



SELLER'S PROPERTY CONDITION DISCLOSURE STATEMENT

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17 Oaklawn Road Short Hills, NJ 07078

Property Address:

Seller: Keating, Stephen J.

The purpose of this Disclosure Statement is to disclose, to the best of Seller's knowledge, the condition of the Property, as of the date set forth below. The Seller is aware that he or she is under an obligation to disclose any known material defects in the Property even if not addressed in this printed form. Seller alone is the source of all information contained in this form. All prospective buyers of the Property are cautioned to carefully inspect the Property and to carefully inspect the surrounding area for any off-site conditions that may adversely affect the Property. Moreover, this Disclosure Statement is not intended to be a substitute for prospective buyer's hiring of qualified experts to inspect the Property.

If your property consists of multiple units, systems and/or features, please provide complete answers on all such units, systems and/or features even if the question is phrased in the singular, such as if a duplex has multiple furnaces, water heaters and fireplaces.

OCCUPANCY

Yes No Unknown

1928

[X] [ ] [ ]

1. Age of House, if known

[X] [ ] [ ]

2. Does the Seller currently occupy this property?

If not, how long has it been since Seller occupied the property?

3. What year did the seller buy the property? 2004

3a. Do you have in your possession the original or a copy of the deed evidencing your ownership of the property? If "yes," please attach a copy of it to this form.

ROOF

Yes No Unknown

[X] [ ] [ ]

4. Age of roof ORIGINAL / Garage roof 2006.

[ ] [X] [ ]

5. Has roof been replaced or repaired since seller bought the property?

6. Are you aware of any roof leaks?

7. Explain any "yes" answers that you give in this section: slates replaced on a regular basis and in 2021

ATTIC, BASEMENTS AND CRAWL SPACES (Complete only if applicable)

Yes No Unknown

[X] [ ] [ ]

8. Does the property have one or more sump pumps?

[ ] [X] [ ]

8a. Are there any problems with the operation of any sump pump?

[ ] [X] [ ]

9. Are you aware of any water leakage, accumulation or dampness within the basement or crawl spaces or any other areas within any of the structures on the property?

[ ] [X] [ ]

9a. Are you aware of the presence of any mold or similar natural substance within the basement or crawl spaces or any other areas within any of the structures on the property?

[ ] [X] [ ]

10. Are you aware of any repairs or other attempts to control any water or dampness problem in the basement or crawl space? If "yes," describe the location, nature and date of the repairs:

[ ] [X] [ ]

11. Are you aware of any cracks or bulges in the basement floor or foundation walls? If "yes," specify location.



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- 12. Are you aware of any restrictions on how the attic may be used as a result of the manner in which the attic or roof was constructed?
- 13. Is the attic or house ventilated by:  a whole house fan?  an attic fan?
- 13a. Are you aware of any problems with the operation of such a fan?
- 14. In what manner is access to the attic space provided?  
 staircase  pull down stairs  crawl space with aid of ladder or other device  
 other \_\_\_\_\_
- 15. Explain any "yes" answers that you give in this section:

one sump pump in basement boiler room

**TERMITES/WOOD DESTROYING INSECTS, DRY ROT, PESTS**

Yes No Unknown

- 16. Are you aware of any termites/wood destroying insects, dry rot, or pests affecting the property?
- 17. Are you aware of any damage to the property caused by termites/wood destroying insects, dry rot, or pests?
- 18. If "yes," has work been performed to repair the damage?
- 19. Is your property under contract by a licensed pest control company? If "yes," state the name and address of the licensed pest control company: Excel Pest Services,  
River Edge, NJ
- 20. Are you aware of any termite/pest control inspections or treatments performed on the property in the past?
- 21. Explain any "yes" answers that you give in this section:

Routine treatments are done quarterly to exterior

**STRUCTURAL ITEMS**

Yes No Unknown

- 22. Are you aware of any movement, shifting, or other problems with walls, floors, or foundations, including any restrictions on how any space, other than the attic or roof, may be used as a result of the manner in which it was constructed?
- 23. Are you aware if the property or any of the structures on it have ever been damaged by fire, smoke, wind or flood?
- 24. Are you aware of any fire retardant plywood used in the construction?
- 25. Are you aware of any current or past problems with driveways, walkways, patios, sinkholes, or retaining walls on the property?
- 26. Are you aware of any present or past efforts made to repair any problems with the items in this section?
- 27. Explain any "yes" answers that you give in this section. Please describe the location and nature of the problem.

**ADDITIONS/REMODELS**

Yes No Unknown

- 28. Are you aware of any additions, structural changes or other alterations to the structures on the property made by any present or past owners?
- 29. Were the proper building permits and approvals obtained? Explain any "yes" answers you give in this section:

Extensive renovations made 2005-2006

**PLUMBING, WATER AND SEWAGE**

Yes No Unknown

- 30. What is the source of your drinking water?  
 Public  Community System  Well on Property  Other (explain) \_\_\_\_\_
- 31. If your drinking water source is not public, have you performed any tests on the water? If so, when?  
Attach a copy of or describe the results.

- 111    32. Does the wastewater from any clothes washer, dishwasher, or other appliance discharge to any
- 112 location other than the sewer, septic, or other system that services the rest of the property?
- 113    33. When was well installed? \_\_\_\_\_
- 114    Location of well? \_\_\_\_\_
- 115    34. Do you have a softener, filter, or other water purification system?  Leased  Owned
- 116 35. What is the type of sewage system?
- 117  Public Sewer  Private Sewer  Septic System  Cesspool  Other (explain): \_\_\_\_\_
- 118    36. If you answered "septic system," have you ever had the system inspected to confirm that it is a true
- 119 septic system and not a cesspool?
- 120    37. If Septic System, when was it installed? \_\_\_\_\_
- 121 Location? \_\_\_\_\_
- 122    38. When was the Septic System or Cesspool last cleaned and/or serviced? \_\_\_\_\_
- 123    39. Are you aware of any abandoned Septic Systems or Cesspools on your property?
- 124    39a. If "yes," is the closure in accordance with the municipality's ordinance? (explain): \_\_\_\_\_
- 125 \_\_\_\_\_
- 126    40. Are you aware of any leaks, backups, or other problems relating to any of the plumbing systems and
- 127 fixtures (including pipes, sinks, tubs and showers), or of any other water or sewage related problems?
- 128 If "yes," explain: \_\_\_\_\_
- 129 \_\_\_\_\_
- 130    41. Are you aware of any shut off, disconnected, or abandoned wells, underground water or sewage
- 131 tanks, or dry wells on the property?
- 132    42. Is either the private water or sewage system shared? If "yes," explain: \_\_\_\_\_
- 133 \_\_\_\_\_
- 134 43. Water Heater:  Electric  Fuel Oil  Gas
- 135 Age of Water Heater 2016
- 136    43a. Are you aware of any problems with the water heater?
- 137 44. Explain any "yes" answers that you give in this section:
- 138 #34. Home water conditioning system
- 139 installed 2015
- 140 \_\_\_\_\_

**HEATING AND AIR CONDITIONING**

Yes No Unknown

- 143 45. Type of Air Conditioning:
- 144  Central one zone  Central multiple zone  Wall/Window Unit  None
- 145 46. List any areas of the house that are not air conditioned: \_\_\_\_\_
- 146 \_\_\_\_\_
- 147    47. What is the age of Air Conditioning System? 2006
- 148 48. Type of heat:  Electric  Fuel Oil  Natural Gas  Propane  Unheated  Other
- 149 49. What is the type of heating system? (for example, forced air, hot water or base board, radiator, steam
- 150 heat) Radiant, hot water, radiator forced hot air
- 151 50. If it is a centralized heating system, is it one zone or multiple zones? \_\_\_\_\_
- 152 \_\_\_\_\_
- 153    51. Age of furnace 2006 Date of last service: OCT. 2021
- 154 52. List any areas of the house that are not heated:
- 155 Attic; room above garage (plumbed)
- 156    53. Are you aware of any tanks on the property, either above or underground, used to store fuel or other
- 157 substances?
- 158    54. If tank is not in use, do you have a closure certificate?
- 159    55. Are you aware of any problems with any items in this section? If "yes," explain: \_\_\_\_\_
- 160 \_\_\_\_\_
- 161 \_\_\_\_\_

**WOODBURNING STOVE OR FIREPLACE**

Yes No Unknown

- 163 36. Do you have  wood burning stove?  fireplace?  insert?  other
- 164    36a. Is it presently usable?
- 165    37. If you have a fireplace, when was the fluc last cleaned? \_\_\_\_\_
- 166    37a. Was the fluc cleaned by a professional or non-professional? \_\_\_\_\_
- 167    38. Have you obtained any required permits for any such item?
- 168    39. Are you aware of any problems with any of these items? If "yes," please explain: \_\_\_\_\_
- 169    \_\_\_\_\_
- 170 **Wood burning fireplace in the living room is decorative. Fireplace and all associated components will convey in AS-IS condition**

**171 ELECTRICAL SYSTEM**

172 Yes No Unknown

- 173 60. What type of wiring is in this structure?  Copper  Aluminum  Other  Unknown
- 174 61. What amp service does the property have?  60  100  150  200  Other  Unknown **300**
- 175 62. Does it have 240 volt service? Which are present  Circuit Breakers,  Fuses or  Both?
- 176 63. Are you aware of any additions to the original service?
- 177 If "yes," were the additions done by a licensed electrician? Name and address:
- 178 YES, Wilder Electrical Contracting
- 179 Livingston, NJ
- 180 64. If "yes," were proper building permits and approvals obtained?
- 181 65. Are you aware of any wall switches, light fixtures or electrical outlets in need of repair?
- 182 66. Explain any "yes" answers you give in this section:
- 183 #63. All new service with 2006 RENOVATIONS

**186 LAND (SOILS, DRAINAGE AND BOUNDARIES)**

187 Yes No Unknown

- 188 67. Are you aware of any fill or expansive soil on the property?
- 189 68. Are you aware of any past or present mining operations in the area in which the property is located?
- 190 69. Is the property located in a flood hazard zone?
- 191 70. Are you aware of any drainage or flood problems affecting the property?
- 192 71. Are there any areas on the property which are designated as protected wetlands?
- 193 72. Are you aware of any encroachments, utility easements, boundary line disputes, or drainage or other easements affecting the property? UTILITY EASEMENT PER SURVEY
- 194 73. Are there any water retention basins on the property or the adjacent properties?
- 195 74. Are you aware if any part of the property is being claimed by the State of New Jersey as land presently or formerly covered by tidal water (Riparian claim or lease grant)? Explain:
- 196
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- 200 75. Are you aware of any shared or common areas (for example, driveways, bridges, docks, walls, bulkheads, etc.) or maintenance agreements regarding the property?
- 201 76. Explain any "yes" answers to the preceding questions in this section:
- 202
- 203
- 204
- 205 77. Do you have a survey of the property?

**207 ENVIRONMENTAL HAZARDS**

208 Yes No Unknown

- 209 78. Have you received any written notification from any public agency or private concern informing you that the property is adversely affected, or may be adversely affected, by a condition that exists on a property in the vicinity of this property? If "yes," attach a copy of any such notice currently in your possession.
- 210
- 211 78a. Are you aware of any condition that exists on any property in the vicinity which adversely affects, or has been identified as possibly adversely affecting, the quality or safety of the air, soil, water, and/or physical structures present on this property? If "yes," explain:
- 212
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- 217 79. Are you aware of any underground storage tanks (UST) or toxic substances now or previously present on this property or adjacent property (structure or soil), such as polychlorinated biphenyl (PCB), solvents, hydraulic fluid, petro-chemicals, hazardous wastes, pesticides, chromium, thorium, lead or other hazardous substances in the soil? If "yes," explain
- 218 Prior owners removed oil tank in 2004. See
- 219 No Further Action Letter & Cert of Approval.
- 220
- 221 80. Are you aware if any underground storage tank has been tested?
- 222 (Attach a copy of each test report or closure certificate if available).
- 223 81. Are you aware if the property has been tested for the presence of any other toxic substances, such as lead-based paint, urea-formaldehyde foam insulation, asbestos-containing materials, or others?
- 224 (Attach copy of each test report if available).
- 225 82. If "yes" to any of the above, explain:
- 226 Prior owners performed asbestos abatement in
- 227 2000. See Cert. of Completion
- 228
- 229
- 230

- 231   82a. If "yes" to any of the above, were any actions taken to correct the problem? Explain:  
 232 See # 82 AND # 79 Above.
- 233
- 234    83. Is the property in a designated Airport Safety Zone?
- 235

**DEED RESTRICTIONS, SPECIAL DESIGNATIONS, HOMEOWNERS ASSOCIATION/CONDOMINIUMS AND CO-OPS**

- 238 Yes No Unknown
- 239    84. Are you aware if the property is subject to any deed restrictions or other limitations on how it may be used due to its being situated within a designated historic district, or a protected area like the New Jersey Pinelands, or its being subject to similar legal authorities other than typical local zoning ordinances?
- 240
- 241    85. Is the property part of a condominium or other common interest ownership plan?
- 242
- 243   85a. If so, is the property subject to any covenants, conditions, or restrictions as a result of its being part of a condominium or other form of common interest ownership?
- 244
- 245    86. As the owner of the property, are you required to belong to a condominium association or homeowners association, or other similar organization or property owners?
- 246
- 247   86a. If so, what is the Association's name and telephone number?
- 248
- 249
- 250    86b. If so, are there any dues or assessments involved?
- 251 If "yes," how much? \_\_\_\_\_
- 252   87. Are you aware of any defect, damage, or problem with any common elements or common areas that materially affects the property?
- 253
- 254   88. Are you aware of any condition or claim which may result in an increase in assessments or fees?
- 255    89. Since you purchased the property, have there been any changes to the rules or by-laws of the Association that impact the property?
- 256
- 257 90. Explain any "yes" answers you give in this section:  
 258 \_\_\_\_\_  
 259 \_\_\_\_\_

**MISCELLANEOUS**

- 262 Yes No Unknown
- 263    91. Are you aware of any existing or threatened legal action affecting the property or any condominium or homeowners association to which you, as an owner, belong?
- 264
- 265    92. Are you aware of any violations of Federal, State or local laws or regulations relating to this property?
- 266    93. Are you aware of any zoning violations, encroachments on adjacent properties, non-conforming uses, or set-back violations relating to this property? If so, please state whether the condition is pre-existing non-conformance to present day zoning or a violation to zoning and/or land use laws.  
 267 \_\_\_\_\_  
 268 \_\_\_\_\_
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- 271    94. Are you aware of any public improvement, condominium or homeowner association assessments against the property that remain unpaid? Are you aware of any violations of zoning, housing, building, safety or fire ordinances that remain uncorrected?
- 272
- 273    95. Are there mortgages, encumbrances or liens on this property?
- 274
- 275    95a. Are you aware of any reason, including a defect in title, that would prevent you from conveying clear title?
- 276
- 277    96. Are you aware of any material defects to the property, dwelling, or fixtures which are not disclosed elsewhere on this form? (A defect is "material," if a reasonable person would attach importance to its existence or non-existence in deciding whether or how to proceed in the transaction.)  
 278 If "yes," explain: \_\_\_\_\_  
 279 \_\_\_\_\_
- 280
- 281    97. Other than water and sewer charges, utility and cable tv fees, your local property taxes, any special assessments and any association dues or membership fees, are there any other fees that you pay on an ongoing basis with respect to this property, such as garbage collection fees?
- 282
- 283
- 284 98. Explain any other "yes" answers you give in this section:  
 285 \_\_\_\_\_  
 286 \_\_\_\_\_  
 287 \_\_\_\_\_
- 288
- 289
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291 **RADON GAS Instructions to Owners**

292 By law (N.J.S.A. 26:2D-73), a property owner who has had his or her property tested or treated for radon gas may require that information  
293 about such testing and treatment be kept confidential until the time that the owner and a buyer enter into a contract of sale, at which time  
294 a copy of the test results and evidence of any subsequent mitigation or treatment shall be provided to the buyer. The law also provides that  
295 owners may waive, in writing, this right of confidentiality. As the owner(s) of this property, do you wish to waive this right?

296 Yes No  
297   AA \_\_\_\_\_  
298 (Initials) (Initials)  
299

300 If you responded "yes," answer the following questions. If you responded "no," proceed to the next section.

301 Yes No Unknown  
302    99. Are you aware if the property has been tested for radon gas? (Attach a copy of each test report if  
303 available.)  
304   100. Are you aware if the property has been treated in an effort to mitigate the presence of radon gas?  
305 (If "yes," attach a copy of any evidence of such mitigation or treatment.)  
306   101. Is radon remediation equipment now present in the property?  
307   101a. If "yes," is such equipment in good working order?  
308

311 **MAJOR APPLIANCES AND OTHER ITEMS**

312 The terms of any final contract executed by the seller shall be controlling as to what appliances or other items, if any, shall be included  
313 in the sale of the property. Which of the following items are present in the property? (For items that are not present, indicate "not  
314 applicable.")

315 Yes No Unknown N/A  
316     102. Electric Garage Door Opener  
317     102a. If "yes," are they reversible? Number of Transmitters 2 plus keypad  
318     103. Smoke Detectors  
319      Battery  Electric  Both How many 5  
320  Carbon Monoxide Detectors How many 5  
321 Location Throughout House  
322     104. With regard to the above items, are you aware that any item is not in working order?  
323     104a. If "yes," identify each item that is not in working order or defective and explain the nature  
324 of the problem: \_\_\_\_\_  
325  
326  
327  
328      105.  In-ground pool  Above-ground pool  Pool Heater  Spa/Hot Tub  
329      105a. Were proper permits and approvals obtained?  
330      105b. Are you aware of any leaks or other defects with the filter or the walls or other structural or  
331 mechanical components of the pool or spa/hot tub?  
332      105c. If an in-ground pool, are you aware of any water seeping behind the walls of the pool?  
333 106. Indicate which of the following may be included in the sale? (Indicate Y for yes N for no.)  
334  Refrigerator  
335  Range  
336  Microwave Oven  
337  Dishwasher  
338  Trash Compactor  
339  Garbage Disposal  
340  In-Ground Sprinkler System  
341  Central Vacuum System  
342  Security System  
343  Washer  
344  Dryer  
345  Intercom  
346  Other  
347    107. Of those that may be included, is each in working order?  
348 If "no," identify each item not in working order, explain the nature of the problem:  
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**SOLAR PANEL SYSTEMS**

By completing this section, Seller is acknowledging that the Property is serviced by a Solar Panel System, which means a system of solar panels designed to absorb the sunlight as a source of energy for generating electricity or heating, any and all inverters, net meter, wiring, roof supports and any other equipment pertaining to the Solar Panels (collectively, the "Solar Panel System"). This information may be used, among other purposes, to prepare a Solar Panel Addendum to be affixed to and made a part of a contract of sale for the Property.

Yes No Unknown

- 108. When was the Solar Panel System Installed? \_\_\_\_\_
- 109. Are SRECs available from the Solar Panel System?
- 109a. If SRECs are available, when will the SRECs expire? \_\_\_\_\_
- 110. Is there any storage capacity on your Property for the Solar Panel System?
- 111. Are you aware of any defects in or damage to any component of the Solar Panel System? If yes, explain: \_\_\_\_\_

**112. Choose one of the following three options:**

- 112a. The Solar Panel System is financed under a power purchase agreement or other type of financing arrangement which requires me/us to make periodic payments to a Solar Panel System provider in order to acquire ownership of the Solar Panel System ("PPA")? If yes, proceed to **Section A** below.
- 112b. The Solar Panel System is the subject of a lease agreement. If yes, proceed to **Section B** below.
- 112c. I/we own the Solar Panel System outright. If yes, you do not have to answer any further questions.

**SECTION A - THE SOLAR PANEL SYSTEM IS SUBJECT TO A PPA**

- 113. What is the current periodic payment amount? \$ \_\_\_\_\_
- 114. What is the frequency of the periodic payments (check one)?  Monthly  Quarterly
- 115. What is the expiration date of the PPA, which is when you will become the owner of the Solar Panel System? \_\_\_\_\_ ("PPA Expiration Date")
- 116. Is there a balloon payment that will become due on or before the PPA Expiration Date?
- 117. If there is a balloon payment, what is the amount? \$ \_\_\_\_\_

**118. Choose one of the following three options:**

- 118a. Buyer will assume my/our obligations under the PPA at Closing.
- 118b. I/we will pay off or otherwise obtain cancellation of the PPA as of the Closing so that the Solar Panel System can be included in the sale free and clear.
- 118c. I/we will remove the Solar Panel System from the Property and pay off or otherwise obtain cancellation of the PPA as of the Closing.

**SECTION B - THE SOLAR PANEL SYSTEM IS SUBJECT TO A LEASE**

- 119. What is the current periodic lease payment amount? \$ \_\_\_\_\_
- 120. What is the frequency of the periodic lease payments (check one)?  Monthly  Quarterly
- 121. What is the expiration date of the lease? \_\_\_\_\_

**122. Choose one of the following two options:**

- 122a. Buyer will assume our obligations under the lease at Closing.
- 122b. I/we will obtain an early termination of the lease and will remove the Solar Panel System prior to Closing.

**ACKNOWLEDGMENT OF SELLER**

The undersigned Seller affirms that the information set forth in this Disclosure Statement is accurate and complete to the best of Seller's knowledge, but is not a warranty as to the condition of the Property. Seller hereby authorizes the real estate brokerage firm representing or assisting the seller to provide this Disclosure Statement to all prospective buyers of the Property, and to other real estate agents. Seller alone is the source of all information contained in this statement. If the Seller relied upon any credible representations of another, the Seller should state the name(s) of the person(s) who made the representation(s) and describe the information that was relied upon.

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*Stephen Kautsky*

1/6/2022

SELLER

DATE

SELLER

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SELLER

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**EXECUTOR, ADMINISTRATOR, TRUSTEE**

(If applicable) The undersigned has never occupied the property and lacks the personal knowledge necessary to complete this Disclosure Statement.

DATE

DATE

**RECEIPT AND ACKNOWLEDGMENT BY PROSPECTIVE BUYER**

The undersigned Prospective Buyer acknowledges receipt of this Disclosure Statement prior to signing a Contract of Sale pertaining to this Property. Prospective Buyer acknowledges that this Disclosure Statement is not a warranty by Seller and that it is Prospective Buyer's responsibility to satisfy himself or herself as to the condition of the Property. Prospective Buyer acknowledges that the Property may be inspected by qualified professionals, at Prospective Buyer's expense, to determine the actual condition of the Property. Prospective Buyer further acknowledges that this form is intended to provide information relating to the condition of the land, structures, major systems and amenities, if any, included in the sale. This form does not address local conditions which may affect a purchaser's use and enjoyment of the property such as noise, odors, traffic volume, etc. Prospective Buyer acknowledges that they may independently investigate such local conditions before entering into a binding contract to purchase the property. Prospective Buyer acknowledges that he or she understands that the visual inspection performed by the Seller's real estate broker/broker-salesperson/salesperson does not constitute a professional home inspection as performed by a licensed home inspector.

PROSPECTIVE BUYER

DATE

PROSPECTIVE BUYER

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PROSPECTIVE BUYER

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**ACKNOWLEDGMENT OF REAL ESTATE BROKER/BROKER-SALESPERSON/SALESPERSON**

The undersigned Seller's real estate broker/broker-salesperson/salesperson acknowledges receipt of the Property Disclosure Statement form and that the information contained in the form was provided by the Seller.

The Seller's real estate broker/broker-salesperson/salesperson also confirms that he or she visually inspected the property with reasonable diligence to ascertain the accuracy of the information disclosed by the seller, prior to providing a copy of the property disclosure statement to the buyer.

The Prospective Buyer's real estate broker/broker-salesperson/salesperson also acknowledges receipt of the Property Disclosure Statement form for the purpose of providing it to the Prospective Buyer.

DocuSigned by:  
*Sue Adler*

**1/6/2022**

SELLER'S REAL ESTATE BROKER/  
BROKER-SALESPERSON/SALESPERSON:

DATE

PROSPECTIVE BUYER'S REAL ESTATE BROKER/  
BROKER-SALESPERSON/SALESPERSON:

DATE

**ADDITIONAL DISCLOSURE re: 17 Oaklawn Road Short Hills, NJ 07078**

The following items are to be INCLUDED in the sale:

- |   |                                 |
|---|---------------------------------|
| 1). Under the counter beverage fridge in the basement.  | 9). Gym TV AND wall mount.      |
| 2). Outdoor beverage fridge.  | 10). Family Room TV wall mount. |
| 3). Universal gym and gym rubber flooring.  | 11). Sun Room TV wall mount.    |
| 4). BOSE receiver, remotes, speakers, manuals and related equipment.                          | 12). Basement TV wall mount.    |
| 5). Ring doorbell cameras (2) and outdoor flood light cameras (4).                            | 13). Master TV wall mount.      |
| 6). All window treatments.  |                                 |
| 7). Custom cushions for bench seats in the basement, master bedroom and master dressing room. |                                 |
| 8). Trash bins (2) and recycling bins (2).  |                                 |

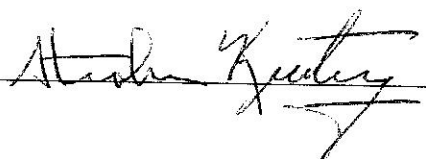
The following items are to be EXCLUDED from the sale:

- 1). All wall mounted TV's (mounts to remain, except for gym TV which will be included with wall mount).
- 2). Garage fridge/freezer.
- 3). Garage wine fridge.
- 4). Smart water monitor.

The following items are to convey in strictly AS-IS condition:

- 1). Living room fireplace and all associated components.
- 2). Original leaded glass steel windows.
- 3). Master bathroom steam shower.
- 4). BOSE receiver, remotes, speakers, manuals and related equipment.

Acknowledged by:

Seller:  Buyer: 01/06/2022

Seller: \_\_\_\_\_ Buyer: \_\_\_\_\_



State of New Jersey

Department of Environmental Protection
Division of Remediation Management & Response
Northern Bureau of Field Operations
2 Babcock Place
West Orange, New Jersey 07052

James E. McGreevey
Governor

Bradley M. Campbell
Commissioner

Elizabeth Gibbons
17 Oaklawn Road
Short Hills, New Jersey 07078 1651

April 20, 2004

Re: Area of Concern - 2000 Gallon Under Ground Storage Tank
Unrestricted Use No Further Action Letter and Covenant Not to Sue
17 Oaklawn Road Site
Millburn, Essex County
Master File# 00170799 Blocks: 2403 Lot: 3
DRMR Case # 04-03-17-1210-18 MOA dated: March 30, 2004

Dear Ms. Gibbons:

Pursuant to N.J.S.A. 58:10B-13.1 and N.J.A.C. 7:26C, the New Jersey Department of Environmental Protection (Department) makes a determination that no further action is necessary for the remediation of the area of concern specifically referenced above, except as noted below, so long as Elizabeth Gibbons did not withhold any information from the Department. This action is based upon information in the Department's case file and the final certified report dated April 13, 2004. In issuing this No Further Action Determination and Covenant Not to Sue, the Department has relied upon the certified representations and information provided to the Department.

By issuance of this No Further Action Determination, the Department acknowledges the completion of a Remedial Action pursuant to the Technical Requirements for Site Remediation (N.J.A.C. 7:26E) for the above referenced area of concern and no other areas. Groundwater was not encountered during this remedial activity. The Department reserves its rights to require any person, other than Elizabeth Gibbons, responsible for the contamination at the site to address Natural Resource Injuries.

As a condition of this No Further Action Determination pursuant to N.J.S.A. 58:10B-12c, Elizabeth Gibbons and any other person who was liable for the cleanup and removal costs, and remains liable pursuant to the Spill Act, shall inform the Department in writing within 14 calendar days whenever its name or address changes. Any notices submitted pursuant to this paragraph shall reference the above case numbers and shall be sent to: Director, Division of Remediation Management and Response, P.O. Box 28, Trenton, N.J. 08625.

COVENANT NOT TO SUE

The Department issues this Covenant Not to Sue (Covenant) pursuant to N.J.S.A. 58:10B-13.1. That statute requires a Covenant not to sue with each no further action letter. However, in accordance with N.J.S.A. 58:10B-13.1, nothing in this Covenant shall benefit any person who is liable, pursuant to the Spill Compensation and Control Act (Spill Act), N.J.S.A. 58:10-23.11, for cleanup and removal costs and the Department makes no representation by the issuance of this Covenant, either express or implied, as to the Spill Act liability of any person.

The Department covenants, except as provided in the preceding paragraph, that it will not bring any civil action against:

- (a) the person who undertook the remediation;
(b) subsequent owners of the subject property;
(c) subsequent lessees of the subject property; and
(d) subsequent operators at the subject property;

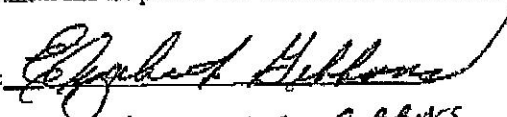
for the purposes of requiring remediation to address contamination which existed prior to the date of the final certified report (Remedial Action Report dated April 13, 2004) for the real property at the area of concern identified above, payment of

compensation for damages to, or loss of, natural resources, or payment of cleanup and removal costs for such additional remediation.

Pursuant to N.J.S.A. 58:10B-13.1d, this Covenant does not relieve any person from the obligation to comply in the future with laws and regulations. The Department reserves its right to take all appropriate enforcement for any failure to do so.

The Department may revoke this Covenant at any time after providing notice upon its determination that any person with the legal obligation to comply with any condition in this No Further Action Determination has failed to do so;

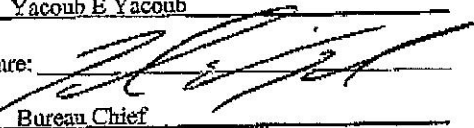
This Covenant, which the Department has executed in duplicate, shall take effect immediately once the person who undertook the remediation has signed and dated the Covenant in the lines supplied below and the Department has received one copy of this document bearing original signatures of the Department and the person who undertook the remediation.

By:   
Signature: ELIZABETH GIBBONS

Title: \_\_\_\_\_

Dated: 4/24/04

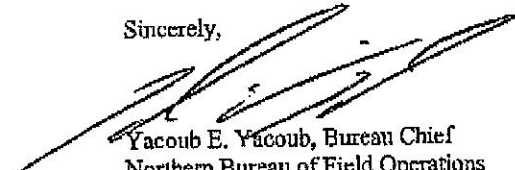
NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION

By: Yacoub E. Yacoub  
Signature:   
Title: Bureau Chief  
Dated: 04-21-04

Please be advised that in accordance with the "Department Oversight of the Remediation of Contaminated Sites" (N.J.A.C. 7:26C), you are required to reimburse the Department for oversight of the remediation. The Department will be issuing a bill within the next four months.

Thank you for your attention to these matters. If you have any questions, please contact Gary Greulich at (973)669-3973.

Sincerely,

  
Yacoub E. Yacoub, Bureau Chief  
Northern Bureau of Field Operations

c: Local Health Department  
Pro Tank Services  
File 07-12-207

TOWNSHIP OF MILLBURN  
375 MILLBURN AVENUE  
MILLBURN NJ 07041  
973-564-7055

**CERTIFICATE  
IDENTIFICATION**

Date Issued: 05/10/2004  
Control #: 29773  
Permit #: 20040258

Home Warranty No. \_\_\_\_\_  
Type of Warranty Plan:  State |  Private  
Use Group: U  
Maximum Live Load: \_\_\_\_\_  
Construction Classification: \_\_\_\_\_  
Maximum Occupancy Load: \_\_\_\_\_  
Certificate Exp Date: \_\_\_\_\_  
Description of Work/Use: work remove

Block: 2403 Lot: 3 Qual: \_\_\_\_\_  
Work Site: 17 OAKLAWN ROAD  
SHORT HILLS  
Owner in Fee: GIBBONS, E.  
Address: 17 OAKLAWN ROAD  
SHORT HILLS NJ 07078  
Telephone: \_\_\_\_\_  
Agent/Contractor: PRO TANK  
Address: 1 RAHWAY RIVER PKWY.  
UNION NJ 07083  
Telephone: 908 851-0657  
Lic. No./ Bldrs. Reg. No.: \_\_\_\_\_ Federal Emp. No.: \_\_\_\_\_  
Social Security No.: \_\_\_\_\_

**CERTIFICATE OF OCCUPANCY**

This serves notice that said building or structure has been constructed in accordance with the New Jersey Uniform construction Code and is approved for occupancy.

**CERTIFICATE OF APPROVAL**

This serves notice that the work completed has been constructed or installed in accordance with the New Jersey Uniform Construction Code and is approved if the permit was issued for minor work, this certificate was based upon what was visible at the time of inspection.

**TEMPORARY CERTIFICATE OF OCCUPANCY/COMPLIANCE**

If this is a temporary Certificate of Occupancy or Compliance the following conditions must be met no later than, or the owner will be subject to fine or order to vacate.

**CERTIFICATE OF CLEARANCE-LEAD ABATEMENT S:17**

This serves notice that based on written certification, lead abatement was performed as per NJAC 5:17 to the following extent:

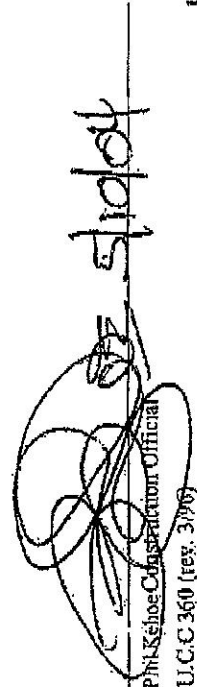
- Total removal of lead-based paint hazards in scope of work
- Partial or limited time period(\_\_\_\_ years); see file

**CERTIFICATE OF CONTINUED OCCUPANCY**

This serves notice that based on a general inspection of the visible parts of the building there are no imminent hazards and the building is approved for continued occupancy.

**CERTIFICATE OF COMPLIANCE**

This serves notice that said potentially hazardous equipment has been installed and/or maintained in accordance with the New Jersey Uniform Construction Code and is approved for use until

  
Phil Scheue Construction Official  
U.C.C 360 (rev. 3/96)

Fees \$0.00  
Paid/ X Check No 4054  
Collected by br

## Certificate of Completion

Re: 17 Oaklawn Road, Short Hills, NJ 07078

On August 2, 2000, our company performed an asbestos abatement project at the above referenced site location. The project consisted of the following:  
**Removal of Asbestos Containing Materials.**

The asbestos was isolated from adjacent areas within critical barriers of 6-mil polyethylene sheeting secured with duct tape. The insulation was removed by under wet conditions and HEPA negative air filtration. All material was placed in double, labeled 6-mil polyethylene bags, transported to and disposed of at an approved asbestos landfill. Once the substrate had been thoroughly cleaned, it was painted with a binding encapsulant in order to lock down any invisible fibers that might remain. A final air sample was collected and submitted to an accredited analytical laboratory to confirm and document air quality levels of <0.010 fibers/cc. Copies of the final air sample report and waste disposal manifest shall be provided to you.

The State licensed asbestos workers performed the work. This project conformed to all OSHA & EPA rules & regulations pertaining to the removal of asbestos containing material. If you have any questions please feel free to call our office.

Respectfully submitted,



Chris Brkusnin, Vice-President