New Mexico Apartment Advisors Inc
612 Keleher NW
Albuquerque NM 87102
Fax: 800.791.4047

REALTOR

EQUAL HOUSING OPPORTUNITY

REALTORS® ASSOCIATION OF NEW MEXICO
LEAD-BASED PAINT ADDENDUM TO PURCHASE AGREEMENT

All parts of this form must be completed in the proper order, including check-boxes, and everyone must sign it before Seller can legally accept an offer from Buyer. It would be a violation of Federal law for Seller to accept an offer from Buyer before Seller and Buyer have complied with each and every provision of the law.

This Disclosure and Acknowledgment will be attached as Addendum No. 1 to the Purchase Agreement between Seller and Buyer, dated ,
Relating to the following Property:
414 Pine SE Albuquerque
Address City
*007 061 Terrace Addition
Legal Description
or see metes and bounds description attached as Exhibit . County, New Mexico.

1. LEAD WARNING STATEMENT

Every Buyer 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.

2. SELLER'S DISCLOSURE

(a) Presence of lead-based paint and/or lead-based paint hazards:

(i) Known lead-based paint and/or lead-based paint hazards are present in the housing (explain):
NONE SINCE WE TOOK OWNERSHIP

☑ (ii) Seller has no knowledge of lead-based paint and/or lead-based paint hazards.

(b) Records and reports available to the Seller:

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

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

REALTORS® Association of New Mexico (RANM) makes no warranty of the legal effectiveness or validity of this form and disclaims any liability for damages resulting from its use. By use of this form the parties agree to the limitations set forth in this paragraph. The parties hereby release RANM, the real estate brokers, their agents and employees from any liability arising out of the use of this form. You should consult your attorney with regards to the effectiveness, validity, or consequences of any use of this form. The use of this form is not intended to identify the user as a REALTOR®. REALTOR® is a registered collective membership mark which may be used only by real estate licensees who are members of the National Association of REALTORS® and who subscribe to the Association's strict Code of Ethics.

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3. BUYER'S ACKNOWLEDGMENT

☐ (a) Buyer has received copies of all information listed above.

☐ (b) Buyer has received the pamphlet "Protect Your Family From Lead in Your Home."

4. BUYER'S RIGHTS

Buyer has:

☐ (a) received a ten 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

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

5. AGENT'S CERTIFICATION

The Seller's Broker and the Buyer's Broker (if paid by the Seller or Seller's Broker) are the "agents" who are required to comply with the Regulations and sign this form, regardless of their brokerage relationships.

A. Agent has informed Seller of Seller's obligations under Sec. 42 U.S.C.A. 4852d to:

(1) provide Buyer with the federally approved pamphlet, "Protect Your Family from Lead in Your Home;"
(2) complete this Lead-Based Paint Addendum before giving it to Buyer;
(3) disclose any known lead-based paint or lead-based paint hazards in the Property;
(4) deliver to Buyer a list of and copies of all records and reports pertaining to lead-based paint and/or lead based paint hazards in the Property;
(5) provide Buyer with a ten-day (10) period (or other period mutually agreed in writing by Buyer and Seller) to have the Property inspected;
(6) retain a completed copy of this Addendum for at least three (3) years following the closing of the sale.

B. Agent is aware of Agent's duty to ensure compliance with the requirements of Sec. 42 U.S.C.A. 4852d.

Warning

Provisions of this form are required by Federal regulations and should not be revised.

Certification

Each of the following parties has reviewed the information above and certifies, to the best of his or her knowledge, that the information provided by that party is true and accurate.

SELLER

Alvino E Castillo — Seller — Date: 4-4-06 — Time: 11:50 a.m.

Celia Foy Castillo — Seller — Date: 4-4-06 — Time: 11:50 a.m.

Alvino E Castillo & Celia Foy & Celita Foy Castillo
Seller Names (Print)

P O Box 5758 — Seller Address
Santa Fe — City
NM — State
87502-5758 — Zip Code

(505) 660 - 4593 — Seller Home Phone
( ) - — Business Phone
( ) - — Fax
Alvinocastillo@hotmail.com — Email

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LEAD-BASED PAINT ADDENDUM TO PURCHASE AGREEMENT

BUYER

Buyer _____ Date _____ Time _____

Buyer _____ Date _____ Time _____

Buyer Names (Print) _____ Email Address _____

Buyer Address _____ City _____ State _____ Zip Code _____

( ) - Business Phone ( ) - Fax

SELLER'S BROKER

New Mexico Apartment Advisors Inc
Selling Firm

Annette West
By (Print)

Broker ☒ is ☐ is not a REALTOR®

612 Keleher NW
Address

Albuquerque
City

NM
State

87102
Zip Code

(505)644 - 1634
Business Phone

(505) 532 - 9631
Fax

awest@nmapt.com
Email Address

BUYER'S BROKER

Listing Firm

By (Print)

Broker ☐ is ☐ is not a REALTOR®

Address

City

State

Zip Code

( ) -
Business Phone

( ) -
Fax

Email Address

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Initials: Buyer ___ ___ Seller AFC AW

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Albuquerque NM 87102
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REALTOR

EQUAL HOUSING OPPORTUNITY

REALTORS® ASSOCIATION OF NEW MEXICO PROPERTY DISCLOSURE STATEMENT - RESIDENTIAL

INSTRUCTIONS AND ACKNOWLEDGMENT REGARDING THIS FORM

This Statement discloses Seller's current, actual knowledge of the condition of the Property as of the date signed by Seller, and is not a substitute for any inspections or warranties that Buyer may wish to obtain. This Statement is designed to assist Seller to provide information about the Property and to assist Buyer in evaluating the Property being considered. Conditions may exist which are unknown to Seller. Buyer is encouraged to address concerns about the Property whether or not included in this Statement. This Statement does not relieve Seller of the obligation to disclose a condition of the Property that may not be addressed on this form or a change in any condition after the date of this Statement, and is not a substitute for inspection by the buyer. Neither the broker, nor the board or association of REALTORS® nor the REALTORS® Association of New Mexico warrant or guarantee the information in this disclosure.

The following are definitions for the answers to the questions listed below:
Yes = Yes **No** = No, not to Seller's current, actual knowledge

Do not leave any questions blank. Attach additional pages if needed.

Initials: Buyer: _____ _____ Seller: CEC AZ

414 Pine SE — Address
Albuquerque — City
***007 061 Terrace Addition** — Legal Description

or see metes & bounds description attached as Exhibit _____, _____ County, New Mexico.

TITLE, ZONING, LEGAL INFORMATION

YES	NO	Is the Seller aware of:
☐	☑	1. Any title problems (for example, unrecorded or disputed easements, lot line disputes, liens, encroachments, access issues, third party claims)?
☑	☐	2. Are property taxes current?
☐	☑	3. Any existing or proposed bonds, assessments, liens, judgments, etc. against the property?
☐	☑	4. Any violations of applicable subdivision laws at the time the property was subdivided?
☐	☑	5. Any alleged violations of applicable laws, regulations, ordinances or zoning laws?
☐	☑	6. Any zoning variances/exceptions or non-conforming use of the property?
☐	☑	7. Any pending or planned development in the area (such as condominiums, planned unit developments, subdivisions, or property for commercial, education or religious use)?
☐	☑	8. Any restrictive covenants or other limitations on use?
☐	☑	9. Any violations thereof?
☐	☑	10. Any building code or environmental regulation violations?
☐	☑	11. Have all necessary permits, approvals, and inspections for all construction, repairs and improvements been obtained?
☐	☑	12. Any existing or threatened legal actions concerning the property or the homeowners association?
☐	☑	13. Is property subject to a well-sharing, road-sharing or other contract?
☐	☑	14. Does anyone have a right of refusal to buy, or option, or lease on the property?
☐	☑	15. Are there any other restrictions on resale?

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YES	NO	
☐	☑	16. Do you claim any exemptions to property taxes (i.e., veteran, head of household)? If yes, explain:

For additional information or further explanation (indicate item #)

BUILDINGS/STRUCTURAL INFORMATION

YES	NO	Is the Seller aware of:
		1. What year was the house built? **If a residence on the Property was constructed prior to 1978, federal law and regulations create specific disclosure and information requirements, which are set forth in RANM Form 5112, Lead-based Paint Disclosure Before Sale. Form 5112 must be attached to the Purchase Agreement. The Seller is not permitted to accept a Buyer's offer prior to making the required disclosures and providing the required information.**
☑	☐	2. ~~Was this home~~ Were the apartments entirely built on this site? If no, explain.
		3. Type of construction: frame stucco
		4. Is house built on ☐ slab ☐ crawlspace ☐ basement ☑ don't know
		5. Type of exterior finish: stucco
☐	☑	6. Existence of an exterior synthetic stucco system or exterior synthetic coating?
		7. Type of floor under carpets or linoleum:
☐	☑	8. Any doors or windows that are inoperable or which may interfere with ingress or egress?
☐	☑	9. Any problems with interior walls, ceilings, doors, windows, floors, or attached floor coverings?
☐	☑	10. Any significant cracks in foundations, exterior walls, interior walls, slab floors, ceilings, chimneys, fireplaces, decks or garage floors?
☐	☑	11. Has major damage occurred to the property or any structure on the property?
☐	☑	12. Has there ever been smoke damage or a fire on the property?
☐	☑	13. Any past or present problems with driveways, walkways, sidewalks or patios (such as large cracks, potholes or raised sections?)
☐	☑	14. Any structural wood members below soil level?
☐	☑	15. Any history of wood infestation, insects, pests or tree root problems? Specify date and type of last treatment:
☐	☑	16. Any water or moisture in ☐ crawlspace ☐ basement ☐ garage
☐	☑	17. Any past or present flowing or drainage problems on the property? ☐ On adjacent properties? ☐ Any standing water after rainfalls? ☐ Any active springs?
☐	☑	18. Any past or current moldy conditions or treatment for mold?
☐	☑	19. Any past or current water leaks or repairs of conditions involving water leaks, water infiltration, ponding under or around structure/crawlspace or other conditions which could be conducive to mold?
☐	☑	20. Has land been filled in on the property?
☐	☑	21. Any problems with retaining walls cracking or bulging?
☐	☑	22. Any earth movement, subsidence, or settlement problems?
☐	☑	23. Any additional structures? List below.
☐	☑	24. Is there a mine shaft on any portion of the property?

For additional information or further explanation (indicate item#)

PLUMBING

YES	NO	Is the Seller aware of:
		1. Type of water pipes (copper, lead, pvc, galvanized, polybutylene, etc.) don't know
☐	☑	2. Any water pressure problems?
☐	☑	3. Any plumbing system problems, leaks, freezing?
☐	☑	4. Any bathroom ventilation problems?

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PROPERTY DISCLOSURE STATEMENT - RESIDENTIAL

YES	NO	
		5. Approximate age of water heater: _____ Capacity: _____ Fuel Source: _____
☐	☑	6. Any domestic hot water problems?
☐	☑	7. **Does the Property include an on-site liquid waste system?**

If the answer is "Yes", the transfer of the Property is subject to Regulations of the New Mexico Environment Department governing on-site liquid waste systems, which require inspection and possible repair. Contact the New Mexico Environment Department for information regarding appropriate inspection forms and requirements.

Type of sewage system (sewer, septic, cesspool, holding tank, etc.) _____
☑ Public ☐ Private ☐ Shared or Community

☐ ☐ N/A Planned and approved sewer system?
Fees: _____ per _____
a. If private or shared, name of service company: _____
b. If private or shared, date last pumped: _____ Size of tank: _____
Location of tank: _____ Date installed: _____
System Type: _____ Leach field? _____
Location: _____
Installation Permit: _____ Operating Permit _____

8. Source of water supply (See RANM Form 2308) ☑ Public ☐ Private ☐ Shared or Community Well

☐	☐ N/A	Written agreement available?
☐	☐ N/A	Planned and approved water system? _____
		Fees: $ _____ per _____
☑	☐	a. Is water metered?
☐	☑	b. Any restrictions, regulations or disputes concerning water use?
☐	☐ N/A	c. Well registered with State Engineer's Office?
		d. Well depth: _____ Gallons per minute: _____
☐	☑	e. Any problems in system or equipment?
☐	☑	f. Any problems in water quality?

For additional information or further explanation (indicate item #) _____

ROOFS, GUTTERS AND DOWNSPOUTS

YES	NO	**Is the Seller aware of:**
		1. Type of roof: DON'T KNOW
		2. Age of roof: DON'T KNOW
☐	☑	3. Is there present damage to the roof?
☐	☑	4. Has the roof ever been repaired? Date:
		Nature of repairs: REGULAR ANNUAL UPKEEP
		Repaired by: PROPERTY MANAGER
☐	☐ N/A	5. Are there written transferable warranties on ☐ materials ☐ workmanship/labor
		6. Expiration dates of warranties:
☐	☑	7. Any problems with gutters or downspouts?

For additional information or further explanation (indicate item #) _____

ELECTRICAL

YES	NO	**Is the Seller aware of:**
☐	☐	1. Is the electrical wiring ☐ copper ☐ aluminum ? DON'T KNOW
☐	☑	2. Is the house wired for 220 volt?
☐	☑	3. Any damaged or malfunctioning receptacles?
☐	☑	4. Are any extension cords used to create new electrical outlets?
☐	☑	5. Any defective or malfunctioning electrical equipment inside or outside the house?

For additional information or further explanation (indicate item #) _____

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HEATING AND COOLING

YES	NO	Is the Seller aware of:
		1 Heating type: forced air Approximate age: _____
		Heating type: _____ Approximate age: _____
		Heating type: _____ Approximate age: _____
		2. Cooling type: air conditioning Approximate age: _____
		Cooling type: _____ Approximate age: _____
		Cooling type: _____ Approximate age: _____
☐	☑	3. Identify unheated and/or uncooled rooms: _____
		4. Propane tank? Above ground ☐ Underground ☐
		Owned ☐ leased ☐ From: _____
		Tank Rental Fees: $ _____ per _____
☐	☑	5 Problems in heating/cooling systems?
☑	☐	6. Is the furnace room/closet adequately vented?
☑	☐	7 Are fuel-consuming heating devices adequately vented to the outside?
☑	☐	8. Do fireplaces/woodstoves have operable dampers?
☐	☐	Any problems?
☐	☑	9. Any problems with condition or functioning of duct work (such as mildew, restricted air flow, physical deterioration, odor, etc.)?

For additional information or further explanation (indicate item #) _____

POOL, SAUNA OR HOT TUB N/A

YES	NO	Is the Seller aware of:
		1. Pool ☐ Sauna ☐ Built-in hot tub ☐ Approximate age: _____
☐	☐	2. Pool sweep?
☐	☐	3. Problems with pool, sauna or hot tub? Explain _____

For additional information or further explanation (indicate item #) _____

MISCELLANEOUS — PROPERTY MANAGER PROVIDED THIS DATA.

YES	NO	Is the Seller aware of:
☐	☑	1. Lawn sprinklers ☐ Drip irrigation ☐ Automatic timer ☐
☐	☐ N/A	Any problems? _____
☐	☑	2. Electric garage door opener? Number of controls: _____
☐	☐ N/A	Any problems? _____
☐	☑	3. Security system? Type: _____ Owned ☐ Leased ☐
		From: _____ Transferable? _____
☐	☐	4. Smoke detectors? How many? _____ 110V ☐ Battery ☐
☐	☑	5. Sump pump?
☐	☐ N/A	6. Any problems with sump pump? _____
☐	☑	7. Water softener? Owned ☐ leased ☐ From: _____
☐	☐ N/A	Any problems? Transferable? _____
☐	☑	8. Reverse osmosis unit? Owned ☐ leased ☐ From: _____
☐	☐ N/A	Any problems? Transferable? _____
☐	☐	9. Kitchen range hook-up: Electric ☐ Gas ☐
☐	☐	10. Oven hook-up: Electric ☐ Gas ☐
☐	☐	11. Clothes dryer hook-up: Electric ☐ Gas ☐
☐	☐	12. Is clothes dryer vented outside?
☐	☐	13. Refrigerator water line?

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YES	NO		
☐	☑	14.	Any problems with built-in appliances?
☐	☑	15.	Telephone lines?
☐	☑	16.	Cable TV hook-up?
☐	☑	17.	Have any pets resided in the home?
☐	☑	18.	Any pet odors?
☐	☑	19.	Any problems obtaining utility service?
☐	☑	20.	Any insurance claims made in the last 5 years?
☐	☑	21.	Any insurance application or prior coverage regarding all or any part of the property has been rejected or will not be renewed?
☐	☑	22.	Has notice been received that any existing insurance coverage will be subjected to increased premium rates?
☐	☑	23.	Any sex offenders living within a one-half mile radius of the property?

For additional information or further explanation (indicate item #)_____

HOMEOWNERS' AND CONDOMINIUM OWNERS' ASSOCIATIONS N/A

1. Please check the existence of the following documents:
   - ☐ Covenants, Conditions and Restrictions or Declaration of Condominium
   - ☐ Regulations currently in force
   - ☐ Current financial statement of Association
   - ☐ Articles of Incorporation of Association
   - ☐ Association Bylaws
   - ☐ Minutes of Board Meetings

The following questions can be used for various types of Homeowner Associations. If the Property is a residential resale condominium that is subject to the Condominium Act, the Seller should obtain from the Homeowners' Association a resale certificate for the Buyer that includes all the disclosures that are required by law (including some items not listed here).

Is the Seller aware of:

YES	NO		
☐	☐	2.	Does the homeowners association have a first right of refusal?
☐	☐	3.	Association Fees? $_____ per _____ What is included in the Association Fees? _____
☐	☐	4.	Any contemplated future dues increases or special assessments? If so, give details below:
☐	☐	5.	Are all dues and assessments current?
☐	☐	6.	Security: Intercom☐ Closed circuit TV☐ Guards☐ Electric gate☐ Other: _____
☐	☐	7.	Does each unit have its own designated parking space? How many? _____
☐	☐	8.	Property Management Company and Address: _____

For additional information or further explanation (indicate item #)_____

ENVIRONMENTAL

YES	NO	Is the Seller aware of:	
☐	☑	1.	Any noticeable continuous or periodic odors (such as from waste, agriculture, industry, etc.)?
☐	☑	2.	Any excessive noises (such as airplanes, trains, trucks, freeways, etc.)?
☐	☑	3.	Any hazards or hazardous materials on or in close proximity to the property (such as asbestos, dumps, pesticides, chemical labs, underground fuel storage tanks or leaks)?
☐	☑	4.	Have there been any radon tests performed on the land? Results? _____
☐	☑	5.	Is any part of the property located in a designated special flood hazard area?

For additional information or further explanation (indicate item #)_____

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PROPERTY DISCLOSURE STATEMENT - RESIDENTIAL

RENTAL INFORMATION

Is the Seller aware of:

YES	NO	
☑	☐	1. Is the property rented or occupied by a tenant? If yes, attach copy of Lease or Rental Agreement. Rented [illegible]
☐ ?	☐	2. Does the tenant have the right to extend the rental agreement?
☐	☐	3. Are security deposits or prepaid rents being held? By whom and how much? _____

For additional information or further explanation (indicate item) _____

IRRIGATION RIGHTS

Is the Seller aware of:

YES	NO	
☐	☑	1. Is the Property irrigated from a ditch or acequia? (See RANM Form 2308) Ditch Name: _____ Mayordomo: _____ Association Name: _____
☐	☐ N/A	Fees? $ _____
☐	☐ N/A	2. Are Association or Ditch Fees Current?
☐	☐ N/A	3. Are water rights registered with the State Engineer?

For additional information or further explanation (indicate item #) _____

OTHER

Does the Seller know of any other information pertaining to the condition of the Property not addressed in the questions listed above? If so, please explain:

_____

THIS IS NOT A CONTRACT.

The above disclosures are made to the best of the Seller's knowledge. The person who signed as or on behalf of Seller lacks actual knowledge of the Property for the following reason:

☐ Personal Representative ☐ Administrator of Estate ☐ Trustee ☐ Receiver ☐ Does not occupy the Property
☐ Other _____

Seller's liability is limited to any statements made by Seller on this disclosure that Seller knew to be false. It is Buyer's responsibility to use due diligence to verify the accuracy of the information in this statement. Buyer is not relieved of this responsibility by virtue of delivery of this Statement to Buyer.

SELLER

Celia Joy Castillo
Seller

Alvin E Castillo
Seller

4-5-06
Date Time

4-5-06
Date Time

BUYER

Buyer acknowledges receipt of this Statement.

Buyer

Date Time

Buyer

Date Time

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