Revised October 2012 THIS FORM HAS BEEN APPROVED BY THE KENTUCKY REAL ESTATE COMMISSION FOR RESIDENTIAL REAL ESTATE TRANSACTIONS.

(THIS IS A LEGALLY BINDING CONTRACT. IF YOU DO NOT FULLY UNDERSTAND THE TERMS OF THIS CONTRACT, CONTACT AN ATTORNEY.)

(Note that all changes to this contract must be initialed, dated, and timed to comply with state license law.)

## RESIDENTIAL REAL ESTATE EXCLUSIVE RIGHT TO SELL AGENCY CONTRACT

**Duncan and Associates** Real Estate Company 01/05/2024 Date Duncan and Associates (1) The term "Broker" as used in this contract shall refer to (firm name) William T. Duncan with the Principal Broker being \_\_\_ The term "Seller" as used in this contract refers to all owners of said property, being: (names and addresses) David Morgan 423 N Brady St. Morganfield KY 42437 (2) In consideration of Broker's agreement to list the below-described property for sale, to use his or her best efforts to find a purchaser, and to perform the additional duties set forth in paragraph 6 below, the Seller hereby grants to the Broker the exclusive right to sell the property located at: (full address) 423 N Brady St. Morganfield KY 42437 131.900 for the gross price of \$ (or any lesser amount that the Seller agrees to accept) on the 131,900 obo following terms and conditions:

	01/05/2024	8:00	
(3) This contract shall	begin at	on	and it shall terminate at midnight
04/10/2024			
on	<u> </u>		

- (4) The Seller warrants that he or she is the owner of the property and is authorized to execute this agreement. Seller further agrees to cooperate with Broker in every way possible to bring about a sale of said property and to refer to Broker all inquiries of other brokers, agents and other persons interested in said property. Seller further agrees that all negotiations or dealings shall be with and through the Broker, and the Broker may list this property with cooperating brokers. Seller further agrees that Broker shall have no responsibility with respect to the condition of the property, its management or care.
- (5) Seller authorizes Broker to place a "For Sale" sign on the property, to remove all other signs, and to otherwise advertise said property for sale.
- (6) The Broker agrees to make a careful inspection of the property, to secure and compile written information with respect thereto and to make an earnest and continued effort to sell said property at the terms hereinabove set forth. Broker further agrees to promote and advertise said property for sale in the manner that in the judgment of Broker will aid in securing prospects for the Seller's property. Broker further agrees to take prospective buyers through said property at convenient times and from time to time advise Seller as to sale conditions upon Seller's request.

## (7) TERMINATION:

(a) Neither Broker nor Seller may terminate this contract prior to the termination date set forth above, unless both Broker and Seller agree to the termination in writing or pursuant to the provisions of 7(b).

- (b) Unless otherwise agreed in writing, Seller cannot revoke this contract until its termination date without liability for Broker's expenses incurred in promoting the property. Unless otherwise agreed in writing, the premature termination of this contract by Seller shall not operate to eliminate a commission, which accrues to the Broker under Paragraphs 8 and 9 of this agreement.
- (c) This contract will be automatically terminated upon the (1) death of the Seller, (2) condemnation or destruction of property, (3) involuntary sale, by foreclosure or otherwise, of property, (4) bankruptcy of either party, or (5) abandonment of the agency by the Broker (in which event Broker may be liable for damages).
- (9) Broker will provide owner with a list of names of all persons with whom Broker or any other person

  7
  negotiated concerning the above-described property during the period of this listing no later than \_\_\_\_\_\_

  working days subsequent to the termination date of this agreement. If this property is sold to any person named in NA
  this list prior to the relisting of this property, without the services of another Broker, and within \_\_\_\_\_\_ days

  of the termination date of this contract, Seller agrees to pay Broker a commission of \_\_\_\_\_\_ %.
- (10) TITLE:In the event of sale, Seller agrees to convey to buyer by deed of General Warranty, a marketable, fee simple title, such as any title company will insure, excepting easements and restrictions of record.
- (11) Broker and Seller acknowledge this property is offered to all persons without respect to race, color, sex, religion, national origin, handicap/disabilities, or familial status or any other class as protected by law.
- (12) Seller states that the information provided in Paragraph 14 below is true and correct to the best of Seller's knowledge. Seller understands that Broker and Broker's Sales Associates will rely on this information in

promoting said property and agrees to hold the Broker and agents harmless for any liability they may incur for utilizing this information in the authorized promotion of Seller's property.

(13)	In the event the seller has commenced negotiations with a potential buyer	er on the effect	tive date of this listing
contra	act, the seller reserves the right to revise the effective date, not to exceed	NA	days greater than the
origin	nal effective date.		

(14) ESCROW DEPOSITS: Broker is authorized to accept deposits on contracts obtained pursuant to this agreement and to deposit same in his or her escrow account; said deposit to be released by Broker at closing or when otherwise authorized under Kentucky Law [KRS 324.111(4) or (6)].

(15) 423 N Brady St. M Street Address	lorganfield			131,900 List Price
Street Address				List Pitce
City and/or County				Subdivision
Type of Construction	n			Rooms: 1st floor/2nd floor/3rd floor
Approx. sq. ft.				Approx. Land Size
Total No. Bedrooms	: 1st floor/2nd Floor			Closets: 1st floor/2nd floor
Storm Windows		Present City Tax	X	State and County Tax
Laundry	Fireplace	Foundation	Roof	Sep. Dining Room
Garage/Carport				No. Baths 1st floor/2nd floor
Family Room/Den-L	ibrary			Basement area-Fin./Unfin.
Approx. age	Central A/C		No. A/C units	Eat-in Kitchen

Elec.

	Fuel/Type	Water Heater: Fuel/Cap.		Water
Encumbr.	Payable to	Type Loan	Mo	. Payment: PI/PITI
eed Book	Page No.	Sewer		Vacant
chools:	Elem.	Middle	High	Parochial
xtent that such c	ooperation does not violate	ensed brokers and agents in securi Broker's fiduciary duties to Selle	er, and shall allow	
resent at any sne	wrings of the property. <u>x</u>	yes n	SELLER'	'S INITIALS
r				
(b) State the li	mitations on showings and	Broker's cooperation with other l	icensed brokers	and agents:
7) Additional	Terms:			
17) Additional	Terms:			
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This contract has been approved by the Kentucky Real Estate Commission only as to form. No representation is made as to the legal validity or adequacy of any provision of this contract for any specific transaction.

Made Fillable by eForms

## **KENTUCKY REAL ESTATE COMMISSION**

Public Protection Cabinet Mayo-Underwood Building 500 Mero Street 2NE09 Frankfort, Kentucky 40601 (502) 564-7760

## SELLER'S DISCLOSURE OF PROPERTY CONDITION

This form applies to residential real estate sales and purchases. This form is not required for:

- 1. Residential purchases of new construction homes if a warranty is provided;
- 2. Sales of real estate at auction; or
- 3. A court supervised foreclosure

As a Seller, you are asked to disclose what you know about the property you are selling. Your answers to the questions in this form must be based on the best of your knowledge of the property you are selling, however and whenever you gained that knowledge. Please take your time to answer these questions accurately and completely.

Property Address	423 N Brady St.		
City	Morganfield KY 42437	State	Zip

**PURPOSE OF DISCLOSURE FORM:** Completion of this form shall satisfy the requirements of KRS 324.360 that mandates the "seller's disclosure of conditions" relevant to the listed property. This disclosure is based on the Seller's knowledge of the property's condition and the improvements thereon, however that knowledge was gained. This disclosure form shall not be a warranty by the Seller or real estate agent and shall not be used as a substitute for an inspection or warranty that the purchaser may wish to obtain. This form is a statement of the conditions and other information about the property known by the Seller. Unless otherwise advised, the Seller does not possess any expertise in construction, architecture, engineering, or any other specific areas related to the construction or condition of the property or the improvements on it. Unless otherwise advised, the Seller has not conducted any inspection of generally inaccessible areas such as the foundation or roof. The Buyer is encouraged to obtain his or her own professional inspections of this property.

**INSTRUCTIONS TO THE SELLER(S):** (1) Answer every question truthfully. (2) Report all known conditions affecting the property, regardless of how you know about them or when you learned. (3) Attach additional pages, if necessary, with your signature and the date and time of signing. (4) Complete this form yourself or sign the authorization at the end of this form to authorize the real estate agent to complete this form on your behalf in accordance with KRS 324.360(9). (5) If an item does not apply to your property, mark "not applicable." (6) If you truthfully do not know the answer to a question, mark "unknown." (7) If you learn any fact prior to closing that changes one or more of your answers to this form after you have completed and submitted it, immediately notify your agent or any potential buyer of the change in writing.

**SELLER'S DISCLOSURE:** As Seller(s), I / we disclose the following information regarding the property. This information is true and accurate to the best of my / our knowledge as of the date signed. Seller(s) authorize(s) the real estate agent to provide a copy of this statement to any person or entity in connection with actual or anticipated sale of the property or as otherwise provided by law. The following information is not the representation of the real estate agent.

	Answer all questions to the best of your knowledge. Attach additional sheet	ts as n	ecessa	ary.	
1. PI	RELIMINARY DISCLOSURES	N/A	YES	NO	UN- KNOWN
a.	Have you ever lived in the house?				
b.	List the date (month / year) you purchased the house. $10/2016$				
c.	Do you own the property as (an) individual(s) or as representative(s) of a company?				
	Explain:				
d.	To the best of your knowledge, has the house been used as a rental?				
e.	To the best of your knowledge, has this house ever been vacant (not lived-in) for more than three (3) consecutive months?				
f.	To the best of your knowledge, has this house ever been used for anything other than a residence?				
	Explain:				

Page <b>1</b> of <b>5</b>	DM	1/6/2024		
KREC Form 402 12/2019	Seller Initials	Date/Time	Buyer Initials	Date/Time

Whether or not they have been corrected, state whether there have been problems affecting:	N/A	YES	NO	KNO
a. Plumbing No				
b. Electrical system				
c. Appliances				
d. Ceiling and attic fans				
e. Security system				[
f. Sump pump				[
g. Chimneys, fireplaces, inserts				[
h. Pool, hot tub, sauna				
i. Sprinkler system				
j. Heating system age of system:				
k. Cooling/air conditioning system age of system:				
I. Water heater age of system:				
lease explain any deficiencies noted in this Section:				
. BUILDING STRUCTURE	N/A	YES	NO	KN
a. Whether or not they have been corrected, state whether there have been problems affecting:				
1) The foundation or slab				
2) The structure or exterior veneer				
3) The floors and walls				
4) The doors and windows				
b. 1) To the best of your knowledge, has the basement ever leaked?				
2) When was the last time the basement leaked?				
3) Have you ever had any repairs done to the basement?				I
4) If you have had basement leaks repaired, when was the repair done?				
5) If the basement presently leaks, how often does it leak? (e.g., every time it rains, only after an	extrem	ely hea	vy rair	ı, e
Explain:				
h. Have you experienced, or are you aware of, any water or drainage problems in the crawl space?				
i. Are you aware of any damage to wood due to moisture or rot?				
Are you aware of any present or past wood infestation (e.g. termites, borers, carpenter ants, fungi, etc.)?				
k. Are you aware of any damage due to wood infestation?				
1) Has the house or any other improvement been treated for wood infestation?				
2) If yes, by whom?				
3) Is there a warranty?				
of its chere a warranty.				
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lease explain any deficiencies noted in this Section:	N/A	YES	NO	
lease explain any deficiencies noted in this Section:	N/A	YES	NO 🗆	KN
lease explain any deficiencies noted in this Section:  . ROOF a. How old is the roof covering? (write the age of the roof if known)				KN
ROOF  a. How old is the roof covering? (write the age of the roof if known)  b. Has the roof leaked at any time since you have owned or lived at the property?  To the best of your knowledge, has the roof leaked at any time before you owned or lived at				KN
ROOF  a. How old is the roof covering? (write the age of the roof if known)  b. Has the roof leaked at any time since you have owned or lived at the property?  To the best of your knowledge, has the roof leaked at any time before you owned or lived at the property?				KN
ROOF  a. How old is the roof covering? (write the age of the roof if known)  b. Has the roof leaked at any time since you have owned or lived at the property?  To the best of your knowledge, has the roof leaked at any time before you owned or lived at				KN   

a. Property is serviced by:  1. Category I: Public Municipal Treatment Facility  2. Category II: Private Treatment Facility  3. Category III: Subdivision Package Plant  4. Category IV: Single Home Aerobic Treatment System (HOME PACKAGE PLANT)  5. Category V: Septic Tank with drain field, lagoon, wetland, or other onsite dispersal  6. Category VI: Septic Tank with dispersal to an offsite, multi-property cluster treatment system  7. Category VII: No Treatment/Unknown  Name of Servicer:  b. For properties with Category IV, V, or VI systems  Date of last inspection (sewer):  Date of last inspection (septic):  C. Are you aware of any problems with the sewer system?  Please explain any deficienscies noted in this Section:  Page 3 of 5	ROF	PERTY ADDRESS:				
g. If the roof presently leaks, how often does it leak? (e.g., every time it rains, only after an extremely heavy rain, etc.)  Explain:    Have you ever had roof repairs that involved placing shingles on the roof instead of replacing	f.	Have you ever had the roof replaced?				
Have you ever had roof repairs that involved placing shingles on the roof instead of replacing the entire roof covering? If so, when?   Please explain any deficiencies noted in this Section:		If so, when?				
Have you ever had roof repairs that involved placing shingles on the roof instead of replacing	g.	·	ly heav	y rain,	etc.)	
h. Have you ever had roof repairs that involved placing shingles on the roof instead of replacing the entire roof covering? If so, when?  Please explain any deficiencies noted in this Section:    Section			,			
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Please explain any deficiencies noted in this Section:    S. LAND / DRAINAGE	h.		Ш	Ш	Ш	
S. LAND / DRAINAGE  a. Whether or not they have been corrected, state whether there have been problems affecting:  1) Soil stability No  2) Drainage, flooding, or grading  3) Erosion  4) Outbuildings or unattached structures  Is the house located within a Special Flood Hazard Area (SFHA) mandating the purchase of flood insurance for federally backed mortgages?  If so, what is the flood zone?  c. Is there a retention / detention basin, pond, lake, creek, spring, or water shed on or adjoining in this property?  Please explain any deficiencies noted in this Section:  6. BOUNDARIES  A. Have you ever had a staked or pinned survey of the property performed? No  a. Have you ever had a staked or pinned survey of the property?  c. Are the boundaries marked in any way?  Explain:  d. Do you know the boundaries?  Explain:  e. Are there any encroachments or unrecorded easements relating to the property?  b. Are you waver of below normal water supply or water pressure?  c. Has your water ever been tested? If so, attach the results or explain.  Explain:  2. Category II: Studinsion Package Plant  3. Source of water supply:  3. Category III: Subdivision Package Plant  4. Category IV: Single Home Aerobic Treatment System (HOME PACKAGE PLANT)  5. Category VI: Septic Tank with dispersal to an offsite, multi-property cluster treatment system   Category IV: Spetic Tank with dispersal to an offsite, multi-property cluster treatment system   Category VI: Septic Tank with dispersal to an offsite, multi-property cluster treatment system   Category VI: Septic Tank with dispersal to an offsite, multi-property cluster treatment system   Category VI: Septic Tank with dispersal to an offsite, multi-property cluster treatment system   Category VI: Septic Tank with dispersal to an offsite, multi-property cluster treatment system   Category VI: Septic Tank with dispersal to an offsite, multi-property cluster treatment system   Category VI: Septic Tank with dispersal to an offsite, multi-property cluster treatment system   Category VI: Septic Ta	دما					
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3) Erosion  4) Outbuildings or unattached structures  b. Is the house located within a Special Flood Hazard Area (SFHA) mandating the purchase of flood       b. Is the house located within a Special Flood Hazard Area (SFHA) mandating the purchase of flood       c. Is there a retention / detention basin, pond, lake, creek, spring, or water shed on or adjoining       c. Is there a retention / detention basin, pond, lake, creek, spring, or water shed on or adjoining       c. Is there a retention / detention basin, pond, lake, creek, spring, or water shed on or adjoining       c. Is the sex explain any deficiencies noted in this Section:  6. BOUNDARIES  N/A YES NO  a. Have you ever had a staked or pinned survey of the property performed? NO       b. Are you in possession of a copy of any survey of the property?       c. Are the boundaries marked in any way?  Explain:  d. Do you know the boundaries?  Explain:  e. Are there any encroachments or unrecorded easements relating to the property?  Explain:  7. WATER  N/A YES NO  a. Source of water supply:  b. Are you aware of below normal water supply or water pressure?  c. Has your water ever been tested? If so, attach the results or explain.  Explain:  8. SEWER SYSTEM  A. Property is serviced by:  1. Category II: Private Treatment Facility  2. Category II: Subdivision Package Plant  4. Category II: Subdivision Package Plant  4. Category VI: Septic Tank with dispersal to an offsite, multi-property cluster treatment system       c. Category VI: Septic Tank with dispersal to an offsite, multi-property duster treatment system     c. Category VI: No Treatment/Unknown  Name of Servicer:  b. For properties with Category IV, V, or VI systems  Date of last inspection (sewer):  Da		· · · · · · · · · · · · · · · · · · ·				
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Page <b>3</b> of <b>5</b>						
VOTES TO A SOLUTION AND A SOLUTION A	Plea	se explain any deficienscies noted in this Section:				
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VREC Form 402, 12/2010 Colleg Initials Buyor Initials Date/Time	Page	5013				
Date/Time Buyer initials Date/Time	KREC	Form 402 12/2019 Seller Initials Date/Time Buyer Initials Date/Time	: —			

9. CONSTRUCTION / REMODELING	N/A	YES	NO	UN- KNOW
a. Have there been any additions, structural modifications, or other alterations made?				
b. If so, were all necessary permits and government approvals obtained?				
Explain:				
10. HOMEOWNER'S ASSOCIATION (HOA)	N/A	YES	NO	UN KNOV
a. 1) Is the property subject to rules or regulations of a HOA?				
2) If yes, what is the yearly assessment?				
3) HOA Name:				
HOA Primary Contact Name:				
HOA Primary Contact Phone No.:				
b. Is the property a condominium?				
If yes, you must also complete KREC Form 404, the Condominium Seller's Certificate				
c. Are you aware of any condition that may result in an increase in taxes or assessments?				
d. Are any features of the property shared in common with adjoining landowners, such as walls,				
fences, driveways, etc.?				
e. Are there any pet or rental restrictions?				
Explain:				
11 HAZARDOUS CONDITIONS	NI/A	YES	NO	UN
11. HAZARDOUS CONDITIONS  Are you aware of any underground storage tanks, old septic tanks, field lines, cisterns, or	N/A	TES	NO	KNO
a. abandoned wells on the property?				
Are you aware of any other environmental hazards? (e.g., carbon monoxide, hazardous waste				
n · · · · · · · · · · · · · · · · · · ·				
water contamination, asbestos, the use of urea formaldehyde, etc.)	_			
water contamination, asbestos, the use of urea formaldehyde, etc.)  LEAD BASED PAINT DISCLOSURE REQUIREMENT				
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LEAD BASED PAINT DISCLOSURE REQUIREMENT	t prior to 1		notifie	d tha
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Date/Time

Explain:						
e. Has this house ever been damaged by f	fire or other disast	er? NO				
Explain:	ine or other disast	C1.				
f. Are you aware of the existence of mole	d or other fungi on	the property?				
g. Has this house ever had pets living in it		the property.				
Explain:	··					
h. Is this house in a historic district or liste	ed on any registry o	of historic places?				
13. ADDITIONAL INFORMATION	, , , , , , , , , , , , , , , , , , , ,		N/A	YES	NO	UN- KNOW
Do you know anything else about the proper	rty that that should	be disclosed to the Buyer?				
If yes, please provide details in the space pro	ovided, below. Atta	ach additional sheets, as necessary.				
No No						
	at the information	disclosed above is complete and ac	curate to t	he bes	t of my	/ oı
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