PROPERTY LOCATED AT: 5 American Way KBK, 04040

PROPERTY DISCLOSURE

Under Maine Law, certain information must be made available to buyers prior to or during preparation of an offer. This statement has been prepared to assist prospective buyers in evaluating this property. This disclosure is not a warranty of the condition of the property and is not part of any contract between Seller and any Buyer. Seller authorizes the disclosure of the information in this statement to real estate licensees and to prospective buyers of this property. The Seller agrees to provide prompt notice of any changes in the information and this form will be appropriately changed with an amendment date. Inspections are highly recommended.

DO NOT LEAVE ANY QUESTIONS BLANK. STRIKE, WRITE N/A OR UNKNOWN IF NEEDED.

SECTION I - WATER SUPPLY

TYPE OF SYSTEM: ☐ Public ☑ Private ☐ Seasonal _____ ☐ Unknown
☐ Drilled ☐ Dug ☐ Other _____

MALFUNCTIONS: Are you aware of or have you experienced any malfunctions with the (public/private/other) water system?

Pump (if any): Replaced 2014 ☐ N/A ☒ Yes ☐ No ☐ Unknown
Quantity: ☐ Yes ☑ No ☐ Unknown
Quality: ☐ Yes ☑ No ☐ Unknown

If Yes to any question, please explain in the comment section below or with attachment.

WATER TEST: Have you had the water tested? ☑ Yes ☐ No
If Yes, Date of most recent test: 2/10/09 Are test results available? ☒ Yes ☐ No
To your knowledge, have any test results ever:

a) Been reported as unsatisfactory or satisfactory with notation? ☑ Yes ☐ No
b) Detected perfluoroalkyl and polyfluoroalkyl (PFA) substances? ☐ Yes ☐ No

If Yes to (a) and/or (b) above, are test results available? ☐ Yes ☐ No
What steps were taken to remedy the problem? mitigation system installed

IF PRIVATE: (Strike Section if Not Applicable):

INSTALLATION: Location: Front left yd
Installed by: Unknown
Date of Installation: 2004

USE: Number of persons currently using system: 2
Does system supply water for more than one household? ☐ Yes ☑ No ☐ Unknown

Comments: _____

Source of Section I information: Seller

Zachary Kellett Phone: (407)714-1562 Fax:
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PROPERTY LOCATED AT: 5 American Way KBK, 04090

SECTION II - WASTE WATER DISPOSAL

TYPE OF SYSTEM: ☐ Public ☑ Private ☐ Quasi-Public _____ ☐ Unknown

IF PUBLIC OR QUASI-PUBLIC (Strike Section if Not Applicable):

Have you had the sewer line inspected? ..... ☐ Yes ☐ No

If Yes, what results: _____

Have you experienced any problems such as line or other malfunctions? ..... ☐ Yes ☐ No

What steps were taken to remedy the problem? _____

IF PRIVATE (Strike Section if Not Applicable):

Tank: ☑ Septic Tank ☐ Holding Tank ☐ Cesspool ☐ Other: _____

☐ Overboard Discharge (38 MRS Section 413(3) and (3-A))

Tank Size: ☐ 500 Gallon ☒ 1000 Gallon ☐ Unknown ☐ Other: _____

Tank Type: ☑ Concrete ☐ Metal ☐ Unknown ☐ Other: _____

Location: Front yd near patio OR ☐ Unknown

Date installed: 2004 Date last pumped: 2021 Name of pumping company: Nest

Have you experienced any malfunctions? ..... ☐ Yes ☑ No

If Yes, give the date and describe the problem: _____

Date of last servicing of tank: 2021 Name of company servicing tank: Nest & Sons

Leach Field: ..... ☑ Yes ☐ No ☐ Unknown

If Yes, Location: Front yd

Date of installation of leach field: 2004 Installed by: UNK

Date of last servicing of leach field: UNK Company servicing leach field: UNK

Have you experienced any malfunctions? ..... ☐ Yes ☑ No

If Yes, give the date and describe the problem and what steps were taken to remedy: _____

Do you have records of the design indicating the # of bedrooms the system was designed for? ☐ Yes ☑ No

If Yes, are they available? ..... ☐ Yes ☐ No

Is System located in a Shoreland Zone? ..... ☐ Yes ☑ No ☐ Unknown

Comments: _____

Source of Section II information: Seller

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PROPERTY LOCATED AT: 5 American Way

SECTION III - HEATING SYSTEM(S)/HEATING SOURCE(S)

Heating System(s) or Source(s)	SYSTEM 1	SYSTEM 2	SYSTEM 3	SYSTEM 4
TYPE(S) of System	FHW	Fireplace		
Age of system(s) or source(s)	22yrs			
TYPE(S) of Fuel	Oil	Propane		
Annual consumption per system or source (i.e., gallons, kilowatt hours, cords)	500	Not Hooked up never used		
Name of company that services system(s) or source(s)	Arrow			
Date of most recent service call	Nov 2			
Malfunctions per system(s) or source(s) within past 2 years	NO			
Other pertinent information				

Are there fuel supply lines? ..... ☑ Yes ☐ No ☐ Unknown
Are any buried? ..... ☐ Yes ☑ No ☐ Unknown
Are all sleeved? ..... ☐ Yes ☐ No ☑ Unknown
Chimney(s): ..... ☑ Yes ☑ No
If Yes, are they lined: ..... ☐ Yes ☐ No ☑ Unknown
Is more than one heat source vented through one flue? ..... ☐ Yes ☑ No ☐ Unknown
Had a chimney fire: ..... ☐ Yes ☑ No ☐ Unknown
Has chimney(s) been inspected? ..... ☐ Yes ☑ No ☐ Unknown
If Yes, date: _____
Date chimney(s) last cleaned: _____
Direct and/or Power Vent(s): ..... ☑ Yes ☐ No ☐ Unknown
Has vent(s) been inspected? ..... ☐ Yes ☑ No ☐ Unknown
If Yes, date: _____
Comments: _____
Source of Section III information: Seller

SECTION IV - HAZARDOUS MATERIAL

The licensee is disclosing that the Seller is making representations contained herein.

A. UNDERGROUND STORAGE TANKS - Are there now, or have there ever been, any underground storage tanks on the property? ..... ☐ Yes ☑ No ☐ Unknown
If Yes, are tanks in current use? ..... ☐ Yes ☑ No ☐ Unknown
If no longer in use, how long have they been out of service? _____
If tanks are no longer in use, have tanks been abandoned according to DEP? ☐ Yes ☑ No ☐ Unknown
Are tanks registered with DEP? ..... ☐ Yes ☑ No ☐ Unknown
Age of tank(s): _____ Size of tank(s): _____
Location: _____

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What materials are, or were, stored in the tank(s)? _____

Have you experienced any problems such as leakage: ..... ☐ Yes ☑ No ☐ ~~Unknown~~

Comments: _____

Source of information: Seller

B. ASBESTOS - Is there now or has there been asbestos:

As insulation on the heating system pipes or duct work?	☐ Yes	☑ No	☐ ~~Unknown~~
In the ceilings?	☐ Yes	☑ No	☐ ~~Unknown~~
In the siding?	☐ Yes	☑ No	☐ ~~Unknown~~
In the roofing shingles?	☐ Yes	☑ No	☐ ~~Unknown~~
In flooring tiles?	☐ Yes	☑ No	☐ ~~Unknown~~
Other: _____	☐ Yes	☑ No	☐ ~~Unknown~~

Comments: _____

Source of information: Seller

C. RADON/AIR - Current or previously existing:

Has the property been tested? ..... ☒ Yes ☐ No ☑ Unknown

If Yes: Date: 4/11/08 By: up country building inspectors

Results: satisfactory

If applicable, what remedial steps were taken? _____

Has the property been tested since remedial steps? ..... ☐ Yes ☐ No ☐ Unknown

Are test results available? ..... ☒ Yes ☐ No

Results/Comments: living room .8pCi/L Basement1.3pCi/l

Source of information: Seller

D. RADON/WATER - Current or previously existing:

Has the property been tested? ..... ☐ Yes ☐ No ☑ Unknown

If Yes: Date: _____ By: _____

Results: _____

If applicable, what remedial steps were taken? _____

Has the property been tested since remedial steps? ..... ☐ Yes ☐ No ☐ Unknown

Are test results available? ..... ☐ Yes ☐ No

Results/Comments: _____

Source of information: Seller

E. METHAMPHETAMINE - Current or previously existing: ☐ Yes ☑ No ☐ Unknown

Comments: _____

Source of information: Seller

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PROPERTY LOCATED AT: 5 American Way KBK, 04090

F. LEAD-BASED PAINT/PAINT HAZARDS - *(Note: Lead-based paint is most commonly found in homes constructed prior to 1978)*

Is there now or has there ever been lead-based paint and/or lead-based paint hazards on the property? ..... ☐ Yes ☑ No ☐ Unknown ☐ Unknown (but possible due to age)

If Yes, describe location and basis for determination: _____

Do you know of any records/reports pertaining to such lead-based paint/lead-based paint hazards: ☐ Yes ☑ No

If Yes, describe: _____

Are you aware of any cracking, peeling or flaking paint? ..... ☐ Yes ☑ No

Comments: House Built 2001

Source of information: Seller

G. OTHER HAZARDOUS MATERIALS - Current or previously existing:

TOXIC MATERIAL:	☐ Yes	☑ No	☐ Unknown
LAND FILL:	☐ Yes	☑ No	☐ Unknown
RADIOACTIVE MATERIAL:	☐ Yes	☑ No	☐ Unknown

Other: _____

Source of information: Seller

Buyers are encouraged to seek information from professionals regarding any specific issue or concern.

SECTION V - ACCESS TO THE PROPERTY

Is the property subject to or have the benefit of any encroachments, easements, rights-of-way, leases, rights of first refusal, life estates, private ways, trails, homeowner associations (including condominiums and PUD's) or restrictive covenants? ..... ☑ Yes ☐ No ☐ Unknown

If Yes, explain: Shared Driveway entrance

Source of information: Seller

Is access by means of a way owned and maintained by the State, a county, or a municipality over which the public has a right to pass? ..... ☑ Yes ☐ No ☐ Unknown

If No, who is responsible for maintenance? _____

Road Association Name (if known): _____

Source of information: Seller

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PROPERTY LOCATED AT: 5 American Way KBK, 04090

SECTION VI – FLOOD HAZARD

For the purposes of this section, Maine law defines "flood" as follows:

(1) A general and temporary condition of partial or complete inundation of normally dry areas from:(a) The overflow of inland or tidal waters; or (b) The unusual and rapid accumulation or runoff of surface waters from any source; or

(2) The collapse or subsidence of land along the shore of a lake or other body of water as a result of erosion or undermining caused by waves or currents of water exceeding anticipated cyclical levels or suddenly caused by an unusually high water level in a natural body of water, accompanied by a severe storm or by an unanticipated force of nature, such as a flash flood or an abnormal tidal surge, or by some similarly unusual and unforeseeable event that results in flooding as described in subparagraph (1), division (a).

For purposes of this section, Maine law defines "area of special flood hazard" as land in a floodplain having 1% or greater chance of flooding in any given year, as identified in the effective federal flood insurance study and corresponding flood insurance rate maps.

During the time the seller has owned the property:

Have any flood events affected the property? ..... ☐ Yes ☑ No ☐ Unknown

If Yes, explain: _____

Have any flood events affected a structure on the property? ..... ☐ Yes ☑ No ☐ Unknown

If Yes, explain: _____

Has any flood-related damage to a structure occurred on the property? ..... ☐ Yes ☑ No ☐ Unknown

If Yes, explain: _____

Has there been any flood insurance claims filed for a structure on the property? ..... ☐ Yes ☑ No ☐ Unknown

If Yes, indicate the dates of each claim: _____

Has there been any past disaster-related aid provided related to the property or a structure on the property from federal, state or local sources for purposes of flood recovery? ..... ☐ Yes ☑ No ☐ Unknown

If Yes, indicate the date of each payment: _____

Is the property currently located wholly or partially within an area of special flood hazard mapped on the effective flood insurance rate map issued by the Federal Emergency Management Agency on or after March 4, 2002? ..... ☐ Yes ☑ No ☐ Unknown

If yes, what is the federally designated flood zone for the property indicated on that flood insurance rate map?

_____

Relevant Panel Number: 23031C0440G Year: 7/17/2024 (Attach a copy)

Comments: _____

Source of Section VI information: fema

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PROPERTY LOCATED AT: 5 American Way KPBK 04640

SECTION VII - GENERAL INFORMATION

Are there any tax exemptions or reductions for this property for any reason including but not limited to: Tree Growth, Open Space and Farmland, Veteran's, Homestead Exemption, Blind, Working Waterfront?..... ☑ Yes ☐ No ☐ Unknown

If Yes, explain: Homestead

Is a Forest Management and Harvest Plan available?..... ☐ Yes ☑ No ☐ Unknown

Is the property subject to any of the following relating to shoreland zoning ordinances: a) A notice of violation issued by a municipal official or state agency; b) A pending enforcement action; c) Litigation; d) A court judgment; or e) A settlement or consent agreement?..... ☐ Yes ☑ No ☐ Unknown

If Yes, explain: _____

Equipment leased or not owned (including but not limited to, propane tank, hot water heater, satellite dish, water filtration system, solar panels, wind turbines): Type: _____

From Whom: _____

Year Principal Structure Built: 2004 What year did Seller acquire property? 2008

Roof: Year Shingles/Other Installed: 2004

Water, moisture or leakage: No

Comments: ~~10 + yrs power went out~~

Foundation/Basement:

Is there a Sump Pump? ..... ☑ Yes ☐ No ☐ Unknown

Water, moisture or leakage since you owned the property: ..... ☑ Yes ☐ No ☐ Unknown

Prior water, moisture or leakage? ..... ☑ Yes ☐ No ☐ Unknown

Comments: 10 + yrs power went out pump didnt activate

Mold: Has the property ever been tested for mold? ..... ☑ Yes ☐ No ☐ Unknown

If Yes, are test results available? ..... ☑ Yes ☐ No

Comments: Done in 2020

Electrical: ☐ Fuses ☑ Circuit Breaker ☐ Other: _____ ☐ Unknown

Comments: _____

Has all or a portion of the property been surveyed? ..... ☐ Yes ☐ No ☑ Unknown

If Yes, is the survey available? ..... ☐ Yes ☐ No ☑ Unknown

Manufactured Housing - Is the residence a:

Mobile Home ..... ☐ Yes ☑ No ☐ Unknown

Modular ..... ☐ Yes ☑ No ☐ Unknown

Known defects or hazardous materials caused by insect or animal infestation inside or on the residential structure ..... ☐ Yes ☑ No ☐ Unknown

Comments: _____

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PROPERTY LOCATED AT: 5 American Way KBK, 04060

KNOWN MATERIAL DEFECTS about Physical Condition and/or value of Property, including those that may have an adverse impact on health/safety: None

Comments:

Source of Section VII information: Sellers

SECTION VIII - ADDITIONAL INFORMATION

ATTACHMENTS EXPLAINING CURRENT PROBLEMS, PAST REPAIRS OR ADDITIONAL INFORMATION IN ANY SECTION IN DISCLOSURE: ..... ☐ Yes ☑ No

Seller shall be responsible and liable for any failure to provide known information regarding known material defects to the Buyer.

Neither Seller nor any Broker makes any representations as to the applicability of, or compliance with, any codes of any sort, whether state, municipal, federal or any other, including but not limited to fire, life safety, building, electrical or plumbing.

As Sellers, we have provided the above information and represent that all information is correct. To the best of our knowledge, all systems and equipment, unless otherwise noted on this form, are in operational condition.

SELLER	DATE 10/22/26	SELLER	DATE 10/22/26
SELLER	DATE	SELLER	DATE

I/We have read and received a copy of this disclosure, the arsenic in wood fact sheet, the arsenic in water brochure, and understand that I/we should seek information from qualified professionals if I/we have questions or concerns.

BUYER	DATE	BUYER	DATE
BUYER	DATE	BUYER	DATE

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EQUAL HOUSING OPPORTUNITY

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PRIVATE ROAD MAINTENANCE AGREEMENT

An Agreement made this original date of April 30, 2013, applicable to the undersigned parcel owners and users,

RECITALS

WHEREAS, American Way (hereinafter the "Road") is a private road situated in Kennebunk, York County, Maine; and

WHEREAS, the undersigned parcel owners are the owners or users of the Road situated in Kennebunk, York County, Maine; and

WHEREAS, the parties desire to enter into an Agreement regarding the costs of maintenance and improvement to the Road; and

WHEREAS, it is agreed that future parcel owners or users will as a condition of acceptance of ownership, add their signatures to this document and be bound by the terms hereof;

NOW THEREFORE, IT IS HEREBY AGREED AS FOLLOWS:

1. **Vehicle and Pedestrian Access Easement**. The Road shall be subject to a perpetual, nonexclusive easement for ingress and egress granting access to all the parcel owners and their occupants, agents, employees, guests, services and emergency vehicles.

2. **Utility Easement**. The Road shall be subject to a perpetual, nonexclusive public utility easement for the purposes of permitting above and below ground public utilities to be installed and maintained.

3. **Road Maintenance**. Road maintenance, snow plowing and road improvements will be shared among the lot owners as stated in Paragraph 5 below to maintain the Road in good operating condition at all times and to insure the provision of safe access by emergency vehicles. A majority vote of lot owners is required for any road improvements and to accept the bid for any road improvement contract. Before authorizing expenditures for future road improvements, lot owners will be notified and cost estimates will be provided, and a majority agreement will be required. If any lot owner performs improvements, maintenance, repairs or replacements without the approval of the other lot owners prior to performing such work, the lot owner performing such work may be liable for the entire cost thereof. However, where emergency repairs are necessary, neither majority vote nor prior approval is necessary before making such improvements or undertaking such maintenance.

4. **Parking**. For the safety of the residents, no machinery, trailers, vehicles or other property may be stored or parked upon the Road except parking of vehicles for limited periods of time (not to exceed twelve hours).

5. **Cost Sharing**. Road maintenance, snowplowing and road improvement costs shall be divided among the lot owners sharing access to the above mentioned Road by dividing the cost of improvements by the number of lots using the road or benefitting from the services.

6. **Future Parcels**. Any additional parcels gaining access to the Road by way of splitting existing parcels will be bound by all terms and conditions of this agreement, and will be required to pay that portion of the maintenance, snowplowing and improvement costs incurred after the split as determined using the formula contained in Paragraph 5 above. If any additional parcels are created after the original Private Road Maintenance Agreement is signed, the new parcel owners must also sign the agreement.

7. **Effective Term**. This Agreement shall be perpetual, and shall encumber and run with the land as long as the road remains private.

8. **Binding Agreement**. This Agreement shall be binding upon the parties hereto, their respective heirs, executors, administrators and assigns.

9. **Amendment**. This Agreement may be amended only by a two-thirds majority consent of all lot owners.

10. **Enforcement**. This Agreement may be enforced by a majority of lot owners. If a court action or lawsuit is necessary to enforce this Agreement, the party commencing such action or lawsuit shall be entitled to reasonable attorney fees and costs, if the party prevails.

11. **Disputes**. If a dispute arises over any aspect of the improvements, maintenance, repair or replacement, the parties shall engage a mediator before any legal action is commenced. All parties shall share in the cost of any mediation.

Dated: 4.30.13 _____

Dated: 5/4/13 _____

Dated: _____

STATE OF MAINE

York, ss. April 30, 2013

Personally appeared the above named Jason Nadeau and acknowledged the foregoing to be his/her free act and deed.

Notary Public/Attorney at Law

JEANNE LYNN RICHE
Notary Public, Maine
My commission expires 10/26/14

STATE OF MAINE
YORK, ss. May 4, 2013

Personally appeared the above named Stephen Medve and acknowledged the foregoing to be his/her free act and deed.

Notary Public/Attorney at Law

Pete Galluzzo
Notary Public, State of Maine
My Commission Expires Dec. 2, 2015