



NEW MEXICO ASSOCIATION OF REALTORS® — 2024
ADVERSE MATERIAL FACTS
PROPERTY DISCLOSURE STATEMENT

SELLER PROVIDES THIS DISCLOSURE STATEMENT IN ORDER TO DISCLOSE TO BUYER(S) AND PROSPECTIVE BUYER(S) ADVERSE MATERIAL FACTS CONCERNING THE PROPERTY ABOUT WHICH SELLER HAS ACTUAL KNOWLEDGE.

DISCLOSURE STATEMENT TO BE COMPLETED BY SELLER, NOT BROKER

This Disclosure Statement involves certain real property located at:

234 La Posta Rd Taos NM, 87571
Address (Street, City, State, Zip Code)

Legal Description

or see metes and bounds or other legal description attached as Exhibit County(ies), New Mexico.

AUTHORIZATION AND HOLD HARMLESS: Seller hereby authorizes Listing Broker to provide a copy of this Disclosure Statement to any person or entity in connection with any actual or anticipated sale of the Property. Seller further agrees to indemnify and hold Listing Broker and Brokerage harmless from all claims for damages based upon the disclosures made in this Disclosure Statement and for Seller's failure to disclose any ADVERSE MATERIAL FACTS known to the Seller.

SELLER REPRESENTATIONS: Seller affirms that the information contained in this Disclosure Statement is correct to Seller's ACTUAL KNOWLEDGE as of the date signed by Seller. Seller warrants that he/she has prepared this Disclosure Statement and any attachments hereto and that this Disclosure Statement encompasses all ADVERSE MATERIAL FACTS concerning the Property that are actually known to the Seller as of the date signed by Seller. If Seller becomes aware of any changes in the foregoing information, Seller shall update this Disclosure Statement promptly after discovery. If the Property is part of a Common Interest Community, this Disclosure Statement is limited to the Property or Unit itself, unless otherwise indicated.

Seller to check all that apply:

- Seller currently occupies the Property. (beginning date)
[X] Seller occupied the Property from 06/01/2021 to 04/24/2024 (dates).
Seller has never occupied the Property.
Property is currently leased.
[X] Property includes a residential dwelling(s) built prior to 1978.
Property is located within a HOA (Homeowners' Association), COA (Condo Owners' Association) or other Owners' Association.
Property is located within a PID (Property Improvement District).
Property includes a Manufactured, Modular or Off-site Built Home(s).
Property is located within governmentally designated flood plain or wetland area.

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**EXAMPLES PROVIDED ARE NOT ALL INCLUSIVE.** Each element of the Property listed include several specific examples of features or fixtures associated with that element of the Property. Neither the list of elements, nor the list of examples, includes all possible elements of the Property or features associated with those elements. **Seller's disclosures should NOT be limited to the examples provided.**

- 1. **ACCESS (Easements, Private, Public, Shared Road Agreements, etc.)**  
Describe any known issues such as: Legal Disputes Concerning Access, Uninsurable Access, Individuals/entities who/that access or cross any part of the Property or otherwise utilize the Property.

*If checked, Seller affirms no actual knowledge of adverse material facts regarding these elements*

- 2. **APPLIANCES (Dishwashers, Dryers, Microwaves, Refrigerators, Ranges, Washers, etc.)**  
Describe any known issues such as: Inefficient and/or Inoperable Appliances/Components.

*If checked, Seller affirms no actual knowledge of adverse material facts regarding these elements*

- 3. **BASEMENTS AND/OR SUBTERRAIN CONSTRUCTION**  
Describe any known issues such as: Evidence of water, flooding, seepage, moisture, inoperable sump pump, etc.

*If checked, Seller affirms no actual knowledge of adverse material facts regarding these elements*

- 4. **BUILDING/STRUCTURAL/FOUNDATION (Ceilings, Doors, Exterior/Interior Walls, Flooring, Foundation, Slabs, Windows, etc.)**  
Describe any known issues such as non-closing door and windows; unlevel floors; cracks in walls, ceilings, stucco, fireplace, concrete slabs/sidewalks; sagging beams and headers; foundation piers/posts/anchors/support, etc.

Bay window by Spruce tree: left-hand window does not open

*If checked, Seller affirms no actual knowledge of adverse material facts regarding these elements*



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- 5. **BUILT-IN SYSTEMS** (*Central Vacuum, Garage Openers, Intercoms, Security Systems, Smart House Technology, etc.*)  
*Describe any known issues such as: Damaged or inoperable system or missing components, etc.*

*If checked, Seller affirms no actual knowledge of adverse material facts regarding these elements*

- 6. **DOMESTIC WATER SUPPLY** (*Associations, City/Municipal, Community, Private or Shared Wells, Storage Tanks, etc.*)  
*Describe any known issues such as: Inefficient and/or Inoperable Systems, Low Supply/Production, Poor Quality, Requirement to Hook Up to City/Municipal/Community Water, Restrictions (drought or legal), etc.*

*If checked, Seller affirms no actual knowledge of adverse material facts regarding these elements*

- 7. **WIRING** (*Cable, Electrical, Ethernet, Telephone, etc.*)  
*Describe any known issues such as: Aluminum wiring, Faulty Systems, Faulty Wiring, Limited Internet, Non-Functioning Switch or Receptacle, etc.*

*If checked, Seller affirms no actual knowledge of adverse material facts regarding these elements*

- 8. **FLOODING** (*Building, Property, Arroyos, Riverbeds, etc.*)  
*Describe any known issues such as: Damage Caused by Inefficient, Inoperable and/or Broken Pipes, Interior or Exterior Flooding, Improper Draining, Grading Problems, Standing Water, etc.*

*If checked, Seller affirms no actual knowledge of adverse material facts regarding these elements*



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**9. HAZARDOUS, ENVIRONMENTAL AND TOXIC**

*Describe known issues such as: Asbestos, Clandestine Drug Laboratories, Environmentally Sensitive Area, Landfill or Waste Dump, Cannabis Production, Mold, Radon, Reports of Lead-Based Paint, Underground Storage Tanks, etc.*

*If checked, Seller affirms no actual knowledge of adverse material facts regarding these elements*

**10 HEATING AND/OR COOLING SYSTEMS**

*Describe any known issues such as: Inefficient and/or Inoperable System(s), Rooms without Heating and/or Cooling, etc.*

*If checked, Seller affirms no actual knowledge of adverse material facts regarding these elements*

**11. INSURANCE CLAIMS**

*Describe any claim such as: Fire, Hail, Smoke and/or Water Damage, etc. Describe if insurance proceeds, if received, were used to remediate the subject of the claim.*

*If checked, Seller affirms no actual knowledge of adverse material facts regarding these elements*



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- 12. **IRRIGATION RIGHTS AND SYSTEMS** (*Ditches, Irrigation Wells, Pivots, Sprinklers, etc. NOT Domestic Wells*)  
*Describe any known issues such as: Disputed Rights, Failing and/or Inoperable Systems, Low Production Ditches or Wells, Restrictions (legal or drought), etc.*

*If checked, Seller affirms no actual knowledge of adverse material facts regarding these elements*

- 13. **NOISE, ODORS AND/OR POLLUTION** (Does NOT include noise, odors and/or pollution in areas directly adjacent or surrounding the Property, which issues are governed by Paragraph 20 of NMAR Form # 2104 – Purchase Agreement – Residential Resale)  
*Describe any known issues such as: Continuous or Periodic Noise in/on the Property, Continuous or Periodic Odors in/on the Property, Pet Odors in/on the Property, etc.*

*If checked, Seller affirms no actual knowledge of adverse material facts regarding these elements*

- 14. **PEST OR ANIMAL INFESTATION AND/OR DAMAGE**  
*Describe any known issues such as: Damage caused by Animals, Rodent Infestation, Termites, etc.*

*If checked, Seller affirms no actual knowledge of adverse material facts regarding these elements*

- 15. **PLUMBING** (*Gas Lines, Radiant Heating, Sprinkler Systems, Water Heaters, Water Supply Lines, etc.*)  
*Describe any known issues such as: Leaks, Inefficient and/or Inoperable Systems, Inferior Products (i.e., Entran II, Kitec, Polybutylene), etc.*

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**16. POOLS, SPAS AND/OR SAUNA (Covers, Equipment, Liners, Surface, etc.)**

*Describe any known issues such as: Abandoned pools/spas/saunas, Inefficient or Inoperable Systems (e.g., filters, motors, pumps), Leaks, etc.*

*If checked, Seller affirms no actual knowledge of adverse material facts regarding these elements*

**17. RENEWABLE ENERGY (Hydropower, Solar, Wind Turbines, etc.)**

*Describe any known issues such as: Inefficient and/or Inoperable Systems (e.g. Batteries, Converters, Panels, Turbines), etc.*

*If checked, Seller affirms no actual knowledge of adverse material facts regarding these elements*

**18. ROOF SYSTEM, GUTTERS AND/OR DOWNSPOUTS (PARAPETS, SKYLIGHTS/SOLAR TUBES )**

*Describe any known issues such as: Leaks, Deterioration, Inefficient and/or Inoperable Systems, Ponding, Clogged Gutters, and/or Downspouts, etc.*

*If checked, Seller affirms no actual knowledge of adverse material facts regarding these elements*

**19. SEWER AND/OR SEPTIC SYSTEM(S)**

*Describe any known issues such as: Back-ups, Clogging, Inefficient and/or inoperable Leach Field, Cracked or Leaking Holding Tanks, Sewer Line Intrusion(s), Improperly Abandoned System(s), Requirement to hook-up to City/ Community/Municipal Sewer, etc.*

*If checked, Seller affirms no actual knowledge of adverse material facts regarding these elements*



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**20 SOIL, VEGETATION AND/OR LANDSCAPING**

*Describe any known issues such as: Contaminated and/or Non-Fertile Soil, Diseased and/or Dying and/or Infested Plants/Trees/Shrubs, etc, Sprinklers/Drip System issues or Lack of Coverage.*

*If checked, Seller affirms no actual knowledge of adverse material facts regarding these elements*

**21. SUPPLEMENTAL WATER SUPPLY (AGRICULTURAL/LIVESTOCK) (Dirt Tanks, Livestock Wells, Storage Tanks, Streams, etc.)**

*Describe known issues such as: Inefficient and/or Inoperable Systems, Low Supply/Production, Poor Quality, Restrictions (Legal or Drought), etc.*

*If checked, Seller affirms no actual knowledge of adverse material facts regarding these elements*

**22. USE, ZONING AND/OR LEGAL**

*Describe any known issues such as: Citations from Government Entity, First Right of Refusal, Historic Overlay, Judgments, Lawsuits or Legal Proceedings, Liens, Recipients of Class Action Lawsuit (Kitec, Polybutylene, etc.), Un-Permitted Construction and/or Repairs, Violations of New Mexico Subdivision Act, etc.*

*If checked, Seller affirms no actual knowledge of adverse material facts regarding these elements*

**23. OTHER**



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**IMPORTANT NOTICE TO SELLER(S) AND BUYER(S)**

The PURCHASE AGREEMENT, NOT this DISCLOSURE STATEMENT, determines whether an item is included or excluded from the sale.

**SELLER(S) warrants that the information herein is true, correct, and complete to the best of the Seller's ACTUAL KNOWLEDGE and belief as of the date signed by Seller.**

*Braden Hickey*  
Seller Signature

Braden Hickey  
Printed Name

04/29/2024  
Date

11:54AM  
Time

Seller Signature

Printed Name

Date

Time

If additional signature lines are needed, please use NMAR Form 1150 Signature Addendum

**BUYER'S DUE DILIGENCE: This Disclosure Statement is not a substitute for any inspections the Buyer may wish to obtain.** Buyer is advised to exercise all his rights under and in accordance with the Purchase Agreement to investigate the Property. Unless otherwise waived, Buyer(s) may complete any and all inspections of the Property that he deems necessary. The Buyer's rights to object to inspections and terminate the Agreement based on inspections are set forth in the Inspections Paragraph of the Purchase Agreement. Buyer is advised to thoroughly review those rights and understand the process. **The fact this Disclosure Statement fails to disclose an adverse material fact concerning a particular feature, fixture, and/or element of the Property DOES NOT imply that the same is free of defects.**

**BUYER(S) acknowledges receipt of this DISCLOSURE STATEMENT.**

Buyer Signature

Printed Name

Date

Time

Buyer Signature

Printed Name

Date

Time

If additional signature lines are needed, please use NMAR Form 1150 — Signature Addendum