



Division of Licensing Services

New York State
Department of State
Division of Licensing Services
P.O. Box 22001
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Customer Service: (518) 474-4429
<https://dos.ny.gov>

Property Condition Disclosure Statement

Name of Seller or Sellers: Thomas Visotsky

Property Address: 7 State St, Y-3, Oneonta, NY 13820

General Instructions:

The Property Condition Disclosure Act requires the seller of residential real property to cause this disclosure statement or a copy of thereof to be delivered to a buyer or buyer's agent prior to the signing by the buyer of a binding contract of sale.

Purpose of Statement:

This is a statement of certain conditions and information concerning the property known to the seller. This Disclosure Statement is not a warranty of any kind by the seller or by any agent representing the seller in this transaction. It is not a substitute for any inspections or tests and the buyer is encouraged to obtain his or her own independent professional inspections and environmental tests and also is encouraged to check public records pertaining to the property.

A knowingly false or incomplete statement by the seller on this form may subject the seller to claims by the buyer prior to or after the transfer of title. In the event a seller fails to perform the duty prescribed in this article to deliver a Disclosure Statement prior to the signing by the buyer of a binding contract of sale, the buyer shall receive upon the transfer of title a credit of \$500 against the agreed upon purchase price of the residential real property.

"Residential real property" means real property improved by a one to four family dwelling used or occupied, or intended to be used or occupied, wholly or partly, as the home or residence of one or more persons, but shall not refer to (a) unimproved real property upon which such dwellings are to be constructed or (b) condominium units or cooperative apartments or (c) property on a homeowners' association that is not owned in fee simple by the seller.

Instruction to the Seller:

- a. Answer all questions based upon your actual knowledge.
- b. Attach additional pages with your signature if additional space is required.
- c. Complete this form yourself.
- d. If some items do not apply to your property, check "NA" (Non-applicable). If you do not know the answer check "Unkn" (Unknown).

Seller's Statement:

The seller makes the following representations to the buyer based upon the seller's actual knowledge at the time of signing this document. The seller authorized his or her agent, if any, to provide a copy of this statement to a prospective buyer of the residential real property. The following are representations made by the seller and are not the representations of the seller's agent.

GENERAL INFORMATION

1. How long have you owned the property? 8 years
2. How long have you occupied the property? 8 years
3. What is the age of the structure or structures? 1985
Note to buyer - If the structure was built before 1978 you are encouraged to investigate for the presence of lead based paint.
4. Does anybody other than yourself have a lease, easement or any other right to use or occupy any part of your property other than those stated in documents available in the public record, such as rights to use a road or path or cut trees or crops? Yes No Unkn NA
5. Does anybody else claim to own any part of your property? *If yes, explain below* Yes No Unkn NA
6. Has anyone denied you access to the property or made a formal legal claim challenging your title to the property? *If yes, explain below* Yes No Unkn NA

Property Condition Disclosure Statement

7. Are there any features of the property shared in common with adjoining landowners or a homeowner's association, such as walls, fences or driveways? *If yes, describe below* Yes No Unkn NA
8. Are there any electric or gas utility surcharges for line extensions, special assessments or homeowner or other association fees that apply to the property? *If yes, describe below* Yes No Unkn NA
9. Are there certificates of occupancy related to the property? *If no, explain below* Yes No Unkn NA

ENVIRONMENTAL

Note to Seller:

In this section, you will be asked questions regarding petroleum products and hazardous or toxic substances that you know to have been spilled, leaked or otherwise been released on the property or from the property onto any other property. Petroleum products may include, but are not limited to, gasoline, diesel fuel, home heating fuel, and lubricants. Hazardous or toxic substances are products or other material that could pose short or long-term danger to personal health or the environment if they are not properly disposed of, applied or stored. These include, but are not limited to, fertilizers, pesticides and insecticides, paint including paint thinner, varnish remover and wood preservatives, treated wood, construction materials such as asphalt and roofing materials, antifreeze and other automotive products, batteries, cleaning solvents including septic tank cleaners, household cleaners, pool chemicals and products containing mercury and lead and indoor mold.

Note to Buyer:

If contamination of this property from petroleum products and/or hazardous or toxic substances is a concern to you, you are urged to consider soil and groundwater testing of this property.

10. Is any or all of the property located in a designated floodplain? *If yes, explain below* Yes No Unkn NA
11. Is any or all of the property located in a designated wetland? *If yes, explain below* Yes No Unkn NA
12. Is the property located in an agricultural district? *If yes, explain below* Yes No Unkn NA
13. Was the property ever the site of a landfill? *If yes, explain below* Yes No Unkn NA
14. Are there or have there ever been fuel storage tanks above or below the ground on the property?
 • If yes, are they currently in use? Yes No Unkn NA
 Yes No Unkn NA
- Location(s) _____
- Are they leaking or have they ever leaked? *If yes, explain below* Yes No Unkn NA
15. Is there asbestos in the structure? *If yes, state location or locations below* Yes No Unkn NA

Property Condition Disclosure Statement

16. Is lead plumbing present? If yes, state location or locations below Yes No Unkn NA

17. Has a radon test been done? If yes, attach a copy of the report Yes No Unkn NA

18. Has motor fuel, motor oil, home heating fuel, lubricating oil or any other petroleum product, methane gas, or any hazardous or toxic substance spilled, leaked or otherwise been released on the property or from the property onto any other property? If yes, describe below Yes No Unkn NA

19. Has the property been tested for the presence of motor fuel, motor oil, home heating fuel, lubricating oil, or any other petroleum product, methane gas, or any hazardous or toxic substance? If yes, attach report(s) Yes No Unkn NA

- 19-a. Has the property been tested for indoor mold? If yes, attach a copy of the report Yes No Unkn

STRUCTURAL

20. Is there any rot or water damage to the structure or structures? If yes, explain below Yes No Unkn NA
 Back friend doors frame

21. Is there any fire or smoke damage to the structure or structures? If yes, explain below Yes No Unkn NA

22. Is there any termite, insect, rodent or pest infestation or damage? If yes, explain below Yes No Unkn NA

23. Has the property been tested for termite, insect, rodent or pest infestation or damage? Yes No Unkn NA
 If yes, please attach report(s)
24. What is the type of roof/roof covering (slate, asphalt, other)? _____

- Any known material defects? _____
 - How old is the roof? 2022
 - Is there a transferable warrantee on the roof in effect now? If yes, explain below _____
 Yes _____

Property Condition Disclosure Statement

25. Are there any known material defects in any of the following structural systems: footings, beams, girders, lintels, columns or partitions? Yes No Unkn NA

MECHANICAL SYSTEMS AND SERVICES

26. What is the water source? (Check all that apply) well, private, Municipal,

other: _____

• If municipal, is it metered? Yes No Unkn NA

27. Has the water quality and/or flow rate been tested? Yes No Unkn NA

28. What is the type of sewage system? (Check all that apply) public sewer, private sewer,

septic, cesspool

- If septic or cesspool, age?
- Date last pumped?
- Frequency of pumping?
- Any known material defects? If yes, explain below

Yes No Unkn NA

29. Who is your electric service provider?

- What is the amperage?
- Does it have circuit breakers or fuses?
- Private or public poles?
- Any known material defects? If yes, explain below

Yes No Unkn NA

30. Are there any flooding, drainage or grading problems that resulted in standing water on any portion of the property? If yes, state locations and explain below Yes No Unkn NA

31. Does the basement have seepage that results in standing water? If yes, explain below Yes No Unkn NA

Property Condition Disclosure Statement

Are there any known material defects in any of the following? *If yes, explain below. Use additional Sheets if necessary*

- 32. Plumbing system? Yes No Unkn NA
- 33. Security system? Yes No Unkn NA
- 34. Carbon monoxide detector? Yes No Unkn NA
- 35. Smoke detector? Yes No Unkn NA
- 36. Fire sprinkler system? Yes No Unkn NA
- 37. Sump pump? Yes No Unkn NA
- 38. Foundation/slab? Yes No Unkn NA
- 39. Interior walls/ceilings? Yes No Unkn NA
- 40. Exterior walls or siding? Yes No Unkn NA
- 41. Floors? Yes No Unkn NA
- 42. Chimney/fireplace or stove? Yes No Unkn NA
- 43. Patio/deck? Yes No Unkn NA
- 44. Driveway? Yes No Unkn NA
- 45. Air conditioner? Yes No Unkn NA
- 46. Heating system? Yes No Unkn NA
- 47. Hot water heater? Yes No Unkn NA

48. The property is located in the following school district _____

Note: Buyer is encouraged to check public records concerning the property (e.g. tax records and wetland and floodplain maps).

The seller should use this area to further explain any item above. If necessary, attach additional pages and indicate here the number of additional pages attached.

Property Condition Disclosure Statement

SELLER'S CERTIFICATION:

Seller certifies that the information in this Property Condition Disclosure Statement is true and complete to the seller's actual knowledge as of the date signed by the seller. If a seller of residential real property acquires knowledge which renders materially inaccurate a Property Condition Disclosure Statement provided previously, the seller shall deliver a revised Property Condition Disclosure Statement to the buyer as soon as practicable. In no event, however, shall a seller be required to provide a revised Property Condition Disclosure Statement after the transfer of title from the seller to the buyer or occupancy by the buyer, whichever is earlier.

Seller's Signature

X  _____
Thomas Visotsky

Date 01/25/2024 _____

Seller's Signature

X _____

Date _____

BUYER'S ACKNOWLEDGMENT:

Buyer acknowledges receipt of a copy of this statement and buyer understands that this information is a statement of certain conditions and information concerning the property known to the seller. It is not a warranty of any kind by the seller or seller's agent and is not a substitute for any home, pest, radon or other inspections or testing of the property or inspection of the public records.

Buyer's Signature

X _____

Date _____

Buyer's Signature

X _____

Date _____

Disclosure to Seller Regarding Property Condition Disclosure Statement

As the seller of a residential real property, you are required by law to complete and sign a Property Condition Disclosure Statement as prescribed by Real Property Law §462(2) and cause it, or a copy thereof, to be delivered to a buyer or buyer's agent prior to the signing by the buyer of a binding contract of sale. A copy of the Property Condition Disclosure Statement containing the signatures of both the buyer and the seller must be attached to the real estate purchase contract. If you acquire knowledge which renders materially inaccurate a Property Condition Disclosure Statement previously provided, you must deliver a revised Property Condition Disclosure Statement to the buyer as soon as practicable. In no event, however, will you be required to provide a revised Property Condition Disclosure Statement after the transfer of title from you to the buyer or after the buyer has commenced occupancy of the property. If you fail to deliver a Property Condition Disclosure Statement to the buyer prior to the buyer signing a binding contract of sale, the buyer will be entitled to a credit in the amount of \$500.00 against the purchase price of the property upon the transfer of title.

I have received and read this disclosure notice.

Seller:  Authentication _____ Date: 01/25/2024
Thomas Visotsky

Seller: _____ Date: _____

Disclosure to Buyer Regarding Property Condition Disclosure Statement

As the buyer of residential real property, you are entitled by law to receive from the seller a signed Property Condition Disclosure Statement as prescribed by Real Property Law §462(2) prior to your signing of a binding contract of sale. A copy of the Property Condition Disclosure Statement containing the signatures of both the buyer and the seller must be attached to the real estate purchase contract. You are also entitled to receive a revised Property Condition Disclosure Statement, as soon as practicable in the event that the seller acquires knowledge which renders materially inaccurate a Property Condition Disclosure Statement previously provided to you. You will not be entitled to receive a revised Property Condition Disclosure Statement after the transfer of title from the seller to you or after you have commenced occupancy of the property. In the event the seller fails to deliver a Property Condition Disclosure Statement to you prior to your signing a binding contract of sale, you are entitled to receive a credit in the amount of \$500.00 against the purchase price of the property upon the transfer of title.

I have received and read this disclosure notice.

Buyer: _____ Date: _____

Buyer: _____ Date: _____

Seller's Oil and Gas Lease Disclosures

Property located at: 7 State St, Y-3, Oneonta, NY 13820

Oil and/or Gas leases are a valid objection to title.

Seller makes the following representations with knowledge that the Buyer, Buyer's attorney, title insurance company and real estate agents are relying on the truth and accuracy of Seller's representations. Liability for such representations shall survive the closing and shall not merge with any deed.

Seller(s) Initials below confirm the appropriate representation for each statement:

TV

Seller **HAS NEVER** signed an Oil and/or Gas lease affecting this Property.

Seller **HAS** signed an Oil and/or Gas lease affecting this Property.

TV

Seller **HAS NEVER** received any rent, bonus, payment, royalty or other compensation for an Oil and/or Gas lease affecting this Property.

Seller **HAS** received rent, bonus, payment, royalty or other compensation for an Oil and/or Gas lease affecting this Property.

Seller **HAS NO** knowledge of any Oil and/or Gas lease (whether signed by Seller or predecessor in title) affecting this Property.

Seller **HAS** knowledge of an Oil and/or Gas lease (whether signed by Seller or predecessor in title) affecting this Property.

I have received and read this disclosure notice. I authorize my agent to provide a copy of this disclosure notice to any prospective purchaser.

Seller: Thomas Visotsky Authentic _____ Date: 01/25/2024
Thomas Visotsky

Seller: _____ Date: _____

Purchaser: _____ Date: _____

Purchaser: _____ Date: _____

Uncapped Natural Gas Well Disclosure Form & Notice

for property commonly known as: 7 State St, Y-3, Oneonta, NY 13820

As the seller of residential real property, you are required by law to disclose the existence of an UNCAPPED NATURAL GAS WELL on your property of which you have actual knowledge and to disclose such fact to any purchaser of your property prior to entering into a contract for the sale of such property.

Section 242(3) of the Real Property Law states as follows:

Any person, firm, company, partnership or corporation offering to sell real property on which uncapped natural gas wells are situated, and of which such person, firm, company, partnership or corporation has actual knowledge, shall inform any purchaser of the existence of these wells prior to entering into a contract for the sale/purchase of such property.

Initial the following:

TV I HAVE NO actual knowledge of any uncapped natural gas well(s) on the aforementioned property.

_____ I HAVE actual knowledge of an uncapped natural gas well(s) on the aforementioned property.

I have received and read this disclosure notice. I authorize my agent to provide a copy of this disclosure notice to any prospective purchaser.

Seller: ^{Authentisign} Thomas Visotsky Date: 01/25/2024
Thomas Visotsky

Seller: _____ Date: _____

Purchaser: _____ Date: _____

Purchaser: _____ Date: _____

01/07

Carbon Monoxide and Smoke Detector/Alarm Disclosure

Executive Law §378(5-a) (commonly known as Amanda's Law) requires that every one- or two-family dwelling, dwellings located in a condominium or cooperative and apartments in a multiple dwelling, where the dwelling unit has appliances, devices or systems that may emit carbon monoxide or that have an attached garage, shall have installed an operable carbon monoxide detector. Carbon monoxide alarms must be listed and labeled as complying with UL 2034 or CAN/CSA6.19 and installed in accordance with the manufacturer's installation instructions.

Executive Law §378(5-b) requires that every one-or two-family dwelling and dwellings located in a condominium or cooperative shall have installed an operable single station smoke detecting alarm. The alarm must be installed in an area so that it is clearly audible in each bedroom or other sleeping area, with intervening doors closed. Upon conveyance of any real property containing a one-or two-family dwelling or condominium or cooperative apartment used as a residence, the grantor shall deliver to the grantee at the time of conveyance an affidavit indicating that the grantor is in compliance. The grantee shall have ten days from the date of conveyance to notify the grantor if the alarm(s) is not operable. Upon such notification, the grantor shall bear any cost of compliance. General Business Law §399-ccc provides that all solely battery operated smoke alarms sold after April 1, 2019 shall employ a non-removable, non-replaceable battery that powers the alarm for a minimum of ten years. This requirement does not apply to a smoke alarm that receives its power from the electrical system of the home.

I have received and read this disclosure notice.

Seller:  Thomas Visotsky Date: 01/25/2024
Thomas Visotsky

Seller: _____ Date: _____

Purchaser: _____ Date: _____

Purchaser: _____ Date: _____

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09/19

Utility Electric Service Availability/Surcharge Disclosure

Subject Property Address: 7 State St, Y-3, Oneonta, NY 13820

The above property **Does** **Does Not** have utility electric service available to it.

“This property is subject to an electric and/or gas utility surcharge”

The Type of Surcharge: None Known

The Purpose of the Surcharge: _____

The Amount of the Surcharge: \$ _____

The Surcharge is Payable: Monthly Yearly Other _____

Purchaser: _____ **Date:** _____

Purchaser: _____ **Date:** _____

Seller: Thomas Visotsky **Date:** 01/25/2024
Thomas Visotsky

Seller: _____ **Date:** _____

This disclosure must be given to prospective purchasers or their agents prior to acceptance of a purchase offer. This disclosure is pursuant to Chapter 216 of the Laws of 1992. Effective 1/2/1994

Agricultural District Disclosure Form and Notice

Subject property address: 7 State St, Y-3, Oneonta, NY 13820

When any purchase and contract is presented for the sale, purchase, or exchange of real property located partially or wholly within an agricultural district established pursuant to the provisions of Article 25-AA of the Agricultural and Markets Law, the prospective grantor shall present to the prospective grantee a disclosure notice which states the following:

It is the policy of this state and this community to conserve, protect and encourage the development and improvement of agricultural land for the production of food and other products, and also for its natural and ecological value. This disclosure notice is to inform prospective residents that the property they are about to acquire lies partially or wholly within an agricultural district and that farming activities occur within the district. Such farming activities may include, but not limited to, activities that cause noise, dust and odors. Prospective residents are also informed that the location of property within an agricultural district may impact the ability to access water and/or sewer services for such property under certain circumstances. Prospective purchasers are urged to contact the New York State Department of Agriculture and Markets to obtain additional information or clarification regarding their rights and obligations under Article 25-AA of the Agricultural and Markets Law.

Such disclosure notice shall be signed by the prospective grantor and grantee prior to the sale, purchase or exchange of such real property.

Receipt of such disclosure notice shall be recorded on a property transfer report form prescribed by the state board of real property services as provided for in section three hundred thirty-three of the real property law.

Initial the following:

 The afore mentioned property **IS** located in an agricultural district.

TV The afore mentioned property **IS NOT** located in an agricultural district.

I have received and read this disclosure notice.

Purchaser: _____ **Date:** _____

Purchaser: _____ **Date:** _____

Seller: ^{Authenticate} Thomas Visotsky **Date:** 01/25/2024
Thomas Visotsky

Seller: _____ **Date:** _____

01/07

Otsego County, New York

Geographic Information System (GIS)



Date Printed: 1/25/2024



MAP DISCLAIMER - NOTICE OF LIABILITY

This map is for assessment purposes only. It is not for legal description or conveyances. All information is subject to verification by any user. Otsego County, NY and its mapping contractors assume no legal responsibility for the information contained herein.

Approximate Scale: 1 inch = 50 feet

