

SUBDIVISION AND LAND DEVELOPMENT

155 Attachment 9

Township of Limerick

NOTICE TO PURCHASERS

THIS DOCUMENT IS FOR YOUR PROTECTION.
READ IT CAREFULLY AND CONSIDER OBTAINING INDEPENDENT PROFESSIONAL
ADVICE BEFORE SIGNING ANY AGREEMENT OF SALE.
[Adopted 7-5-2000 by Ord. No. 2000-215]

Limerick Township Ordinance No. 2000-215 requires that the Seller of any "New Residential Property" provide the Buyer with a notice/disclosure statement regarding the property to be sold prior to the signing of any Agreement of Sale for the Property. This information is intended to benefit the Buyer. The checklist below is required by Limerick Township (the "Township") to make certain that you can make an informed decision about purchasing a home. It is your obligation to evaluate the information and to consider its implications relative to your situation.

If you have any questions, you are advised that the Seller and the Seller's agents may not be qualified to render explanations or interpretations of the information required to be disclosed. You are advised to seek the assistance of an independent professional prior to signing the agreement of sale.

Address: \_\_\_\_\_ B \_\_\_\_\_ U \_\_\_\_\_

RESIDENTIAL NOTICE/DISCLOSURE STATEMENT

The undersigned Seller (the "Seller") hereby notifies the undersigned Buyer ("you") of the following:

- 1. You should review the final, municipally approved record subdivision or land development plan for the Project (as defined below) (the "Plan") and/or the full set of approved subdivision/land development plans for the Project (as defined below) for the purpose of identifying, among other things:
a. Common areas, such as parklands, streets, open space, bike paths, walking trails (for pedestrians as well as for animals) and recreational facilities which are part of the Project (as defined below) and which may be near or adjacent to the New Residential Property you are purchasing (the "New Residential Property");
b. The lot lines or other boundaries of the New Residential Property you are purchasing and of lots or units adjacent thereto and any applicable dimensional requirements relating to such lots or units, including setback requirements, and building coverage, impervious coverage and height limitations;
c. Stormwater management facilities and drainage areas, including detention/retention basins and easements;
d. Sanitary sewer facilities and easements;
e. Utility easement areas;

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- f. The zoning classification of the New Residential Property at the time the subdivision/land development of which the New Residential Property is a part (the "Project") was approved by the Township;
  - g. The existence of any environmentally sensitive areas on the New Residential Property being purchased or within the Project, including steep slopes, wetlands and floodplains [please note that governmental laws, rules, regulations and ordinances may limit the use and development of these areas];
  - h. Restrictions on the Project imposed by the Township; and
  - i. The existence and location of on-site water and/or on-site sanitary sewage facilities or systems.
2. You should review the current Zoning Map and Zoning Ordinance of the Township to determine the zoning classification of the property within the Project as well as of properties surrounding the Project for the purpose of determining permitted principal and accessory uses, and any applicable dimensional requirements such as building size, setback requirements, building and impervious coverage limitations, and height limitations. Such zoning information is available in the current Township Zoning Code and Zoning Map, and the current Zoning Map and Zoning, Subdivision and Land Development Ordinances of the Township are available for review and purchase at the Township office. Such ordinances are subject to change.
3. You should review approved and proposed (filed) subdivision and land development plans for the purpose of identifying conditions on surrounding properties which may impact the Project generally or the New Residential Property specifically. Such approved plans are available for review at the Township office and the recorded portions of such plans are available at the Montgomery County Recorder of Deeds Office. Such zoning information is available in the current Township Zoning Code and Zoning Map and the current Zoning Map and Zoning, Subdivision and Land Development Ordinances of the Township are available for review and purchase at the Township office. Such ordinances are subject to change.
4. You should obtain a title report for the New Residential Property from a reputable title insurance company and obtain copies of all plans, documents, easements and restrictions listed therein to determine what easements, restrictions or other limitations affect, may affect or may be imposed on the New Residential Property.
5. You should review any declarations, deed restrictions, homeowners association documents or other documents relating to the New Residential Property for the purpose of determining, among other things, what obligations you shall have after purchasing the New Residential Property with respect to maintenance, repair and replacement of the New Residential Property, any common areas or any other areas; a description of the real estate you will be purchasing; obligations or potential obligations of yours with respect to any homeowners association and common areas; the ownership of common areas; what future development can take place within the Project; and restrictions on the use of the property within the Project.
6. Local authorities may require connection to public water and/or sewer systems in the future and tapping/connecting fees may be imposed.
7. You should be aware that a natural gas or petroleum transmission line is located within 100 yards of the New Residential Property as shown on the attached plan excerpt. The record owner of the  [natural gas or petroleum transmission]  line is \_\_\_\_\_ . Applicable \_\_\_\_\_. Not applicable \_\_\_\_\_.

\_\_\_\_\_ Seller initials

\_\_\_\_\_ Seller initials

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- 8. You should consider contacting the Township to determine the status of any dedications of roads, common areas, sanitary sewer facilities or other areas within the Project.
- 9. You should consider retaining the services of an attorney, real estate professional, professional surveyor, professional engineer and/or other professional to assist you in obtaining and evaluating information relevant to your New Residential Property purchase.

\_\_\_\_\_ Seller  
 \_\_\_\_\_ Date  
 \_\_\_\_\_ Seller  
 \_\_\_\_\_ Date

**BUYER ACKNOWLEDGEMENT**

I/We, the undersigned, hereby acknowledge the following:

- 1. The Seller has provided us with the notice, disclosures and information set forth above and required by the Township's New Residential Sale Notice/Disclosure Ordinance. Seller has also provided me/us with a signed copy of this Notice to Purchasers.
- 2. The Seller has made the Plan available to me/us for review and purchase and has made a full set of the approved plans of the Project available to me/us for review. Alternatively, because the final plans for the Project have not yet been approved, the Seller has made a full set of the latest plans available for my/our review, and has informed me/us that I/we should review the final approved plans before completing settlement and has agreed to make the Plan and the final approved set of plans available for my/our review when they have been approved by the Township and to make the Plan available for purchase by me/us when it has been approved by the Township.
- 3. The Seller has provided me/us with a copy of the condominium or homeowners association documents or other declaration of restrictions or similar documents applicable to the Project, if any.
- 4. The Seller has provided me/us with a list of the utility easements or other easements executed or to be executed by Seller in connection with the Project which will ultimately be but have not yet been recorded or, alternatively, has provided us with a statement that no such documents are contemplated as of this date.
  - a. If the property is subject to easements or rights-of-way for storm water management facilities (i.e., catch basins, drains, pipes, conduit, and/or storm water detention/retention basins, etc.), that I/we may have certain obligations regarding the maintenance, access to, and operation of said facilities and that if I/we should fail to perform said maintenance, the Township may enter upon the property to perform the same at my cost and expense.

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- b. If the property is subject to an easement or right-of-way, I/We are aware that the area of the right-of-way may be accessed by governmental interest, the easement holder, the general public or other third parties acting on behalf of one of these entities, if applicable, and that I/we will not impede, obstruct, or otherwise preclude access to the same for such appropriate purposes.

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- 5. The Seller has provided me/us with a list of all permits and approvals required in order to develop the Project and the New Residential Property in accordance with the Plan. I/we understand that we can contact the applicable permitting or approval agencies to determine the status of such permits and approvals.
- 6. I/We understand that recorded documents applicable to the Project can be obtained at the office of the Recorder of Deeds of Montgomery County, and that a title company can provide me/us with a list of such documents.
- 7. I/We understand that the current Zoning, Subdivision and Land Development Ordinances of the Township are available for review and purchase at the Township office, and that such Ordinances are subject to change.
- 8. I/We understand that the plans for projects on properties surrounding the Project are available for review at the Township office.
- 9. I/We understand that the documents and information referenced herein may contain important information relating to the New Residential Property and the Project, and that I/we should obtain and review such information prior to entering into this transaction. I/we further understand that the information provided by Seller as set forth herein is not necessarily exhaustive of all information that might be applicable to my/our purchase of the New Residential Property, and that I/we have been encouraged to retain appropriate professionals on our behalf to review and evaluate the information provided and any other information that may be relevant. By signing this document, I/we are hereby acknowledging that I/we have obtained and reviewed the information and documents provided by Seller and/or referenced herein, and that we have obtained independent representation to represent us in this transaction, or that we have waived the right to review such information and/or to obtain such representation.

**BUYER IS ADVISED TO SEEK THE ASSISTANCE OF AN INDEPENDENT PROFESSIONAL PRIOR TO SIGNING THIS DOCUMENT.**

\_\_\_\_\_ Buyer

\_\_\_\_\_ Date

\_\_\_\_\_ Buyer