reflected in the Title Documents accepted by Buyer in accordance with section 8.1 (Title Review) of the contract dated December 8, 2016, between the parties.

The grantor shall and will WARRANT AND FOREVER DEFEND the above-bargained premises in the quiet and peaceable possession of the grantee, his heirs and assigns, against all and every person or persons lawfully claiming the whole or any part thereof. The singular number shall include the plural, the plural the singular, and the use of any gender shall be applicable to all genders.

IN WITNESS WHEREOF, the grantor has executed this on the date set forth above.

SELLERS:


Robin B. Nicholoff

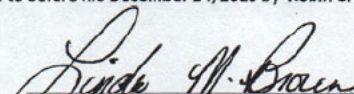

Gretchen Nicholoff

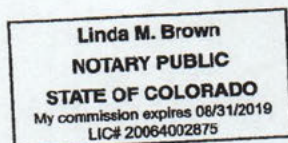
STATE OF COLORADO
COUNTY OF DELTA

} ss:

The foregoing instrument was acknowledged, subscribed and sworn to before me December 14, 2016 by Robin B. Nicholoff and Gretchen Nicholoff.

Witness my hand and official seal.


Notary Public
My Commission expires: 8/31/19



Wdcorp

ESCROW NO. 461-H0491072-091-VP2

HTC

TBD DORRIS AVE / 1521 FIRST STREET

11

21 May 2007

Mr. Robin Nicholoff
36295 Sunshine Mesa Road
Hotchkiss, CO 81419-6204

Re: 1519/1521 First Street

Dear Mr. Nicholoff,

It has come to the Town's attention that you intend to build duplex units on the property known at 1519 and 1521 First Street in Paonia.

There are items of importance that need to be addressed prior to any start of construction.

The property is currently zoned R-1, Single Family Residential. A duplex would require that the property be rezoned to a R-2, Medium Density Residential or R-3, Higher Density Residential District. Enclosed is a Special Review/Variance application form should you decide to pursue this avenue.

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A site development and building plans must be submitted as part of a package to apply for the required building permit, which may only be issued after the zoning application has been approved through the Planning and Zoning Commission and the Town Council.

Please contact me with any questions or concerns regarding this matter. I am available on Mondays and Thursdays, or via telephone on those days at 527-2487. The Town Clerk is able to accept the Special Review/Variance application anytime during the week from 8:00 am to 4:30 pm.

Respectfully,

Neal Black
Building Official

NB:bp

Enclosure

Entry Report - Account Order

TOWN OF PAONIA

Entry #	Journal	Batch	Date	Account	Document	Description	Debits	Credits	Balance
57,893	R	1468	05/07/02		3374	Water Tap - 223 Niagra		\$3,500.00	(\$3,500.00)
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TOTAL OF JOURNAL(S):							\$0.00	\$21,000.00	(\$21,000.00)

Receipt:

Receipt number: 1.183235

Customer name: SHELTON, CAROLYN/JAMES

Distribution total: 6,000.00

Search Receipt Comments

Customer information

Customer number:
Name: SHELTON, CAROLYN/JAMES

Receipt information

Date: 02/22/2024 12:02 PM
User ID: Counter
Workspace: Front Counter
Category: Other Utility - Water
Payment updated: Partial
GL updated: Yes
Printed: Yes
Register printed: Yes
Creation method: Enter payments

Distributions:

Distribution	Customer Number	Description	Amount
Water Taps		Water Tap FEE - TBD DOR...	6,000.00

104 Porris
Payments for
water/sewer
Taps -
[Signature]

6,000.00

Payments:

Payment Type	GL Account	Check Number	Amount
Check	090106	2115	6,000.00

Receipt:

Receipt number: 1.183236

Customer name: SHELTON, CAROLYN/JAMES

Distribution total: 5,000.00

15

Search Receipt Comments

Customer information

Customer number:

Name: SHELTON, CAROLYN/JAMES

Receipt information

Date: 02/22/2024 12:03 PM

User ID: Counter

Workspace: Front Counter

Category: Other Utility - Sewer/Trash

Payment updated: Partial

GL updated: Yes

Printed: Yes

Register printed: Yes

Creation method: Enter payments

Distributions:

Distribution	Customer Number	Description	Amount
Sewer Taps		Sewer Tap FEE - TBD DCR...	5,000.00

5,000.00

Payments:

Payment Type	GL Account	Check Number	Amount
Check	090106	2114	5,000.00



General Warranty Deed

(Pursuant to C.R.S. 38-30-113(1)(a))

State Documentary Fee
Date: October 12, 2023
\$14.50

This Deed, effective as of **October 12th, 2023**, signed on the date(s) acknowledged below, by Grantor(s), **JANET NELSON**, whose street address is **5033 COUNTY RD 335 TRAILER #245, NEW CASTLE, CO 81647**, City or Town of **NEW CASTLE**, County of **Garfield** and State of **Colorado**, for the consideration of **(\$145,000.00) ***One Hundred Forty Five Thousand and 00/100***** dollars, in hand paid, hereby sell(s) and convey(s) to **CAROLYN Z. SHELTON AND JAMES L. SHELTON**, as Joint Tenants whose street address is **4300 RED CLIFFS DRIVE, KANAB, UT 84741**, City or Town of **KANAB**, County of **Kane** and State of **Utah**, the following real property in the County of **Delta** and State of **Colorado**, to wit:

LOT 1, S. NICHOLOFF SUBDIVISION, ACCORDING TO THE PLAT RECORDED JULY 15, 2022 UNDER RECEPTION NO. 740811, COUNTY OF DELTA, STATE OF COLORADO.

TOGETHER WITH, WITHOUT WARRANTY, ONE (1) TOWN OF PAONIA WATER TAP AND ONE (1) TOWN OF PAONIA SEWER TAP

also known by street and number as: **TBD DORRIS AVE, PAONIA, CO 81428**

1521 First Street

with all its appurtenances and warrant(s) the title to the same, subject to Statutory Exceptions.

Janet Nelson

Janet Nelson

State of **Colorado**

)
)ss.
)

County of **Garfield**

The foregoing instrument was acknowledged before me on this day of **October 12th, 2023** by **JANET NELSON**

Witness my hand and official seal

My Commission expires: *9/8/2024*

Jessica Reed

Notary Public

JESSICA REED
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 19994021384
My Commission Expires: September 08, 2024

When recorded return to: **CAROLYN Z. SHELTON AND JAMES L. SHELTON**
4300 RED CLIFFS DRIVE, KANAB, UT 84741





DELTA COUNTY

GIS DEPARTMENT

GEOGRAPHIC INFORMATION SYSTEMS

March 18, 2024

SHELTON CAROLYN Z
4300 E RED CLIFFS DRIVE
KANAB, UT 84741-8100

Subject: Address Assignment

Parcel ID #: 324505277001
Parcel Owner Name: SHELTON CAROLYN Z

The address of **104 Dorris Ave, Paonia CO, 81428** has been assigned the primary residence located on Parcel # 324505277001.

Attached is a location map of your address. Keep this letter and map safe as proof of this address assignment.

Delta County will notify the appropriate local governmental agencies and 911 service providers of this update, including: the U.S. Post Office, TDS Telecom, Delta County Clerk and Recorder, Delta County Assessor, and the Delta County Sheriff. The property owner and /or renter are responsible for updating address information with all other private and commercial entities, including but not limited to: utility providers, banks, loan or mortgage holders, memberships/subscriptions, etc.

Justin Bollinger
GIS Analyst

Cc: U.S. Post Office, Paonia and Denver
TDS National E911
Delta County Clerk & Recorder
Delta County Assessor
Delta County Sheriff and Delta County Dispatch
Department of Motor Vehicles
Delta County Health Department
DMEA, UPS

GIS Disclaimer:

This GIS map data is not a legal document or a survey instrument; Delta County assumes no responsibility for any use of the map data or any loss from using the map data. The data is provided on an "as is" basis with no guarantee to be spatially accurate, complete or current. Due to the dynamic nature of data, some inconsistencies will exist.



Delta County, Colorado - Assigned Address

Property OUTLINED in YELLOW is the addressed property.

- Address
- Road
- ▭ Parcel Boundary

18

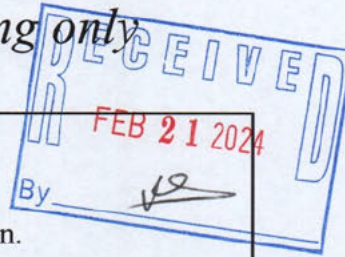
0 50 100 200 Ft

1:400





APPLICATION
REQUEST FOR ADDRESS
For Town/Corporated addressing only



- ☐ Access Approval – provide a copy.
- ☐ Easement – provide a copy, if one is needed to cross property other than what you own.

REQUIRED INFORMATION

Property Owner James + Carolyn Shelton
(AS RECORDED WITH DELTA COUNTY)

MAILING ADDRESS 4300 E. Red Cliffs Dr., Kanab, UT 84741
(Street) (City) (State) (Zip)

EMAIL [REDACTED]HOME PH. [REDACTED]WORK [REDACTED]CELL [REDACTED]

Applicant's Name (if different than Property Owner) Same as above

MAILING ADDRESS _____
(Street) (City) (State) (Zip)

EMAIL _____

HOME PH. _____

WORK _____

CELL _____

LEGAL DESCRIPTION OF THE PROPERTY

Site Address: House Number LEAVE BLANK Road Name Dorris Ave.

The Parcel Number and Legal Description can be obtained from your Deed, Tax Notice, or by calling the Delta County Assessor's Office, (970) 874-2120 or website: www.deltacounty.com

A part of the (1/4 Section) SE 3/4 of NW 1/4 Section 5, Township 14S, Range 91W (6th P.M. or N.M. P.M. or Ute P.M.)

SUBDIVISION (Name, Lot#, Block #) Lot 1, So. Nicholoff Sub, Re-sub of Lots 1+2, Block 3, Dorris Sub.
(ATTACH COPY OF THE RECORDED PLAT)

PARCEL NUMBER (PID#): 3245-052-77-001

I hereby apply for the above-indicated address on the above-described property. The undersigned hereby certifies that all statements and documentation contained herein are true and correct to the best of his/her knowledge.

James L Shelton
Property Owner's Signature

Date

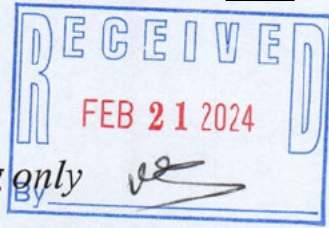
2/21/2024

CJ Shelton
Applicant's Signature

Date

2/21/2024

DELTA COUNTY, COLORADO
APPLICATION
REQUEST FOR ADDRESS – Town/Corporated addressing only



1. What town will the address be in? PAONIA
2. What road are you accessing from? Dorris Ave.
3. Is the access off of a: COUNTY RD STATE HIGHWAY TOWN RD PRIVATE RD
4. Is this the first address for the property? Yes No Uncertain - 1521 1st Street was never official, according to S. Wynn.
5. The address is for: RESIDENCE BUSINESS UTILITY ONLY OTHER please explain
6. How many residences or businesses will use the address? 1 (Show all on Site Sketch)
7. Does the driveway cross the property of another person or entity (City/ Government)? ☐ Yes ☒ No
***IF YES, a copy or copies of the easement(s) /plat(s) must accompany this application and may be found with the title documents or obtained from the Delta County Clerk and Records Office.**

Address Disclaimer:

I, James L. Shelton, acknowledge that I have applied for an Address to the property described and I further understand:

My address may be changed if the actual constructed access is different from the approved and addressed location.

James L. Shelton
 Applicant's Signature

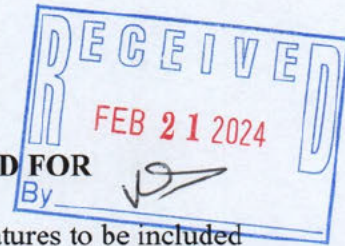
2/21/2024
 Date

SITE SKETCH

AN ACCURATE SITE SKETCH, MAP, OR PLAT FOR SUBDIVISION IS REQUIRED FOR ADDRESSES

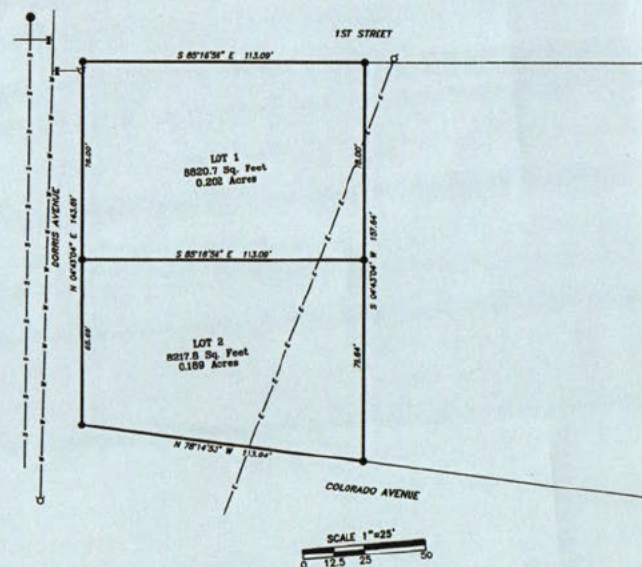
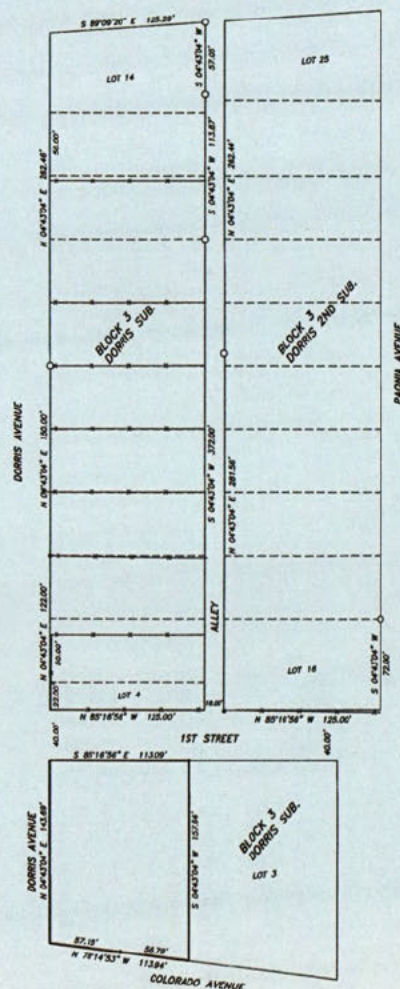
Please draw and label your property to the best of your ability on the space provided. The features to be included in the site sketch are listed below. Some of the features may not exist or be applicable to you. Try to be as inclusive as possible. An example is attached.

1. Property boundaries access on site plan
2. ~~Proposed and existing accesses~~ to property "
3. ~~Proposed and existing buildings~~ on property "
4. Label all roads Buildings "
5. Neighbors address > neighbors are on 1st Street
6. Neighbors access
7. Any landmark features - none





S. NICHOLFF SUBDIVISION
A RE-SUBDIVISION OF LOTS 1 & 2, BLOCK 3, DORRIS SUBDIVISION
WITHIN THE SE1/4 NW1/4 OF SEC. 5, T.14S., R.91W., 6TH P.M.
TOWN OF PAONIA, DELTA COUNTY, COLORADO



CERTIFICATE OF DEDICATION AND OWNERSHIP
 KNOW ALL MEN BY THESE PRESENTS that the undersigned Stephen C. Nicholson
 being the owner(s) of certain lands in the Town of Poudre, Colorado, to wit:
 Lots 1 and 2 in Block 3 of Dorrie Subdivision,
 County of Delta, State of Colorado

[illegible]

Executed this 15th day of July, A.D. 2022

STATE OF COLORADO)

The foregoing certificate of Ownership and Dedication was acknowledged before me
 on this 22 day of July, A.D. 20 22 by Stephen C. Nicholoff

My commission expires 10/15/22
Witness my hand and official seal.

AMBER VOIGHT-BYERS
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID #00064043853
My Commission Expires October 25, 2020

PICTON SURVEYOR CERTIFICATE
Approved for content and form only, not the accuracy of survey, calculations, or drafting.
The plot conforms to Section 38-31-206, Colorado Revised Statute.

ADMINISTRATOR CERTIFICATE

TOWN ADMINISTRATOR CERTIFICATE

Approved by the Town of Peoria Administrator this 14 day of July

A.D. 20 22

Attest
 Town Clerk
 [Signature]

TYPICAL LEGEND

- Found 5/8" rebar
 - Set 5/8" rebar 30" long with 2" aluminum cap PLS38250
 - Set 5/8" rebar 30" long with 2" aluminum cap as per the contract or Inspect PLS38250
 - Found 5/8" rebar with 1 1/2" aluminum cap PLS 1406 or as noted
-
- ☒ Power pole
 - ☐ Fire hydrant
 - ☒ Water valve
 - ☒ Sewer manhole
 - ☒ Sewer line
 - ☒ Fenceline
 - ☒ Electric (overhead)
 - ☒ Electric (underground)
 - ☒ Water line
 - ☒ Easement
 - ☒ Phoenix Parcel Boundary

BASIS OF BEARINGS:
N.04°43'04"E. FROM THE SE
CORNER OF LOT 12 TO THE NE
CORNER OF LOT 14, BLOCK 3,
DORRIS SUBDIVISION
GEODETIC NORTH
GPS OBSERVATION
SCALE 1"=80 U.S. SURVEY FEET

SURVEYOR'S CERTIFICATE
I, Eric Crawford, hereby certify that this survey was made under my direct supervision and that said survey and map comply with the requirements of the Colorado Revised Statutes, and all other applicable laws and regulations.

A circular official stamp from the Colorado Land Office, Department of Natural Resources. The outer ring of the stamp contains the text "COLORADO LAND OFFICE" at the top and "DEPARTMENT OF NATURAL RESOURCES" at the bottom. In the center of the stamp, the number "38255" is printed. Below the number, there is a handwritten signature in dark ink. The stamp is placed over the bottom portion of the document, partially obscuring the signature line and the "APPROVED" field.

14 JUL 1962



WILMORE & COMPANY

WILMORE
PROFESSIONAL LAND SURVEYING, INC.
408 Grand Avenue
P.O. Box 1852
Pacifi, Colorado 81428
970.527-4500 PHONE
970.514-1009 PHONE
www.wilmorelandsurveying.com
m448_bill@wilmorelandsurveying.com

Defining Boundaries

series Book no. _____

FIELD CHW	KC
DIAPYCN	KC
CHECKED	RAW

S. NICHOLOFF SUBDIVISION
A RE-SUBDIVISION OF LOTS 1 & 2, BLOCK 3, DORRIS SUBDIVISION
WITHIN THE SE1/4 NW1/4 OF SEC. 5, T.14S., R.91W., 6TH P.M.
TOWN OF PAGUA, DELTA COUNTY, COLORADO

123093	14 JULY 202
--------	-------------

Oct 23, 2023

Town of Paonia
PO Box 460
214 Grand Avenue
Paonia CO 81428-0460
(970) 527-4101

File

Customer Number [REDACTED]
JANET NELSON
5033 COUNTY ROAD 335 #245
NEW CASTLE CO 81647-8633

FINAL BILLING

Disconnect Date: Oct 12, 2023
Service Address: 1521 FIRST STREET

Previous Date	Previous Reading	Current Date	Current Reading	Multiplier	Usage	Amount	
						98.00	Previous Balance
						98.00 -	Current Payments/Adjustments
						15.48	Water Standby
						21.29	Sewer Stand-By
						1.16	Sidewalk Fee
						.00	Sales and Service
						.00	Connect/Interrupt
						.00	Late Fee
						37.93	Total
						.00	Deposit Applied
						37.93	Balance Due

Service	Deposit Date	Deposit Amount	Applied	Refund
---------	--------------	----------------	---------	--------

Refund Date: _____ Refund Check Number: _____ Refunded Amount: _____



General Warranty Deed

(Pursuant to C.R.S. 38-30-113(1)(a))

State Documentary Fee
Date: October 12, 2023
\$14.50

This Deed, effective as of **October 12th, 2023**, signed on the date(s) acknowledged below, by Grantor(s), **JANET NELSON**, whose street address is **5033 COUNTY RD 335 TRAILER #245, NEW CASTLE, CO 81647**, City or Town of **NEW CASTLE**, County of **Garfield** and State of **Colorado**, for the consideration of **(\$145,000.00) ***One Hundred Forty Five Thousand and 00/100***** dollars, in hand paid, hereby sell(s) and convey(s) to **CAROLYN Z. SHELTON AND JAMES L. SHELTON**, as Joint Tenants whose street address is **4300 RED CLIFFS DRIVE, KANAB, UT 84741**, City or Town of **KANAB**, County of **Kane** and State of **Utah**, the following real property in the County of **Delta** and State of **Colorado**, to wit:

LOT 1, S. NICHOLOFF SUBDIVISION, ACCORDING TO THE PLAT RECORDED JULY 15, 2022 UNDER RECEPTION NO. 740811, COUNTY OF DELTA, STATE OF COLORADO.

TOGETHER WITH, WITHOUT WARRANTY, ONE (1) TOWN OF PAONIA WATER TAP AND ONE (1) TOWN OF PAONIA SEWER TAP

also known by street and number as: **TBD DORRIS AVE, PAONIA, CO 81428**

1521 First Street

with all its appurtenances and warrant(s) the title to the same, subject to Statutory Exceptions.

Janet Nelson
Janet Nelson

State of Colorado

)
)ss.
)

County of Garfield

The foregoing instrument was acknowledged before me on this day of **October 12th, 2023** by **JANET NELSON**

Witness my hand and official seal

My Commission expires:

9/8/2024

Jessica Reed
Notary Public

JESSICA REED
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 19994021384
My Commission Expires: September 08, 2024

When recorded return to: **CAROLYN Z. SHELTON AND JAMES L. SHELTON**
4300 RED CLIFFS DRIVE, KANAB, UT 84741



104 Dorris

Doc Fee: \$8.85

WARRANTY DEED

HTC® H0491072

This Deed, made December 14, 2016

Between **Robin B. Nicholoff and Gretchen Nicholoff** of the County Delta, State of COLORADO, grantor(s) and **Stephen C. Nicholoff**, a Tenant in Severalty whose legal address is P.O. Box 82 Erie, CO 80516 County of Boulder, and State of COLORADO, grantee.

WITNESS, That the grantor, for and in the consideration of the sum of **EIGHTY-EIGHT THOUSAND FIVE HUNDRED DOLLARS AND NO/100'S (\$88,500.00)** the receipt and sufficiency of which is hereby acknowledged, has granted, bargained, sold and conveyed, and by these presents does grant, bargain, sell, convey and confirm, unto the grantee, their heirs and assigns forever, all the real property together with improvements, if any, situate, lying and being in the County of Delta, State of COLORADO described as follows:

Lots 1 and 2 In Block 3 of Dorris Subdivision,
County of Delta, State of Colorado

Together with, without warranty, Two (2) Town of Paonia water tap and Four (4) Town of Paonia sewer taps

also known by street and number as **1519 & 1521 1st. Street, Paonia, CO 81428**

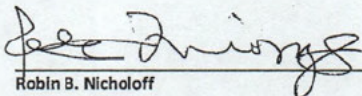
TOGETHER with all and singular hereditaments and appurtenances, thereunto belonging, or in anywise appertaining, and the reversion and reversions, remainder and remainders, rents issues and profits thereof, and all the estate, right, title, interest, claim and demand whatsoever of the grantor, either in law or equity, of, in and to the above bargained premises, with the hereditaments and appurtenances.

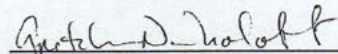
TO HAVE AND TO HOLD said premises above bargained and described, with the appurtenances, unto the grantee, his heirs and assigns forever. And the grantor, for himself, his heirs and personal representatives, does covenant, grant, bargain and agree to and with the grantee, his heirs and assigns, that at the time of the ensealing and delivery of these presents, he is well seized of the premises above conveyed, has good, sure, perfect, absolute and indefeasible estate of inheritance, in law, in fee simple, and has good right, full power and lawful authority to grant, bargain, sell and convey the same in manner and form as aforesaid, and that the same are free and clear from all former and other grants, bargains, sales, liens, taxes, assessments, encumbrances and restrictions of whatever kind of nature so ever, except for taxes for the current year, a lien but not yet due and payable, and those specific Exceptions described by reference to recorded documents as reflected in the Title Documents accepted by Buyer in accordance with section 8.1 (Title Review) of the contract dated December 8, 2016, between the parties.

The grantor shall and will WARRANT AND FOREVER DEFEND the above-bargained premises in the quiet and peaceable possession of the grantee, his heirs and assigns, against all and every person or persons lawfully claiming the whole or any part thereof. The singular number shall include the plural, the plural the singular, and the use of any gender shall be applicable to all genders.

IN WITNESS WHEREOF, the grantor has executed this on the date set forth above.

SELLERS:


Robin B. Nicholoff

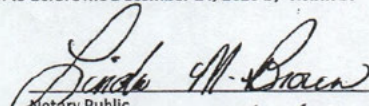

Gretchen Nicholoff

STATE OF COLORADO
COUNTY OF DELTA

}ss:

The foregoing Instrument was acknowledged, subscribed and sworn to before me December 14, 2016 by Robin B. Nicholoff and Gretchen Nicholoff.

Witness my hand and official seal.


Notary Public
My Commission expires: 8/31/19



Wdcorp

ESCROW NO. 461-H0491072-091-VP2

HTC®

The printed portions of this form, except differentiated additions, have been approved by the Colorado Real Estate Commission.
(SPD19-6-17) (Mandatory 1-18)

THIS FORM HAS IMPORTANT LEGAL CONSEQUENCES AND THE PARTIES SHOULD CONSULT LEGAL AND TAX OR OTHER COUNSEL BEFORE SIGNING.

SELLER'S PROPERTY DISCLOSURE (RESIDENTIAL)

THIS DISCLOSURE SHOULD BE COMPLETED BY SELLER, NOT BY BROKER.

Seller states that the information contained in this Disclosure is correct to **Seller's CURRENT ACTUAL KNOWLEDGE** as of this Date. **Any changes must be disclosed by Seller to Buyer promptly after discovery. Seller's failure to disclose a known material defect may result in legal liability.** If Seller has knowledge of an adverse material fact affecting the Property or occupants, it must be disclosed whether there is a specific item on this Disclosure or not. If the Property is part of a Common Interest Community, this Disclosure is limited to the Property or unit itself, except as stated in Section O. Broker may deliver a copy of this Disclosure to prospective buyers.

Note: The Contract to Buy and Sell Real Estate, not this Disclosure, determines whether an item is included or excluded; if there is an inconsistency between this Disclosure and the Contract, the Contract controls.

Date: _____

Property Address: _____

Seller: _____

Year Built: _____

I. IMPROVEMENTS

A.	STRUCTURAL CONDITIONS If you know of any of the following problems EVER EXISTING check the "Yes" column:	Yes	Comments
1	Structural problems	☐	
2	Moisture and/or water problems	☐	
3	Damage due to termites, other insects, birds, animals or rodents	☐	
4	Damage due to hail, wind, fire, flood or other casualty	☐	
5	Cracks, heaving or settling problems	☐	
6	Exterior wall or window problems	☐	
7	Exterior Artificial Stucco (EIFS)	☐	
8		☐	
9		☐	

B.	ROOF If you know of any of the following problems EVER EXISTING check the "Yes" column:	Yes	Comments
1	Roof leak	☐	
2	Damage to roof	☐	
3	Skylight problems	☐	
4	Gutter or downspout problems	☐	
5	Other roof problems	☐	
6		☐	
7		☐	

B-1.	ROOF – Other Information Do you know of the following on the Property:	Yes	Comments
1	Roof under warranty until _____ Transferable _____	☐	
2	Roof work done while under current roof warranty	☐	
3	Roof material: _____ Age _____	☐	
4		☐	
5		☐	

C.	APPLIANCES If you know of any problems NOW EXISTING with the following check the “Yes” column:	Yes	Age If Known	Comments
1	Built-in vacuum system & accessories	☐		
2	Clothes dryer	☐		
3	Clothes washer	☐		
4	Dishwasher	☐		
5	Disposal	☐		
6	Freezer	☐		
7	Gas grill	☐		
8	Hood	☐		
9	Microwave oven	☐		
10	Oven	☐		
11	Range	☐		
12	Refrigerator	☐		
13	T.V. antenna: ☐ Owned ☐ Leased	☐		
14	Satellite system or DSS dish: ☐ Owned ☐ Leased	☐		
15	Trash compactor	☐		
16		☐		
17		☐		

D.	ELECTRICAL & TELECOMMUNICATIONS If you know of any problems NOW EXISTING with the following check the “Yes” column:	Yes	Age If Known	Comments
1	Security system: ☐ Owned ☐ Leased	☐		
2	Smoke/fire detectors: ☐ Battery ☐ Hardwire	☐		
3	Carbon Monoxide Alarm: ☐ Battery ☐ Hardwire	☐		
4	Light fixtures	☐		
5	Switches & outlets	☐		
6	Electrical Service	☐		
7	Telecommunications (T1, fiber, cable, satellite)	☐		
8	Inside telephone wiring & blocks/jacks	☐		
9	Ceiling fans	☐		
10	Garage door opener and remote control	☐		
11	Intercom/doorbell	☐		
12	In-wall speakers	☐		
13		☐		
14		☐		

D-1.	ELECTRICAL & TELECOMMUNICATIONS – Other Information: Do you know of the following on the Property:	Yes	Age If Known	Comments
1	220 volt service	☐		
2	Landscape lighting	☐		
3	Aluminum wiring at the outlets (110)	☐		
4	Electrical Service: Amps _____	☐		
5	Garage door control(s) # _____	☐		
6		☐		
7		☐		

E.	MECHANICAL If you know of any problems NOW EXISTING with the following check the “Yes” column:	Yes	Age If Known	Comments
1	Overhead doors (including garage doors)	☐		
2	Entry gate system	☐		
3	Elevator	☐		
4		☐		
5		☐		

F.	VENTILATION, AIR, HEAT If you know of any problems NOW EXISTING with the following check the “Yes” column:	Yes	Age If Known	Comments
1	Heating system	☐		
2	Air conditioning:	☐		
	Evaporative cooler	☐		
	Window units	☐		
	Central	☐		
3	Attic/whole house fan	☐		
4	Vent fans	☐		
5	Humidifier	☐		
6	Air purifier	☐		
7	Fireplace	☐		
8	Fireplace insert	☐		
9	Heating Stove	☐		
10	Fuel tanks	☐		
11		☐		
12		☐		

F-1.	VENTILATION, AIR, HEAT – Other Information: Do you know of the following on the Property:	Comments
1	Heating system (including furnace): Type _____ Fuel _____ Type _____ Fuel _____	
2	Fireplace: Type _____ Fuel _____	
3	Fireplace insert	
4	Heating Stove: Type _____ Fuel _____	

5	When was fireplace/wood stove, chimney/flue last cleaned: Date: _____ ☐ Do not know	
6	Fuel tanks: ☐ Owned ☐ Leased	
7	Radiant heating system: ☐ Interior ☐ Exterior Type _____	
8		
9		

G.	WATER If you know of any problems NOW EXISTING with the following check the "Yes" column:	Yes	Comments
1	Water system (including lines and water pressure)	☐	
2	Water heater(s)	☐	
3	Water filter system	☐	
4	Water softener	☐	
5	Well	☐	
6	Water system pump	☐	
7	Sauna	☐	
8	Hot tub or spa	☐	
9	Steam room/shower	☐	
10	Pool	☐	
11	Underground sprinkler system	☐	
12	Fire sprinkler system	☐	
13	Backflow prevention device	☐	
14	Irrigation system	☐	
15	Irrigation pump	☐	
16		☐	
17		☐	

G-1.	WATER – Other Information: Do you know of the following on the Property:	Yes	Age If Known	Comments
1	Water heater: Number of _____ Fuel type _____ Capacity _____	☐		
2	Water filter system: ☐ Owned ☐ Leased	☐		
3	Water softener: ☐ Owned ☐ Leased	☐		
4	Well metered	☐		
5	Well – Date of last inspection _____	☐		
6	Galvanized pipe	☐		
7	Polybutylene pipe	☐		
8		☐		
9		☐		

H.	SOURCE OF WATER & WATER SUPPLY Do you know of the following on the Property:
1	Type of water supply: ☐ Public ☐ Community ☐ Well ☐ Shared Well ☐ Cistern ☐ None If the Property is served by a Well, a copy of the Well Permit ☐ Is ☐ Is Not attached. Well Permit #: _____ Drilling Records ☐ Are ☐ Are Not attached. Shared Well Agreement ☐ Yes ☐ No.

	The Water Provider for the Property can be contacted at: Name: _____ Address: _____ Web Site: _____ Phone No.: _____ ☐ There is neither a Well nor a Water Provider for the Property. The source of potable water for the Property is [describe source]: SOME WATER PROVIDERS RELY, TO VARYING DEGREES, ON NONRENEWABLE GROUND WATER. YOU MAY WISH TO CONTACT YOUR PROVIDER (OR INVESTIGATE THE DESCRIBED SOURCE) TO DETERMINE THE LONG-TERM SUFFICIENCY OF THE PROVIDER'S WATER SUPPLIES.
--	--

I.	SEWER	Yes	Comments
	If you know of any problems NOW EXISTING with the following check the "Yes" column:		
1	Sewage system (including sewer lines)	☐	
2	Lift station (sewage ejector pump)	☐	
3	Sump pump(s) # of _____	☐	
4	Gray water storage/use	☐	
5		☐	

I-1.	SEWER – Other Information:
	Do you know of the following on the Property:
1	Type of sanitary sewer service: ☐ Public ☐ Community ☐ Septic System ☐ None ☐ Other _____ If the Property is served by an on-site septic system, provide buyer with a copy of the permit. Type of septic system: ☐ Tank ☐ Leach ☐ Lagoon
2	If a septic system, date latest Individual Use Permit issued: _____
3	If a septic system, date of latest Inspection: _____
4	If a septic system, date of latest Pumping: _____
5	
6	

J.	FLOODING AND DRAINAGE	Yes	Comments
	If you know of any problems EVER EXISTING with the following on the Property check the "Yes" column:		
1	Flooding or drainage	☐	
2		☐	

J-1.	DRAINAGE AND RETENTION PONDS – Other Information	Yes	Comments
	Do you know of the following on the Property:		
1	Drainage, retention ponds	☐	
2		☐	

K.	OTHER DISCLOSURES – IMPROVEMENTS	Yes	Comments
	If you know of any problems NOW EXISTING with the following check the "Yes" column:		
1	Included fixtures and equipment	☐	
2	Stains on carpet	☐	
3	Floors and sub-floors	☐	
4		☐	
5		☐	

II. GENERAL

L.	USE, ZONING & LEGAL ISSUES If you know of any of the following EVER EXISTING check the "Yes" column:	Yes	Comments
1	Zoning violation, variance, conditional use, violation of an enforceable PUD or non-conforming use	☐	
2	Notice or threat of condemnation proceedings	☐	
3	Notice of any adverse conditions from any governmental or quasi-governmental agency that have not been resolved	☐	
4	Notice of zoning action related to the Property	☐	
5	Building code, city or county violations	☐	
6	Violation of restrictive covenants or owners' association rules or regulations	☐	
7	Any building or improvements constructed within the past one year from this Date without approval by the owner's association or its designated approving body	☐	
8	Any additions or alterations made	☐	
9	Other legal action	☐	
10		☐	
11		☐	

M.	ACCESS & PARKING If you know of any of the following EVER EXISTING check the "Yes" column:	Yes	Comments
1	Any access problems	☐	
2	Roads, trails, paths or driveways through the Property used by others	☐	
3	Public highway or county road bordering the Property	☐	
4	Any proposed or existing transportation project that affects or is expected to affect the Property	☐	
5	Encroachments, boundary disputes or unrecorded easements	☐	
6	Shared or common areas with adjoining properties	☐	
7	Requirements for curb, gravel/paving, landscaping	☐	
8		☐	
9		☐	

N.	ENVIRONMENTAL CONDITIONS If you know of any of the following EVER EXISTING on any part of the Property check the "Yes" column:	Yes	Comments
1	Hazardous materials on the Property, such as radioactive, toxic, or biohazardous materials, asbestos, pesticides, herbicides, wastewater sludge, radon, methane, mill tailings, solvents or petroleum products	☐	
2	Underground storage tanks	☐	
3	Aboveground storage tanks	☐	
4	Underground transmission lines	☐	
5	Animals kept in the residence	☐	
6	Property used as, situated on, or adjoining a dump, land fill or municipal solid waste land fill	☐	

7	Monitoring wells or test equipment	☐	
8	Sliding, settling, upheaval, movement or instability of earth or expansive soils on the Property	☐	
9	Mine shafts, tunnels or abandoned wells on the Property	☐	
10	Within governmentally designated geological hazard or sensitive area	☐	
11	Within governmentally designated flood plain or wetland area	☐	
12	Dead, diseased or infested trees or shrubs	☐	
13	Environmental assessments, studies or reports done involving the physical condition of the Property	☐	
14	Used for any mining, graveling, or other natural resource extraction operations such as oil and gas wells	☐	
15	Tobacco smoke in interior of improvements of Property	☐	
16	Other environmental problems	☐	
17		☐	
18		☐	

O.	COMMON INTEREST COMMUNITY – ASSOCIATION PROPERTY If you know of any of the following NOW EXISTING check the “Yes” column:	Yes	Comments
1	Property is part of an owners’ association	☐	
2	Special assessments or increases in regular assessments approved by owners’ association but not yet implemented	☐	
3	Has the Association made demand or commenced a lawsuit against a builder or contractor alleging defective construction of improvements of the Association Property (common area or property owned or controlled by the Association but outside the Seller’s Property or unit)	☐	
4	Problems or defects in the Common Elements or Limited Common Elements of the Association Property	☐	
5		☐	
6		☐	

P.	OTHER DISCLOSURES – GENERAL If you know of any of the following NOW EXISTING check the “Yes” column:	Yes	Comments
1	Any part of the Property leased to others (written or oral)	☐	
2	Written reports of any building, site, roofing, soils or engineering investigations or studies of the Property	☐	
3	Any property insurance claim submitted (whether paid or not)	☐	
4	Structural, architectural and engineering plans and/or specifications for any existing improvements	☐	
5	Property was previously used as a methamphetamine laboratory and not remediated to state standards	☐	
6	Government special improvements approved, but not yet installed, that may become a lien against the Property	☐	
7	Pending: (1) litigation or (2) other dispute resolution proceeding regarding the Property	☐	
8		☐	
9		☐	

Seller and Buyer understand that the real estate brokers do not warrant or guarantee the above information on the Property. Property inspection services may be purchased and are advisable. This Disclosure is **not** intended as a substitute for an inspection of the Property.

ADVISORY TO SELLER:

Seller acknowledges that Broker will disclose to any prospective buyer all adverse material facts actually known by Broker, including but not limited to adverse material facts pertaining to the physical condition of the Property, any material defects in the Property, and any environmental hazards affecting the Property. These types of disclosures may include such matters as structural defects, soil conditions, violations of health, zoning or building laws, and nonconforming uses and zoning variances.

The information contained in this Disclosure has been furnished by Seller, who certifies it was answered truthfully, based on **Seller's CURRENT ACTUAL KNOWLEDGE**.

Seller		Date
--------	--	------

Seller		Date
--------	--	------

ADVISORY TO BUYER:

1. Even though Seller has answered the above questions to Seller's current actual knowledge, Buyer should thoroughly inspect the Property and obtain expert assistance to accurately and fully evaluate the Property to confirm the status of the following matters:

- a. the physical condition of the Property;
- b. the presence of mold or other biological hazards;
- c. the presence of rodents, insects and vermin including termites;
- d. the legal use of the Property and legal access to the Property;
- e. the availability and source of water, sewer, and utilities;
- f. the environmental and geological condition of the Property;
- g. the presence of noxious weeds; and
- h. any other matters that may affect Buyer's use and ownership of the Property that are important to Buyer as Buyer decides whether to purchase the Property.

2. Seller states that the information is correct to "Seller's current actual knowledge" as of the date of this form. The term "current actual knowledge" is intended to limit Seller's disclosure only to facts actually known by the Seller and does not include "constructive knowledge" or "common knowledge" or what Seller "should have known" about the Property. The Seller has no duty to inspect the Property when this Disclosure is filled in and signed.

3. Valuable information may be obtained from various local/state/federal agencies, and other experts may assist Buyer by performing more specific evaluations and inspections of the Property.

4. Boundaries, location and ownership of fences, driveways, hedges, and similar features of the Property may become the subjects of a dispute between a property owner and a neighbor. A survey may be used to determine the likelihood of such problems.

5. Whether any item is included or excluded is determined by the contract between Buyer and Seller and not this Seller's Property Disclosure.

6. Seller does not warrant that the Property is fit for Buyer's intended purposes or use of the Property. Disclosure of the condition of an item is not to be construed as a warranty of its continued operability or as a representation or warranty that such item is fit for Buyer's intended purposes.

7. Buyer receipts for a copy of this Disclosure.

Buyer		Date
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Buyer		Date
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