

LOT/LAND SELLER'S PROPERTY DISCLOSURE STATEMENT EXHIBIT " _____ "



2007 Printing

For Property Located at 4778 Jess Helton Rd. Gainesville, Ga 30506
("Property")

NOTICE TO BUYER AND SELLER: This disclosure statement is designed to assist Seller in disclosing to a buyer all known material or adverse facts relating to the physical condition of Property that are not readily observable. All questions are to be with respect to the above referenced Property.

IF THE ANSWERS TO ANY OF THE QUESTIONS LISTED BELOW ARE "YES," PLEASE EXPLAIN IN DETAIL IN THE "ADDITIONAL EXPLANATIONS" SECTION.

1. SOIL, TREES, DRAINAGE AND BOUNDARIES:

- | | Yes | No | Don't Know |
|---|-------------------------------------|-------------------------------------|--------------------------|
| (a) Is Property vacant? If yes, how long has it been since Seller occupied Property? <u>never</u> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| (b) Are there any leases, written or verbal, on Property or any part thereof? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| (c) Is there any fill dirt on Property? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| (d) Is there or will there be any landfill on Property? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| (e) Are there mine shafts or wells (in use or abandoned)? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| (f) Is there any sliding, settling (other than normal settling), earth movement, upheaval or earth stability/expansive soil problems? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| (g) Is Property or any part thereof located in a flood zone? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| (h) Are there any drainage or flooding problems on Property? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| (i) Are there any diseased or dead trees? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| (j) Are there any encroachments, boundary line disputes, leases or unrecorded easements? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

2. TOXIC SUBSTANCES:

- | | | | |
|---|--------------------------|-------------------------------------|--------------------------|
| (a) Are there any underground tanks, toxic or hazardous substances on Property (structure or soil) such as asbestos, urea-formaldehyde, methane gas, radioactive material, benzene, radon, or other environmental contaminants? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| (b) Has Property ever been tested for radon or any other environmental contaminants? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

3. THE PROPERTY:

- | | | | |
|--|--------------------------|-------------------------------------|--------------------------|
| (a) How many acres are in Property? <u>4</u> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| (b) What is the current zoning of Property? <u>AR3</u> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| (c) Will conveyance of Property exclude any mineral, oil and timber rights? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| (d) Are there any governmental allotments committed? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| (e) Have any licenses or usage permits been granted for, but not limited to, crops, minerals, hunting, water, grazing or timber? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

4. COVENANTS, FEES AND ASSESSMENTS:

- | | | | |
|---|-------------------------------------|-------------------------------------|--------------------------|
| (a) Is, or will, Property be part of a community association? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| (b) Is or will it be subject to covenants, conditions and restrictions (CC & Rs)? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| (c) Is there a mandatory membership Association Fee? If yes, what amount? \$ _____, per _____ Is there an initiation fee? If yes, what amount? \$ _____ | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| (d) Are there any special assessments approved by but yet not owing or due to the Association? If yes, what amount \$ _____ | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

5. OTHER MATTERS:

- | | | | |
|--|--------------------------|-------------------------------------|--------------------------|
| (a) Have there been any inspections of Property in the past year? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| (b) Are there any violations of local, state or federal laws, codes or regulations with respect to Property? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| (c) Have you received notices by governmental or quasi-governmental agency affecting Property? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| (d) Are there any existing or threatened legal actions affecting Property? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| (e) Is there any system or item on Property which is leased or which has a fee associated with its use? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| (f) Are there any private or undedicated roadways for which owner may have financial responsibility? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| (g) If Property is served by well water, is the well on Property? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

6. AGRICULTURAL DISCLOSURE:

Is the subject Property within, partially within, or adjacent to any property zoned or identified on an approved county land use plan as agricultural or forestry use? Yes No Don't Know
It is the policy of this state and this community to conserve, protect, and encourage the development and improvement of farm and forestland for the production of food, fiber, and other products, and also for its natural and environmental value. This notice is to inform

prospective property owners or other persons or entities leasing or acquiring an interest in real property that the property in which they are about to acquire an interest lies within, partially within, or adjacent to an area zoned, used, or identified for farm and forest activities and that farm and forest activities occur in the area. Such farm and forest activities may include intensive operations that cause discomfort and inconveniences that involve, but are not limited to, noises, odors, fumes, dust, smoke, insects, operations of machinery during any 24 hour period, storage and disposal of manure, and the application by spraying or otherwise of chemical fertilizers, soil amendments, herbicides, and pesticides. One or more of these inconveniences may occur as the result of farm or forest activities which are in conformance with existing laws and regulations and accepted customs and standards.

7. UTILITIES:

Seller warrants that the following utilities serve Property. (The term "serve" shall mean: the indicated utilities and services are available and functional at the property line.) Check (✓) only those utilities below that are included in the sale of Property. [The utilities listed below that are not checked do not serve Property.]

- | | |
|--|--|
| <input checked="" type="checkbox"/> Electricity | <input type="checkbox"/> Public Sewer |
| <input type="checkbox"/> Natural Gas | <input type="checkbox"/> Public Water |
| <input checked="" type="checkbox"/> Telephone | <input checked="" type="checkbox"/> Private/Well Water |
| <input checked="" type="checkbox"/> Cable Television | <input type="checkbox"/> Shared Well Water |
| <input type="checkbox"/> Garbage Collection | <input checked="" type="checkbox"/> Other <u>DSL</u> |

8. ADDITIONAL EXPLANATIONS OR DISCLOSURES:

Seller is currently applying for a covenant/restriction to prohibit mobile homes, chicken houses, or subdivision of the property.

MARK BOX IF ADDITIONAL PAGES ARE ATTACHED

9. SELLER'S REPRESENTATION:

In this disclosure, Seller warrants that to the best of Seller's knowledge and belief, the information contained herein with respect to the condition of the Property is accurate and complete as of the date signed by Seller. It is not a substitute for any inspections or warranties that Buyer may wish to obtain. Seller hereby authorizes Broker to provide this information to prospective buyers of Property and to Brokers. Seller agrees to promptly update this Lot/Land Disclosure Statement and provide any Buyer and Brokers with a revised copy of the same if there are any material changes in the answers to the questions contained herein.

- Is each individual named below a U. S. Citizen or resident alien? Yes No
- Has each individual named below been a Georgia resident for the past two years? Yes No
- Has Property been Seller's primary residence for at least two of the last five years? Yes No

Seller: David Conif Date: 4/30, 2008

Seller: _____ Date: _____, 20____

10. RECEIPTS AND ACKNOWLEDGMENT OF BUYER:

I acknowledge receipt of this Seller's Lot/Land Property Disclosure Statement. I understand that except as stated in the Lot/Land Purchase and Sale Agreement with Seller, Property is being sold in its present condition only, without warranties or guarantees of any kind by Seller or Brokers. No representations concerning the condition of Property are being relied upon by me except as disclosed herein or stated in the Purchase and Sale Agreement.

Buyer: _____ Date: _____, 20____

Buyer: _____ Date: _____, 20____

FIELD SURVEY ERROR OF CLOSURE N/A
 ANGULAR ERROR PER ANGLE POINT N/A
 INSTRUMENT USED N/A
 ADJUSTED BY N/A
 PLAT ERROR OF CLOSURE 1: 4185.99

ALONG THE C/L OF THE CRE

| Course | Bearing | Distance |
|--------|--------------|----------|
| 1 | S 49°21'43"E | 30.35' |
| 2 | S 71°45'33"E | 15.70' |
| 3 | S 41°17'09"E | 23.68' |
| 4 | S 04°01'07"E | 53.05' |
| 5 | S 63°33'37"E | 56.21' |
| 6 | S 84°25'38"E | 18.98' |
| 7 | S 44°10'26"E | 22.89' |
| 8 | S 57°23'22"E | 44.25' |
| 9 | S 66°08'22"E | 29.20' |
| 10 | S 59°09'07"E | 20.60' |

"IN MY OPINION THIS PLAT IS A CORRECT REPRESENTATION OF THE LAND PLATTED AND HAS BEEN PREPARED IN CONFORMITY WITH THE MINIMUM STANDARDS AND REQUIREMENTS OF THE LAW."

CATHY DETTON
 Deed Book 1571 Pg. 151

N 62°05'20"E 689.04'

SEE NOTE 3 ON THIS LINE

APPROX. LOCATION OF 100 YR. FLOOD ZONE LIMITS

S 64°41'57"W 849.12'

EDWARD HELTON
 Deed Book 205 Pg. 457-8
 Plat Book 32 Pg. 222

TIE:
 S 35°20'56"E 1462.02' TO THE INTERSECTING C/L'S OF 438 HELTON ROAD & HELTON ROAD.



OFFICE PLAT ONLY ON THIS DATE 8/6/2004.
 4.000 ACRES

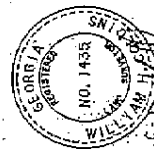
"I HAVE CONSULTED THE E.L.R.M. FLOOD INSURANCE RATE MAP, COMMUNITY PANEL NO. 130468 0047 E, DATED MARCH 21, 2000, LOCATED IN HALL COUNTY, GEORGIA, IN MY OPINION A PORTION OF THIS PROPERTY DOES APPEAR TO LIE IN A SPECIAL FLOOD HAZARDS AREA."

NOTES:
 1. SHOWN HEREON IS SUBJECT TO ITS RESTRICTIONS, RESERVATIONS, ETC. OF WAY OF RECORD, IF ANY.
 2. SHOWN HEREON WERE ESTABLISHED BY THE NORTHERN MOST LINE AS SHOWN BY LINE BETWEEN EDWARD HELTON & CATHY DETTON DAUGHTER WAS POINTED EDWARD HELTON IN THE FIELD.

REFERENCES:
 1. DEED BY FARLEY-COLLINS-WHIDDEN FOR PHIL AND GRENDOVYN HALSEY 1-22-2003, AND LAST REVISED 8-6-03.
 2. DEED BY PARTON-LESS-JARRARD WARD HELTON, DATED 11-6-04, AND RECORDED IN PLAT BOOK 32 PG. 222 OF THE COUNTY RECORDS.
 3. DEED BY FARLEY-COLLINS-WHIDDEN WARD HELTON 9,947 ACRES DATED 1-22-2003.

THE R.A.W. OF THE ROAD:
 Bearing Distance
 S 15°50'05" Arc 214.33'
 N 27°20'10" W 214.75'

END:
 1. AS TO THE FLOW DIRECTION OF THE FLOOD ZONE LIMITS AS SHOWN ON THIS PLAT, THE SURVEYOR HAS FOUND NO RECORD OF ANY FLOOD ZONE LIMITS AS SHOWN ON THIS PLAT.
 2. THE SURVEYOR HAS FOUND NO RECORD OF ANY FLOOD ZONE LIMITS AS SHOWN ON THIS PLAT.
 3. THE SURVEYOR HAS FOUND NO RECORD OF ANY FLOOD ZONE LIMITS AS SHOWN ON THIS PLAT.



PREPARED BY: FARLEY-COLLINS-WHIDDEN
 P.O. BOX 731 (770)532-1001
 800 SPRING STREET
 GAINESVILLE, GA. 30503

DATE: 8/08/2004
 JOB #: G 845
 SCALE: 1" = 100'

OFFICE PLAT FOR: EDWARD HELTON
 LOCATION: LAND LOT 3 ~ 12th LAND DISTRICT, HALL COUNTY, GEORGIA