



Division of Licensing Services

New York State
Department of State
Division of Licensing Services
P.O. Box 22001
Albany, NY 12201-2001
Customer Service: (518) 474-4429
<https://dos.ny.gov>

Property Condition Disclosure Statement

Name of Seller or Sellers: Ellen Davis, Mittman Oneonta LLC

Property Address: 35 Grove St, 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.

"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? 6/1/2018
2. How long have you occupied the property? 6.5 years
3. What is the age of the structure or structures? 117+ years
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 Federal Emergency Management Agency (FEMA) designated floodplain? *If yes, explain below* Yes No Unkn NA
11. Is any or all of the property located wholly or partially in the Special Flood Hazard Area ("SFHA"; "100-year floodplain") according to the Federal Emergency Management Agency's (FEMA's) current flood insurance rate maps for your area? *If yes, explain below* Yes No Unkn NA
12. Is any or all of the property located wholly or partially in a Moderate Risk Flood Hazard Area ("500-year floodplain") according to FEMA's current flood insurance rate maps for your area? *If yes, explain below* Yes No Unkn NA
13. Is the property subject to any requirement under federal law to obtain and maintain flood insurance on the property? *If yes, explain below* Yes No Unkn NA
- Homes in the Special Flood Hazard Area, also known as High Risk Flood Zones, on FEMA's flood insurance rate maps with mortgages from federally regulated or insured lenders are required to obtain and maintain flood insurance. Even when not required, FEMA encourages homeowners in high risk, moderate risk, and low risk flood zones to purchase flood insurance that covers the structure(s) and the personal property within the structure(s). Also note that homes in coastal areas may be subject to increased risk of flooding over time due to projected sea level rise and increased extreme storms caused by climate change which may not be reflected in current flood insurance rate maps.

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14. Have you ever received assistance, or are you aware of any previous owners receiving assistance, from the Federal Emergency Management Agency (FEMA), the U.S. Small Business Administration (SBA), or any other federal disaster flood assistance for flood damage to the property? *If yes, explain below* Yes No Unkn NA

- For properties that have received federal disaster assistance, the requirement to obtain flood insurance passes down to all future owners. Failure to obtain and maintain flood insurance can result in an individual being ineligible for future assistance.

15. Is there flood insurance on the property? *If yes, attach a copy of the policy* Yes No Unkn NA

- A standard homeowner's insurance policy typically does not cover flood damage. You are encouraged to examine your policy to determine whether you are covered.

16. Is there a FEMA elevation certificate available for the property? *If yes, attach a copy of the certificate* Yes No Unkn NA

- An elevation certificate is a FEMA form, completed by a licensed surveyor or engineer. The form provides critical information about the flood risk of the property and is used by flood insurance providers under the National Flood Insurance Program (NFIP) to help determine the appropriate flood insurance rating for the property. A buyer may be able to use the elevation certificate from a previous owner for their flood insurance policy.

17. Have you ever filed a claim for flood damage to the property with any insurance provider, including the National Flood Insurance Program (NFIP)? *If yes, explain below* Yes No Unkn NA

18. Is any or all of the property located in a designated wetland? *If yes, explain below* Yes No Unkn NA

19. Is the property located in an agricultural district? *If yes, explain below* Yes No Unkn NA

20. Was the property ever the site of a landfill? *If yes, explain below* Yes No Unkn NA

21. Are there or have there ever been fuel storage tanks above or below the ground on the property? Yes No Unkn NA

- If yes, are they currently in use? Yes Yes No Unkn NA
- Location(s) basement oil
- Are they leaking or have they ever leaked? *If yes, explain below* Yes No Unkn NA
- No

22. Is there asbestos in the structure? *If yes, state location or locations below* Yes No Unkn NA

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

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

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25. 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

26. 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

27. Has the property been tested for indoor mold? *If yes, attach a copy of the report*

Yes No Unkn

STRUCTURAL

28. Is there any rot or water damage to the structure or structures? *If yes, explain below*

Yes No Unkn NA

29. Is there any fire or smoke damage to the structure or structures? *If yes, explain below*

Yes No Unkn NA

30. Is there any termite, insect, rodent or pest infestation or damage? *If yes, explain below*

Yes No Unkn NA

31. Has the property been tested for termite, insect, rodent or pest infestation or damage? *If yes, please attach report(s)*

Yes No Unkn NA

32. What is the type of roof/roof covering (slate, asphalt, other)?

Bitumen asphalt
No

• Any known material defects?

• How old is the roof?

• Is there a transferable warranty on the roof in effect now? *If yes, explain below*

Yes No Unkn NA

33. Are there any known material defects in any of the following structural systems: footings, beams, girders, lintels, columns or partitions? *If yes, explain below*

Yes No Unkn NA

MECHANICAL SYSTEMS AND SERVICES

34. What is the water source? (*Check all that apply*)

Well Private Municipal

Other: _____

• If municipal, is it metered?

Yes No Unkn NA

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35. Has the water quality and/or flow rate been tested? *If yes, describe below*

Yes No Unkn NA

By the city

36. 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

37. 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*

NYSEB
200 100 per apartment
circuit breakers
Public

Yes No Unkn NA

38. 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

39. Has the structure(s) experienced any water penetration or damage due to seepage or a natural flood event, such as from heavy rainfall, coastal storm surge, tidal inundation or river overflow? *If yes, explain below*

Yes No Unkn NA

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

- 40. Plumbing system? Yes No Unkn NA
- 41. Security system? Yes No Unkn NA
- 42. Carbon monoxide detector? Yes No Unkn NA
- 43. Smoke detector? Yes No Unkn NA
- 44. Fire sprinkler system? Yes No Unkn NA
- 45. Sump pump? Yes No Unkn NA
- 46. Foundation/slab? Yes No Unkn NA
- 47. Interior walls/ceilings? Yes No Unkn NA
- 48. Exterior walls or siding? Yes No Unkn NA
- 49. Floors? Yes No Unkn NA
- 50. Chimney/fireplace or stove? Yes No Unkn NA
- 51. Patio/deck? Yes No Unkn NA
- 52. Driveway? Yes No Unkn NA
- 53. Air conditioner? Yes No Unkn NA
- 54. Heating system? Yes No Unkn NA
- 55. Hot water heater? Yes No Unkn NA
- 56. The property is located in the following school district Oneonta School District

Note: Buyer is encouraged to check public records concerning the property (e.g. tax records and wetland and FEMA's current flood insurance rate maps and elevation certificates).

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 ^{Authentic} Ellen Davis
Ellen Davis, Mittman Oneonta LLC

Date 12/05/2024

Seller's Signature

X Ellen Davis

Date 1/6/25

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 _____

Utility Electric Service Availability/Surcharge Disclosure

Subject Property Address: **35 Grove St, 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: _____

The Purpose of the Surcharge: _____

The Amount of the Surcharge: \$ _____

The Surcharge is Payable: Monthly Yearly Other _____

Purchaser: _____ **Date:** _____

Purchaser: _____ **Date:** _____

Seller: AuthenticSign Ellen Davis **Date:** 12/05/2024
Ellen Davis, Mittman Oneonta LLC

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

Uncapped Natural Gas Well Disclosure Form & Notice

for property commonly known as: 35 Grove St, 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:

ED 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: ^{Authentication} Ellen Davis Date: 12/05/2024
Ellen Davis, Mittman Oneonta LLC

Seller: _____ Date: _____

Purchaser: _____ Date: _____

Purchaser: _____ Date: _____

Disclosure of Information on Lead-Based Paint and/or Lead-Based Paint Hazards

Lead Warning Statement

Every purchaser of any interest in residential real property on which a residential dwelling was built prior to 1978 is notified that such property may present exposure to lead from lead-based paint that may place young children at risk of developing lead poisoning. Lead poisoning in young children may produce permanent neurological damage, including learning disabilities, reduced intelligence quotient, behavioral problems, and impaired memory. Lead poisoning also poses a particular risk to pregnant women. The seller of any interest in residential real property is required to provide the buyer with any information on lead-based paint hazards from risk assessments or inspections in the seller's possession and notify the buyer of any known lead-based paint hazards. A risk assessment or inspection for possible lead-based paint hazards is recommended prior to purchase.

Seller's Disclosure

(a) Presence of lead-based paint and/or lead-based paint hazards (check (i) or (ii) below):

(i) _____ Known lead-based paint and/or lead-based paint hazards are present in the housing (explain).

(ii) ED Seller has no knowledge of lead-based paint and/or lead-based paint hazards in the housing.

(b) Records and reports available to the seller (check (i) or (ii) below):

(i) _____ Seller has provided the purchaser with all available records and reports pertaining to lead-based paint and/or lead-based paint hazards in the housing (list documents below).

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

Purchaser's Acknowledgment (initial)

(c) _____ Purchaser has received copies of all information listed above.

(d) _____ Purchaser has received the pamphlet *Protect Your Family from Lead in Your Home*.

(e) Purchaser has (check (i) or (ii) below):

(i) _____ received a 10-day opportunity (or mutually agreed upon period) to conduct a risk assessment or inspection for the presence of lead-based paint and/or lead-based paint hazards; or

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

Agent's Acknowledgment (initial)

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

Certification of Accuracy

The following parties have reviewed the information above and certify, to the best of their knowledge, that the information they have provided is true and accurate.

Ellen Davis 12/05/2024

Seller Ellen Davis, Mittman Oneonta LLC
Date

Seller _____
Date

Purchaser _____
Date

Purchaser _____
Date

Mary Rab 1/7/2024
Agent _____
Date

Agent _____
Date

Agricultural District Disclosure Form and Notice

Subject property address: 35 Grove St, 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.

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

I have received and read this disclosure notice.

Purchaser: _____ **Date:** _____

Purchaser: _____ **Date:** _____

Seller: Ellen Davis **Date:** 12/05/2024

Ellen Davis, Mittman Oneonta LLC

Seller: _____ **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 Â§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 Â§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:  Ellen Davis 12/05/24 Date: _____
Ellen Davis, Mittman Oneonta LLC

Seller: _____ Date: _____

Purchaser: _____ Date: _____

Purchaser: _____ Date: _____

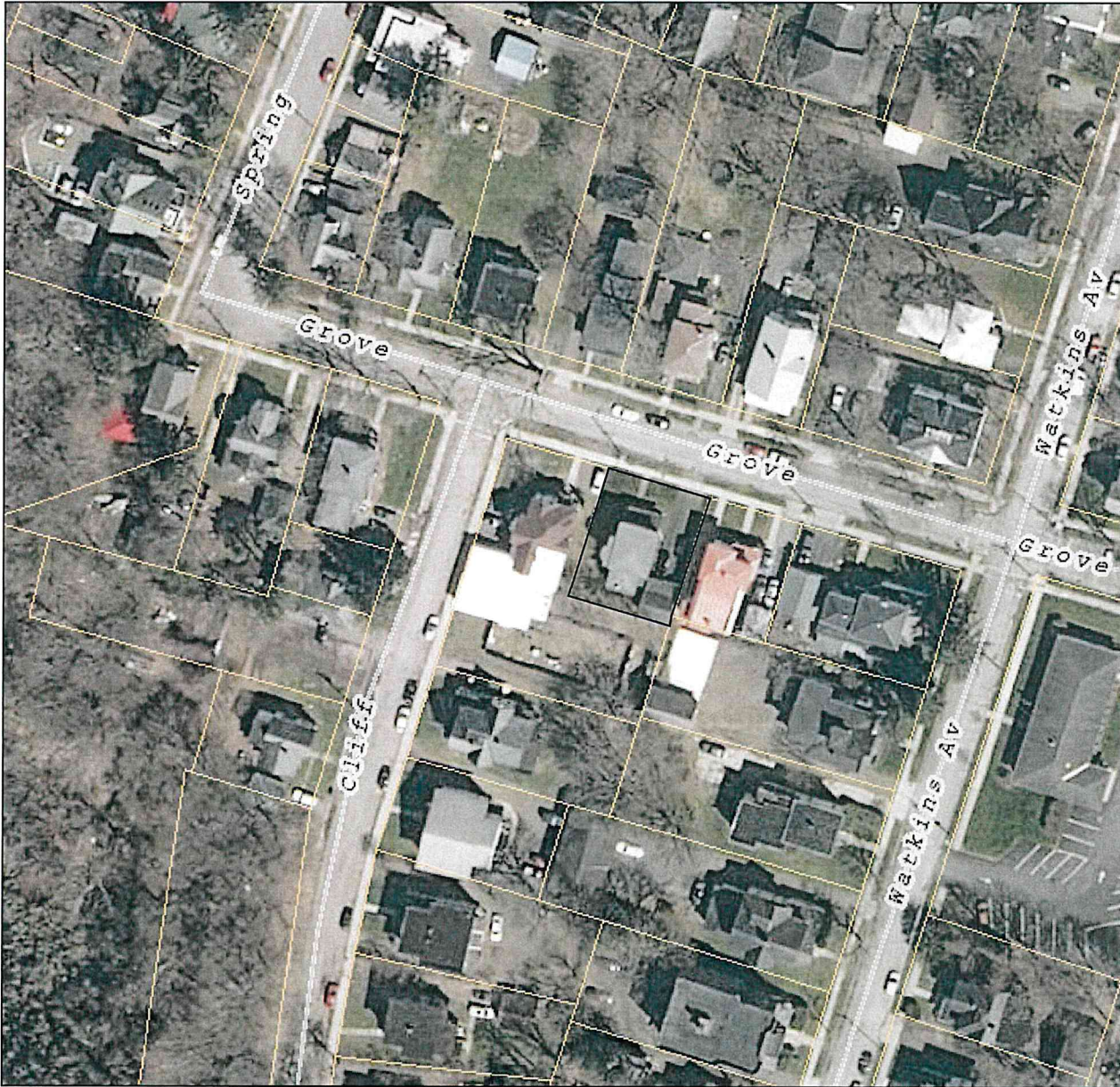
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09/19

Otsego County, New York

Geographic Information System (GIS)



Date Printed: 1/8/2025



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 = 100 feet

