PROPERTY LOCATED AT: **135 Salt Pond Road, Cushing, ME 04563**

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): ..... ☐ 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: _____ Are test results available? .. ☐ Yes ☒ No
To your knowledge, have any test results ever been reported as unsatisfactory or satisfactory with notation? ..... ☒ Yes ☐ No
If Yes, are test results available? ..... ☐ Yes ☒ No
What steps were taken to remedy the problem? **Water treatment system installed**

IF PRIVATE: (Strike Section if Not Applicable):

INSTALLATION: Location: **In front of dwelling**
Installed by: _____
Date of Installation: **2016**

USE: Number of persons currently using system: **1 occasional**
Does system supply water for more than one household? ☐ Yes ☒ No ☐ Unknown

Comments: **Norleans water treatment installed the mitigation systems and opens and shuts down the system.**

Source of Section I information: _____

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: **To to west of the dwelling** OR ☐ Unknown

Date installed: **2016** Date last pumped: **Has not** Name of pumping company: **N?A**

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

If Yes, give the date and describe the problem: **N/A**

Date of last servicing of tank: **N/A** Name of company servicing tank: **N/Ah**

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

If Yes, Location: **West of dwelling**

Date of installation of leach field: **2016** Installed by: **David Deane**

Date of last servicing of leach field: **N/A** Company servicing leach field: **N/A**

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

If Yes, give the date and describe the problem and what steps were taken to remedy: **N/A**

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: **4 bedroom design system has been used occasionally**

Source of Section II information: **Seller and plumbing permit**

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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	**Pellet stove**	**Rinnai**		
Age of system(s) or source(s)		**9 approx**		
TYPE(S) of Fuel				
Annual consumption per system or source (i.e., gallons, kilowatt hours, cords)				
Name of company that services system(s) or source(s)				
Date of most recent service call				
Malfunctions per system(s) or source(s) within past 2 years				
Other pertinent information				

Are there fuel supply lines? ..... [X] Yes [ ] No [ ] Unknown
Are any buried? ..... [ ] Yes [X] No [ ] Unknown
Are all sleeved? ..... [X] Yes [ ] No [ ] Unknown
Chimney(s): ..... [ ] Yes [X] 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): ..... [X] Yes [ ] No [ ] Unknown
Has vent(s) been inspected? ..... [ ] Yes [X] No [ ] Unknown
If Yes, date: **N/A**
Comments: **Only occasional use**
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 [X] 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: _____

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

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

Comments: **None**

Source of information: **Seller Public record**

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: **None**

Source of information: **Visual, Seller**

C. RADON/AIR - 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: **None**

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: **None**

Source of information: **Seller**

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

Comments: **None**

Source of information: **Seller and Public record**

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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: **N/A**

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

If Yes, describe: **N/A**

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

Comments: **New construction**

Source of information: **Visual and 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: **N/A**

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: **N/A**

Source of information: **Seller Public record**

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 and visual**

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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: **N/A**

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

If Yes, explain: **N/A**

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

If Yes, explain: **N/A**

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: **N/A**

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: **N/A**

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?

N/A

Relevant Panel Number: **23013C0320D** Year: **2016** (Attach a copy)

Comments: **None**

Source of Section VI information: _____

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: **N/A**

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: **N/A**

Equipment leased or not owned (including but not limited to, propane tank, hot water heater, satellite dish, water filtration system, photovoltaics, wind turbines): Type: **LP gas tank**

Year Principal Structure Built: **2017** What year did Seller acquire property? **2015**

Roof: Year Shingles/Other Installed: **2017**

Water, moisture or leakage: **None noted**

Comments: **None**

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: **Walk out-drive out basement**

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

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

Comments: **None**

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

Comments: **None**

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: **None**

PROPERTY LOCATED AT: **135 Salt Pond Road, Cushing, ME 04563**

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

Comments: **House being sold in an uncompleted/finished condition**

Source of Section VII information: **Seller/visual**

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 **Ervin W. Russell, Jr. Living Trust**	DATE	SELLER	DATE
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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Fact Sheet: Arsenic Treated Wood

Department of Health and Human Services
11 State House Station
Augusta, ME 04333

Maine CDC
Environmental and Occupational Health Program
Toll Free in Maine: 866-292-3474
Fax: 207-287-3981
TTY: 207-287-8066
Email: ehu@maine.gov

IF YOU WORK WITH CCA WOOD

- **NEVER** burn CCA wood.
- Wear gloves when handling CCA wood
- Wear a dust mask when sanding or cutting CCA wood
- Don't work with CCA wood in an enclosed area (like a garage)

Apply a coating to seal the wood every 1-2 years

TO LEARN MORE

Eric Frohmberg
Environmental and Occupational Health Program
Maine CDC
Toll-free in Maine 866-292-3474
TTY: 207-287-8066
www.maine.gov/dhhs/eohp

Does Your New Home Have Arsenic (CCA) Treated Wood?

About half of all Maine homes have a deck, or playground or some other structure that is made of wood treated with arsenic. This wood is called "CCA pressure-treated wood" or just "pressure-treated" wood. The wood was treated with arsenic to protect against rot and insects.

Too much arsenic can cause cancer. So it is good to prevent arsenic getting into your body when you can. When you touch wood treated with arsenic, you can get arsenic on your hands. The arsenic on your hands can get into your mouth if you are not careful about washing before eating. Young children are most at risk because they are more likely to put their hands in their mouths. The good news is that there are simple things you can do to protect yourself and your family from arsenic treated wood. This fact sheet will tell you how.



Children touching unsealed treated wood, and then putting their hands in their mouths is the biggest concern.

First: Does your house have arsenic treated (CCA) wood?

When arsenic treated wood is new, it tends to have a greenish tint. When CCA wood is older, it is harder to tell. Ask your realtor if the seller knows whether CCA wood was used. You can also test the wood to find out if it contains arsenic. Call us to find out how.

Second: If so, reduce contact with the arsenic.

You can lower the amount of arsenic on the surface of the wood by applying a coating on the wood every 1-2 years. Oil-based sealants, varnishes, or polyurethane work best for sealing arsenic in the wood. Be sure to wash your children's hands when they finish playing on or near CCA wood.

Third: If you have any questions, call us toll-free in Maine: 866-292-3474

Common Questions

What is CCA wood?

CCA wood is made by dipping the wood in a mixture of chemicals. These chemicals include chromium, copper, and arsenic. This protects the wood against insects and rot. This wood is known as CCA wood or "pressure treated" wood. Most pressure treated wood in the U.S. is CCA wood. After December 31, 2003, no more CCA wood will be made for use around homes. CCA wood may still be sold for home use until April 1, 2004 in the state of Maine.

What is Arsenic?

Arsenic is found in soil and rocks. Most people get a little arsenic every day from the food they eat. Also, some people have arsenic in their private wells, which is why it is important that anyone with a well have it tested for arsenic. People who are exposed to too much arsenic over many years are more likely to get cancer.

RE/MAX Jaret & Cohn, 25 Mechanic Street Camden ME 04843 Phone: (207) 592-1175 Fax: 135 Salt Pond Road
Carleton Johnson
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Have you tested your well water for arsenic?



Your water looks, smells and tastes fine. So why do you need to test it?

It is hard to believe that water that looks, smells and tastes fine may not be safe to drink. But the truth is that 1 in 10 wells in Maine has water that is high in arsenic. There are wells high in arsenic in all parts of Maine.

Protect your family. Test your well for arsenic every 3 to 5 years.

How to Test Your Well Water

1. Call a lab.

- Call a certified lab and ask for an arsenic test kit for your well water. You can find a lab at this website: wellwater.maine.gov. Or call the Maine Lab Certification Officer at 207-287-1929.
- If you have never tested your well water for bacteria, nitrites and nitrates, or other chemicals like radon, uranium and flouride, ask your lab for a test kit for all of these.

2. Do the test.

- Your test kit will arrive in the mail. It will have empty bottles, directions and forms to fill out.
- Follow the directions and mail the bottles back to the lab with the forms.

3. Get your results.

- Your test results will come to you in the mail.
- If you have too much arsenic in your water, or if you are not sure you understand your test results, call 866-292-3474 (toll-free in Maine) or 207-287-4311 to speak to an expert.

Why Arsenic is Bad

People who drink water with too much arsenic for many years are more likely to get cancer. Arsenic can cause skin, bladder and lung cancers.

It may cause low birthweight and affect brain development in babies if pregnant women drink water with too much arsenic in it. Arsenic can also affect brain development in young children. Other problems from drinking water with very high arsenic levels include: stomach pain, nausea, diarrhea, numbness or tingling in the hands and feet and changes in skin.

Your chance of having any of these health problems depends on:

- how much arsenic is in your water;
- how much water you drink;
- how long you have been drinking the water.

Solving Arsenic Problems

There are actions you can take to protect your family if your water has too much arsenic. First, you can switch to bottled water for drinking and making drinks. This will allow you time to decide if you want to install a water treatment system.

Call us at 866-292-3474 (toll-free in Maine) or 207-287-4311 if you have high arsenic. We can help you decide how to solve the problem.

Protect your family. Test your well.

- For more information: wellwater.maine.gov
- Call for advice: **866-292-3474 • TTY: Call Maine Relay 711**

March 2020