



Colorado Group Realty, Inc.
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 Steamboat Springs, Colorado 80477
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The printed portions of this form, except differentiated additions, have been approved by the Colorado Real Estate Commission. (SPD 19-8-07) (Mandatory 1-08)

THIS FORM HAS IMPORTANT LEGAL CONSEQUENCES AND THE PARTIES SHOULD CONSULT LEGAL AND TAX OR OTHER COUNSEL BEFORE SIGNING.

**SELLER'S PROPERTY DISCLOSURE
 (ALL TYPES OF PROPERTIES)**

THIS DISCLOSURE SHOULD BE COMPLETED BY SELLER, NOT BY BROKER.

Seller states that the information contained in this Disclosure is correct to the best of Seller's CURRENT ACTUAL KNOWLEDGE as of this Date. Any changes will be disclosed by Seller to Buyer promptly after discovery. Seller hereby receipts for a copy of this Disclosure. If the Property is part of a Common Interest Community, this Disclosure is limited to the Property or Unit itself, except as stated in Section L. Broker may deliver a copy of this Disclosure to prospective buyers.

Note: If an item is not present at the Property insert "N/A" in the Comments column. The Contract to Buy and Sell Real Estate, not this Disclosure form, determines whether an item is included or excluded.

Date: January 10, 2008

Property Address:

30995 E. US Hwy 40, Steamboat Springs, CO 80487

Seller:

Gary J. Fey Restated Trust, 12/6/2001

I. IMPROVEMENTS				
<input checked="" type="checkbox"/> If this box is checked, there are no structures or improvements on the Property; do not complete Sections A-G.				
A. STRUCTURAL CONDITIONS				
Do any of the following conditions now exist or have they ever existed:	Yes	No	Do Not Know	COMMENTS
1 Structural problems				N/A
2 Moisture and/or water problems				
3 Damage due to termites, other insects or rodents				
4 Damage due to hail, wind, fire or flood				
5 Cracks, heaving or settling problems				
6 Exterior wall or window problems				
7 Exterior Artificial Stucco (EIAS)				
8 Any additions or alterations made				
9 Building code violations				
B. ROOF	Yes	No	Do Not Know	COMMENTS
1 Roof problems				N/A
2 Roof material _____ Age _____				
3 Roof leak: Past				
4 Roof leak: Present				
5 Damage to roof: Past				
6 Damage to roof: Present				
7 Roof under warranty until _____ Transferable				
8 Roof work done while under current roof warranty				
9 Skylight problems				
10 Gutter or downspout problems				

PREPARED BY: Nick Metzler, Broker/Owner

SPD 19-8-07, SELLER'S PROPERTY DISCLOSURE (ALL TYPES OF PROPERTIES). Colorado Real Estate Commission
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Buyer(s) _____

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 Seller(s) _____

C. APPLIANCES	IN WORKING CONDITION			Age If Known	COMMENTS
	Yes	No	Do Not Know		
1	Built-in vacuum system & accessories				
2	Clothes dryer				
3	Clothes washer				
4	Dishwasher				
5	Disposal				
6	Freezer				
7	Gas grill				
8	Hood				N/A
9	Microwave oven				
10	Oven				
11	Range				
12	Refrigerator				
13	T.V. antenna <input type="checkbox"/> Owned <input type="checkbox"/> Leased				
14	Satellite system or DSS dish <input type="checkbox"/> Owned <input type="checkbox"/> Leased				
15	Trash compactor				

D. ELECTRICAL & TELECOMMUNICATIONS	IN WORKING CONDITION			Age If Known	COMMENTS
	Yes	No	Do Not Know		
1	Security System: <input type="checkbox"/> Owned <input type="checkbox"/> Leased				
2	Smoke/fire detectors: <input type="checkbox"/> Battery <input type="checkbox"/> Hardwire				
3	Light fixtures				
4	Switches & outlets				
5	Aluminum wiring				
6	Electrical: Phase Voltage				
7	Telecommunications (TL, fiber, cable, satellite)				N/A
8	Inside telephone wiring & blocks/jacks				
9	Abandoned communication cables <input type="checkbox"/> Yes <input type="checkbox"/> No				
10	Ceiling fans				
11	Garage door opener				
12	Garage door control(s) #				
13	Intercom/doorbell				
14	In-wall speakers				
15	220 volt service				
16	Landscape lighting				

E. MECHANICAL	IN WORKING CONDITION			Age If Known	COMMENTS
	Yes	No	Do Not Know		
1	Air conditioning:				
	Evaporative cooler				
	Window units				
	Central				
	Computer room				
2	Attic/whole house fan				N/A
3	Vent fans				
4	Humidifier				
5	Air purifier				
6	Sauna				

		IN WORKING CONDITION			Age If Known	COMMENTS
E. MECHANICAL (Continued)		Yes	No	Do Not Know		
7	Hot tub or spa					
8	Steam room/shower					
9	Pool					
10	Heating system: Type _____ Fuel _____ Type _____ Fuel _____					
11	Water heater: Number of _____ Fuel type _____ Capacity _____					
12	Fireplace: Type _____ Fuel _____					
13	Fireplace insert					
14	Stove: Type _____ Fuel _____					
15	When was fireplace/wood stove, chimney/flue last cleaned: Date: _____ <input type="checkbox"/> Do not know					N/A
16	Fuel tanks: <input type="checkbox"/> Owned <input type="checkbox"/> Leased					
17	Radiant heating system <input type="checkbox"/> Interior <input type="checkbox"/> Exterior Hose Type _____					
18	Overhead door					
19	Entry gate system					
20	Elevator/escalators					
21	Lift/hoist/crane					

		IN WORKING CONDITION			Age If Known	COMMENTS
F. WATER, SEWER & OTHER UTILITIES		Yes	No	Do Not Know		
1	Water filter system: <input type="checkbox"/> Owned <input type="checkbox"/> Leased					
2	Water softener: <input type="checkbox"/> Owned <input type="checkbox"/> Leased					
3	Sewage problems: <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Do not know					
4	Lift station (sewage ejector pump)					
5	Drainage, storm sewers, retention ponds					
6	Grey water storage/use					
7	Plumbing problems: <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Do not know					
8	Sump Pump					
9	Underground sprinkler system					
10	Fire sprinkler system					N/A
11	Polybutylene pipe: <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Do not know					
12	Galvanized pipe: <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Do not know					
13	Backflow prevention device: <input type="checkbox"/> Domestic <input type="checkbox"/> Irrigation <input type="checkbox"/> Fire <input type="checkbox"/> Sewage					
14	Irrigation pump					
15	Well pump					

		IN WORKING CONDITION			Age If Known	COMMENTS
G. OTHER DISCLOSURES - IMPROVEMENTS		Yes	No	Do Not Know		
1	Included fixtures and equipment in working condition					
2						N/A
3						
4						

II. GENERAL				
H. USE, ZONING & LEGAL ISSUES	Yes	No	Do Not Know	COMMENTS
1 Current use of the Property		<input checked="" type="checkbox"/>		
2 Zoning violation, variance, conditional use, enforceable PUD or non-conforming use		<input checked="" type="checkbox"/>		
3 Notice or threat of condemnation proceedings		<input checked="" type="checkbox"/>		
4 Notice of any adverse conditions from any governmental or quasi-governmental agency that have not been resolved		<input checked="" type="checkbox"/>		
5 Violation of restrictive covenants or owners' association rules or regulations		<input checked="" type="checkbox"/>		
6 Notice of zoning action related to the Property		<input checked="" type="checkbox"/>		
7 Notice of ADA complaint or report		<input checked="" type="checkbox"/>		
8 Other legal action		<input checked="" type="checkbox"/>		

I. ACCESS, PARKING, DRAINAGE & SIGNAGE	Yes	No	Do Not Know	COMMENTS
1 Any access problems		<input checked="" type="checkbox"/>		
2 Roads, driveways, trails or paths through the Property used by others		<input checked="" type="checkbox"/>		
3 Public highway or county road bordering the Property	<input checked="" type="checkbox"/>			4/0
4 Encroachments, boundary disputes or unrecorded easements				
5 Shared or common areas with adjoining properties				
6 Cross-parking agreement, covenants, easements				
7 Requirements for curb, gravel/paving, landscaping				
8 Flooding or drainage problems: Past				
9 Flooding or drainage problems: Present				
10 Signs: <input type="checkbox"/> Owned <input type="checkbox"/> Leased				
11 Signs: Government or private restriction problems				

J. WATER & SEWER SUPPLY	Yes	No	Do Not Know	COMMENTS
1 Water Rights: Type	<input checked="" type="checkbox"/>			Well
2 Water tap fees paid in full		<input checked="" type="checkbox"/>		
3 Sewer tap fees paid in full		<input checked="" type="checkbox"/>		
4 Subject to augmentation plan		<input checked="" type="checkbox"/>		
5 Well required to be metered		<input checked="" type="checkbox"/>		
6 Type of water supply: <input type="checkbox"/> Public <input type="checkbox"/> Community <input checked="" type="checkbox"/> Well <input type="checkbox"/> Shared Well <input type="checkbox"/> Cistern <input type="checkbox"/> None If the Property is served by a Well, a copy of the Well Permit <input type="checkbox"/> Is <input type="checkbox"/> Is Not attached. Well Permit #: <u>NA</u> <input type="checkbox"/> Drilling Records <input type="checkbox"/> Are <input type="checkbox"/> Are not attached. The Water Provider for the Property can be contacted at: Name: _____ Address: _____ Web Site: _____ Phone No.: _____ <input type="checkbox"/> There is neither a Well nor a Water Provider for the Property. The source of potable water for the Property is [describe source]: SOME WATER PROVIDERS RELY, TO VARYING DEGREES, ON NONRENEWABLE GROUND WATER. YOU MAY WISH TO CONTACT YOUR PROVIDER (OR INVESTIGATE THE DESCRIBED SOURCE) TO DETERMINE THE LONG-TERM SUFFICIENCY OF THE PROVIDER'S WATER SUPPLIES.				
7 Type of sanitary sewer service: Public Community Septic System <u>None</u> Other _____ If the Property is served by an on-site septic system, supply to buyer a copy of the permit. Type of septic system: <input type="checkbox"/> Tank <input type="checkbox"/> Leach <input type="checkbox"/> Lagoon				

K.	ENVIRONMENTAL CONDITIONS Do any of the following conditions now exist or have they ever existed:	Yes	No	Do Not Know	COMMENTS
1	Hazardous materials on the Property, such as radioactive, toxic, or biohazardous materials, asbestos, pesticides, herbicides, wastewater and other sludge, radon, methane, solvents or petroleum products		<input checked="" type="checkbox"/>		
2	Underground storage tanks		<input checked="" type="checkbox"/>		
3	Aboveground storage tanks		<input checked="" type="checkbox"/>		
4	Underground transmission lines		<input checked="" type="checkbox"/>		
5	Pets kept on the Property		<input checked="" type="checkbox"/>		
6	Property used as, situated on, or adjoining a dump, land fill or municipal solid waste land fill		<input checked="" type="checkbox"/>		
7	Monitoring wells or test equipment		<input checked="" type="checkbox"/>		
8	Sliding, settling, upheaval, movement or instability of earth or expansive soils of the Property		<input checked="" type="checkbox"/>		
9	Mine shafts, tunnels or abandoned wells on the Property		<input checked="" type="checkbox"/>		
10	Within governmentally designated geological hazard or sensitive area		<input checked="" type="checkbox"/>		
11	Within governmentally designated flood plain or wetland area		<input checked="" type="checkbox"/>		
12	Governmentally designated noxious weeds (within last 3 years only) If yes, see Section O.		<input checked="" type="checkbox"/>		
13	Dead, diseased or infested trees or shrubs		<input checked="" type="checkbox"/>		
14	Environmental assessments, studies or reports done involving the physical condition of the Property		<input checked="" type="checkbox"/>		
15	Property used for any mining, graveling, or other natural resource extraction operations such as oil and gas wells		<input checked="" type="checkbox"/>		
16	Endangered species on the Property		<input checked="" type="checkbox"/>		
17	Archeological features, fossils, or artifacts on the Property		<input checked="" type="checkbox"/>		
18	Interior of Improvements of Property Smoke-free		<input checked="" type="checkbox"/>		
19	Other environmental problems		<input checked="" type="checkbox"/>		
L. COMMON INTEREST COMMUNITY - ASSOCIATION PROPERTY					
		Yes	No	Do Not Know	COMMENTS
1	Property is part of an owners' association	<input checked="" type="checkbox"/>			
2	Special assessments or increases in regular assessments approved by owners' association but not yet implemented			<input checked="" type="checkbox"/>	
3	Has the Association made demand or commenced a lawsuit against a builder or contractor alleging defective construction of improvements of the Association Property (common area or property owned or controlled by the Association but outside the Seller's Property or Unit)		<input checked="" type="checkbox"/>		
M. OTHER DISCLOSURES - GENERAL					
		Yes	No	Do Not Know	COMMENTS
1	Any part of the Property leased to others (written or oral)		<input checked="" type="checkbox"/>		
2	Written reports of any building, site, roofing, soils or engineering investigations or studies of the Property	<input checked="" type="checkbox"/>			
3	Any property insurance claim submitted (whether paid or not)		<input checked="" type="checkbox"/>		
4	Structural, architectural and engineering plans and/or specifications for any existing improvements	<input checked="" type="checkbox"/>			
5	Property was previously used as a methamphetamine laboratory and not remediated to state standards		<input checked="" type="checkbox"/>		
6	Government special improvements approved, but not yet installed, that may become a lien against the Property		<input checked="" type="checkbox"/>		

III. LAND					
N.	CROPS, LIVESTOCK & LEASES	Yes	No	Do Not Know	COMMENTS
1	Crops being grown on the Property		<input checked="" type="checkbox"/>		
2	Seller owns all crops		<input checked="" type="checkbox"/>		
3	Livestock on the Property		<input checked="" type="checkbox"/>		
4	Any land leased from others: <input type="checkbox"/> State <input type="checkbox"/> BLM <input type="checkbox"/> Federal <input type="checkbox"/> Private <input type="checkbox"/> Other		<input checked="" type="checkbox"/>		
O. NOXIOUS WEEDS					
The Colorado Weed Management Act became law on January 1, 1992. The law requires that every county or municipality in Colorado adopt a weed management plan outlining the rules governing identification and method of eradication. The State of Colorado has identified PURPLE LOOSESTRIFE, SPOTTED KNAPWEED, MUSK THISTLE, LEAFY SPURGE, CANADIAN THISTLE, DIFFUSE KNAPWEED, RUSSIAN KNAPWEED, DALMATIAN TOADFLAX and YELLOW TOADFLAX among others as noxious weeds.					
Have any of the following occurred to the Property within the last 3 years:					
		Yes	No	Do Not Know	COMMENTS
1	Identification of noxious weeds		<input checked="" type="checkbox"/>		
2	Subject to written weed control plan		<input checked="" type="checkbox"/>		
3	Herbicides applied		<input checked="" type="checkbox"/>		
4	Biological agents or insects released on any of the noxious weeds		<input checked="" type="checkbox"/>		
P. OTHER DISCLOSURES - Land					
		Yes	No	Do Not Know	COMMENTS
1	Any part of the Property enrolled in any governmental programs such as Conservation Reserve Program (CRP), Wetlands Reserve Program (WRP), etc.		<input checked="" type="checkbox"/>		
2	Conservation easement		<input checked="" type="checkbox"/>		

Seller and Buyer understand that the real estate brokers do not warrant or guarantee the above information on the Property. Property inspection services may be purchased. This form is not intended as a substitute for an inspection of the Property.

ADVISORY TO SELLER:

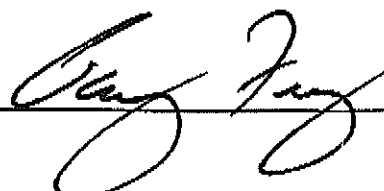
Failure to disclose a known material defect may result in legal liability.

The information contained in this Disclosure has been furnished by Seller, who certifies to the truth thereof based on Seller's CURRENT ACTUAL KNOWLEDGE. Any changes will be disclosed by Seller to Buyer promptly after discovery. Seller hereby receipts for a copy of this Disclosure.

Gary J. Foy Restated Trust, 12/6/2001

SELLER

By: Gary Foy



DATE

10-1-08

ADVISORY TO BUYER:

Even though Seller has answered the above questions to the best of Seller's current actual knowledge, Buyer should obtain expert assistance to accurately and fully evaluate the Property regarding use and access, water, sewer, utilities, environmental and geological conditions, noxious weeds and other matters which may affect Buyer's use of the Property. Valuable information may be obtained from various local/state/federal agencies, and other experts may perform more specific evaluation of the Property.

Boundaries, location and ownership of fences, driveways, hedges, and similar items may become matters of dispute. A survey may be used to determine such matters.

The contract between Seller and Buyer controls if any item is included or excluded.

Buyer acknowledges that Seller does not warrant that the Property is fit for Buyer's intended purposes or use of the Property. Buyer acknowledges

PREPARED BY: Nick Metzler, Broker/Owner

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Buyer(s)

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that Seller's indication that an item is "working" is not to be construed as a warranty of its continued operability or as a representation or warranty that such item is fit for Buyer's intended purposes. Buyer hereby receipts for a copy of this Disclosure.

BUYER _____ DATE _____

BUYER _____ DATE _____