



Are you seeking quiet, expansive 1.58 acres with views, owned solar panels, and a renovated 3 bedroom two bath home with an office and walls of windows that draw in the surrounding green and light? This home has a large cathedral-ceiling family room, a renovated kitchen with newer cabinets, appliances, and butcher block island, with an open heart-of-the-home floor plan; a beautiful master suite with renovated full bath/laundry room combination and a private deck. The barn with cement pad was once used by a well-known ceramicist. Established, fenced vegetable and flower garden. 10 minutes to downtown Ithaca, South Hill elementary. Located in the Town of Danby, Ithaca City School District, and with a Spencer mailing address. This is a gem. Be sure to read the specialty feature sheet and list of improvements!



For more information go to [www.carolbushberg.com](http://www.carolbushberg.com)



**Hilda Moleski**

Licensed Real Estate Broker  
607.220.3369  
[hilda@carolbushberg.com](mailto:hilda@carolbushberg.com)



Active  
Listing # 409139

**379 Gunderman Rd**  
Danby, NY 14850

List Price: \$285,000



<b>Original Price:</b>	\$285,000	<b>Sold Price:</b>	0.00
<b>Style:</b>	2 Story, Farmhouse	<b>Property Subtype:</b>	SngFam
<b>Beds:</b>	3	<b>County:</b>	Tompkins
<b>Baths (F/H):</b>	2 (2 0)	<b>Neighborhood:</b>	Other
<b>Approx Sq. Ft.:</b>	1,790	<b>District:</b>	Ithaca
<b>Price/Sq Ft:</b>	159.22	<b>Property Loc.:</b>	Danby
<b>Lot Sq Ft (approx):</b>	1.5700	<b>Subdivision:</b>	Danby
<b>Year Built:</b>	1847	<b>Lake Privileges:</b>	
<b>Driveway:</b>	Gravel	<b>Lake Name:</b>	
<b>Garage Spaces:</b>	0		

[Additional Photos](#) [Listing Summary and Documents](#)

<b>Zoning:</b> LD	<b>Assessment:</b> 235000	<b>Deed Ref.:</b> 2017/9925	<b>Survey:</b> Available
<b>Current Total Taxes:</b> 0.00	<b>Lot Acres:</b> 1.5700	<b>Lot Size:</b> 250' x 277'	<b>AMPS:</b> 200
<b>Avg Mo Utilities:</b>	<b>Deed Restrictions:</b> No		

<b>Living Room:</b> 15.20x15.50 Level: Main	<b>Master Bedroom:</b> 13.11x15.50 Level: Main	<b>Main Lev Aprx Sq Ft:</b> 0
<b>Dining Room:</b>	<b>Bedroom 2:</b> 12.70x11.50 Level: Main	<b>Upper Lev Aprx Sq Ft:</b> 0
<b>Kitchen:</b> 12.30x23.50 Level: Main	<b>Bedroom 3:</b> 7.30x11.50 Level: Main	<b>#Main Lev Full Baths:</b> 2
<b>Family Room:</b>	<b>Bedroom 4:</b>	<b>#Main Lev Half Baths:</b> 0
<b>Basement:</b> Crawl Space, Full, Sump Pump, Unfinished		

**Insulation/Type:** Full  
**Floor Coverings:** Bamboo, Hardwood, Vinyl  
**Fireplace/Stove:** Wood Stove  
**# of Fireplaces/Stoves:** 1

**Appliances Convey:** Convection  
Oven, Dehumidifier, Dishwasher, Dryer, Freezer, Microwave, Refrigerator, S

**Energy Features:** Double Pane, Photovoltaic Sys Batt

**Heating/Cooling:** Ceiling Fan, Forced Air, Furnace, Oil, Pellet

**Interior Features:** Built-Ins, Cathedral Ceilings, CO Detector, Exposed Beams, High Speed Int Exist, Kitchen Island, Smoke Detector

**Style:** 2 Story, Farmhouse  
**Construction:** Existing  
**Construction Type:** Frame  
**Siding:** Board and Batten  
**Roof:** Asphalt  
**Foundation:** Stone  
**Garage/Parking:** 4+ Car  
**Driveway:** Gravel  
**Fencing:** Other - See Remarks  
**RV Hookup:**  
**Sewer/Septic:** Private Septic  
**Water Source:** Well

**Exterior Features:** Barn, Deck, Distant View, Fire Pit/Fireplace, Flower Gardens, Fruit Trs/Berries/Grp, Gazebo/Pergola, Patio, Play

**Disclosures:** Agriculture District, CO Detector, Electric/Surcharge, Property Condition, Smoke Detector, Lead, Mineral Rights, Uncapped Gas Well

**Financing Remarks:**

**Directions :** 96B to Danby. Right onto Gunderman Rd. House on the left.

**Description:** Are you seeking quiet, expansive 1.58 acres with views, owned solar panels, and a renovated 3 bedroom two bath home with an office and walls of windows that draw in the surrounding green and light? This home has a large cathedral-ceilinged family room, a renovated kitchen with newer cabinets, appliances, and butcher block island, with an open heart-of-the-home floor plan; a beautiful master suite with renovated full bath/laundry room combination and a private deck. The barn with cement pad was once used by a well-known ceramicist. Established, fenced vegetable and flower garden. 10 minutes to downtown Ithaca, South Hill elementary. Located in the Town of Danby, Ithaca City School District, and with a Spencer mailing address. This is a gem. Be sure to read the specialty feature sheet and list of improvements!

**Presented By:**



**Hilda Moleski**

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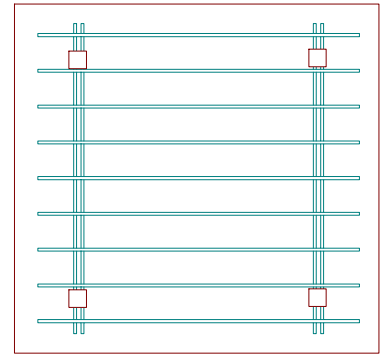
**Carol Bushberg Real Estate**

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**See our listings online:**  
<http://www.carolbushberg.com>

379 Gunderman Rd  
Spencer, NY 14883  
Main Level



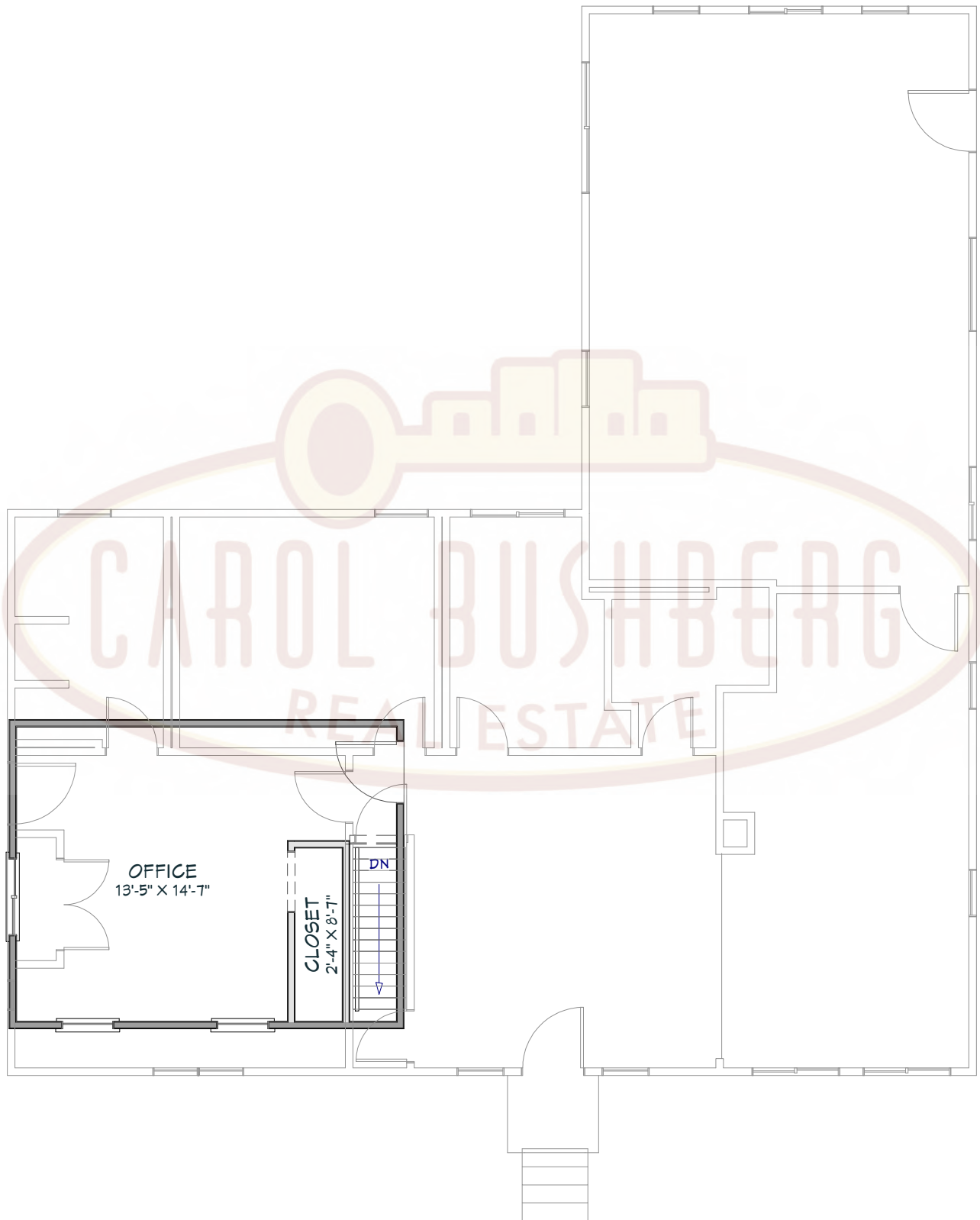
Please note: This plan was drawn by a Realtor, not an architect. As a result, the measurements are approximate and some elements of the property may be missing altogether. We do our best.

379 Gunderman Rd  
Spencer, NY 14883  
Main Level



Please note: This plan was drawn by a Realtor, not an architect. As a result, the measurements are approximate and some elements of the property may be missing altogether. We do our best.

379 Gunderman Rd  
Spencer, NY 14883  
Upper Level



Please note: This plan was drawn by a Realtor, not an architect. As a result, the measurements are approximate and some elements of the property may be missing altogether. We do our best.

379 Gunderman Rd  
Spencer, NY 14883  
Upper Level



Please note: This plan was drawn by a Realtor, not an architect. As a result, the measurements are approximate and some elements of the property may be missing altogether. We do our best.

### Specialty Features 379 Gunderman Rd.

Before we owned it, this house was home to a local potter who left many of the hand-made fixtures such as switch plates and a hanging light shade. The barn was the site of the kilns, and has several concrete pads. An energy-conscious family could run this home completely on renewable resources. With a family of 5 and with a plug-in car, our electricity usage was 85% covered by the on-site solar. The whole-house pellet furnace plus woodstove can allow you to heat the home completely with wood, but also has an oil furnace for back-up heat.

The property has a mature and abundant pear tree, grapevines (Concord and Niagara table grapes), a peach tree, young pawpaw trees, elderberry, maples, raspberries, and black caps. We updated landscaping with evergreen and native-focused pollinator-friendly perennial gardens, plus perennial herbs. The spring and summer bring many birds to the property– Eastern bluebirds frequent the garden, the fields are full of red-winged blackbirds and bobolinks, and a Northern Harrier frequents the field across the street.

### Improvements made since 2017:

New bamboo flooring in the upstairs flex space

New LVP flooring in the family room

Renovated 1/2 bath / laundry to make it a full bathroom with ample storage

Refinished hardwood in bedroom 1

New drywall in bedroom 2

New hot water heater

New woodstove

New whole-house ozone water filtration system

Constructed built-in bookshelves in living room

New oven, dishwasher, and washing machine

Installation of 7.848kW ground-mounted Sunpower solar array

Raised bed garden with fencing

Construction of pergola, patio

Rebuilt driveway-side stoop

Updated landscaping with evergreen and (native-focused) pollinator-friendly perennial gardens

Planted fruit trees (peach, pawpaw, grape) and maples



LILAC

FORSYTHIA

NATIVE SHADE PERENNIALS

LILAC

MINT

SUNDROPS

HOSTAS

HOSTAS

SECRET TRAIL

CONIFERS

CLEMATIS  
LAVENDER

HERBS +  
POLLINATOR  
PLANTS

IRISES

EVERGREENS:

JUNIPER  
CYPRUS  
ANDROMEDA

ASPEN  
GROVE

APPLE

IRISES MILKWEED ROSE

WEIGELA

ASPEN  
GROVE

GRAPES

CONCORD NIAGARA

LUPINE  
LILIES  
ANNUALS

LILIES

HARDY  
KIWI

REDBUD

VEGGIES + FLOWERS

PEACH

FIRE PIT

ASPARAGUS



SWING SET

PEAR  
TREE

HAMMOCK SPOT

ELDERBERRY

WALNUT

PAWPAW

PAWPAW

RASPBERRIES

BLACK CAPS

SUGAR MAPLE

SILVER MAPLE

SOLAR  
PANELS



Site Radon Inspection Report

Date : 06/25/2021

Allison Usavage  
379 Gunderman Road  
Spencer, NY 14883-

Client: Allison Usavage  
Test Location: 379 Gunderman Road  
Spencer, NY 14883-

Individual Canister Results

Canister ID# :	2922953	Test Start :	06/16/2021 @ 19:00
Canister Type :	Charcoal Canister 3 inch	Test Stop :	06/23/2021 @ 15:15
Location :	Bsmt=Stair	Received:	06/25/2021 @ 12:08
Radon Level :	1.7 pCi/L	Analyzed:	06/25/2021 @ 14:59
Error for Measurement is: ±	0.2 pCi/L		

The reported results indicate that radon levels in the building tested are below the United States Environmental Protection Agency (EPA) action level of 4.0 picoCuries per liter of air (pCi/L). The EPA recommends retesting if your living patterns change and you begin occupying a lower level of the building, such as a basement or if major remodeling is done.

General radon information may be obtained by consulting the EPA booklet: A Citizen's Guide to Radon ([www.epa.gov/radon/pubs/citguide.html](http://www.epa.gov/radon/pubs/citguide.html)). To request a copy or for further information, please contact your state health department. The EPA maintains a radon information website, including copies of its publications, at [www.epa.gov/iaq/radon](http://www.epa.gov/iaq/radon).

**For New Jersey clients:** Please see the attached guidance document entitled Radon Testing and Mitigation: The Basics for further information.

**For New York clients:** If the radon level of one or more testing devices is equal to or exceeds 20 pCi/L please contact the New York State Department of Health, Bureau of Environmental Radiation Protection, for technical advice and assistance at 518-402-7556 or toll free 1-800-458-1158.

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**PLEDGE OF ASSURED QUALITY**

All procedures used for generating this report are in complete accordance with the current EPA protocols for the analysis of radon in air (EPA 402-R-92-004). The analytical results relate only to the samples tested, in the condition received by the lab, and that calculations were based upon the information supplied by client. RTCA and its personnel do not assume responsibility or liability, collectively and individually, for analysis results when detectors have been improperly handled or placed by the consumer, nor does RTCA and its personnel accept responsibility for any financial or health consequences of subsequent action or lack of action, taken by the customer or its consultants based on RTCA-provided results.



*Andreas C. George*

Andreas C. George  
Radon Measurement Specialist  
NJ MES 11089

*Dante Galan*

Dante Galan  
Laboratory Director

NRSB ARL0001  
NYS ELAP ID: 10806  
PADEP ID: 0346  
NJDEP ID: NY933  
NJ MEB 90036  
FL DOH RB1609  
IL RNL2000201



# Division of Licensing Services

New York State  
Department of State  
Division of Licensing Services  
P.O. Box 22001  
Albany, NY 12201-2001  
Customer Service: (518) 474-4429  
<https://dos.ny.gov>

## Property Condition Disclosure Statement

Name of Seller or Sellers: \_\_\_\_\_

Property Address: \_\_\_\_\_

### General Instructions:

The Property Condition Disclosure Act requires the seller of residential real property to cause this disclosure statement or a copy of thereof to be delivered to a buyer or buyer's agent prior to the signing by the buyer of a binding contract of sale.

### Purpose of Statement:

This is a statement of certain conditions and information concerning the property known to the seller. This Disclosure Statement is not a warranty of any kind by the seller or by any agent representing the seller in this transaction. It is not a substitute for any inspections or tests and the buyer is encouraged to obtain his or her own independent professional inspections and environmental tests and also is encouraged to check public records pertaining to the property.

A knowingly false or incomplete statement by the seller on this form may subject the seller to claims by the buyer prior to or after the transfer of title. In the event a seller fails to perform the duty prescribed in this article to deliver a Disclosure Statement prior to the signing by the buyer of a binding contract of sale, the buyer shall receive upon the transfer of title a credit of \$500 against the agreed upon purchase price of the residential real property.

"Residential real property" means real property improved by a one to four family dwelling used or occupied, or intended to be used or occupied, wholly or partly, as the home or residence of one or more persons, but shall not refer to (a) unimproved real property upon which such dwellings are to be constructed or (b) condominium units or cooperative apartments or (c) property on a homeowners' association that is not owned in fee simple by the seller.

### Instruction to the Seller:

- a. Answer all questions based upon your actual knowledge.
- b. Attach additional pages with your signature if additional space is required.
- c. Complete this form yourself.
- d. If some items do not apply to your property, check "NA" (Non-applicable). If you do not know the answer check "Unkn" (Unknown).

### Seller's Statement:

The seller makes the following representations to the buyer based upon the seller's actual knowledge at the time of signing this document. The seller authorized his or her agent, if any, to provide a copy of this statement to a prospective buyer of the residential real property. The following are representations made by the seller and are not the representations of the seller's agent.

### GENERAL INFORMATION

1. How long have you owned the property? ..... \_\_\_\_\_

2. How long have you occupied the property? ..... \_\_\_\_\_

3. What is the age of the structure or structures? ..... \_\_\_\_\_

*Note to buyer – If the structure was built before 1978 you are encouraged to investigate for the presence of lead based paint.*

4. Does anybody other than yourself have a lease, easement or any other right to use or occupy any part of your property other than those stated in documents available in the public record, such as rights to use a road or path or cut trees or crops? .....  Yes  No  Unkn  NA

5. Does anybody else claim to own any part of your property? *If yes, explain below* .....  Yes  No  Unkn  NA

\_\_\_\_\_

6. Has anyone denied you access to the property or made a formal legal claim challenging your title to the property? *If yes, explain below* .....  Yes  No  Unkn  NA

\_\_\_\_\_

# Property Condition Disclosure Statement

7. Are there any features of the property shared in common with adjoining landowners or a homeowner's association, such as walls, fences or driveways? *If yes, describe below* .....  Yes  No  Unkn  NA  
\_\_\_\_\_  
\_\_\_\_\_
8. Are there any electric or gas utility surcharges for line extensions, special assessments or homeowner or other association fees that apply to the property? *If yes, describe below* .....  Yes  No  Unkn  NA  
\_\_\_\_\_  
\_\_\_\_\_
9. Are there certificates of occupancy related to the property? *If no, explain below* .....  Yes  No  Unkn  NA

## ENVIRONMENTAL

### Note to Seller:

In this section, you will be asked questions regarding petroleum products and hazardous or toxic substances that you know to have been spilled, leaked or otherwise been released on the property or from the property onto any other property. Petroleum products may include, but are not limited to, gasoline, diesel fuel, home heating fuel, and lubricants. Hazardous or toxic substances are products or other material that could pose short or long-term danger to personal health or the environment if they are not properly disposed of, applied or stored. These include, but are not limited to, fertilizers, pesticides and insecticides, paint including paint thinner, varnish remover and wood preservatives, treated wood, construction materials such as asphalt and roofing materials, antifreeze and other automotive products, batteries, cleaning solvents including septic tank cleaners, household cleaners, pool chemicals and products containing mercury and lead and indoor mold.

### Note to Buyer:

If contamination of this property from petroleum products and/or hazardous or toxic substances is a concern to you, you are urged to consider soil and groundwater testing of this property.

10. Is any or all of the property located in a designated floodplain? *If yes, explain below* .....  Yes  No  Unkn  NA  
\_\_\_\_\_  
\_\_\_\_\_
11. Is any or all of the property located in a designated wetland? *If yes, explain below* .....  Yes  No  Unkn  NA  
\_\_\_\_\_  
\_\_\_\_\_
12. Is the property located in an agricultural district? *If yes, explain below* .....  Yes  No  Unkn  NA  
\_\_\_\_\_  
\_\_\_\_\_
13. Was the property ever the site of a landfill? *If yes, explain below* .....  Yes  No  Unkn  NA  
\_\_\_\_\_  
\_\_\_\_\_
14. Are there or have there ever been fuel storage tanks above or below the ground on the property?  Yes  No  Unkn  NA  
• If yes, are they currently in use? .....  Yes  No  Unkn  NA  
• Location(s) \_\_\_\_\_  
\_\_\_\_\_  
• Are they leaking or have they ever leaked? *If yes, explain below* .....  Yes  No  Unkn  NA
15. Is there asbestos in the structure? *If yes, state location or locations below* .....  Yes  No  Unkn  NA  
\_\_\_\_\_  
\_\_\_\_\_

# Property Condition Disclosure Statement

16. Is lead plumbing present? *If yes, state location or locations below* ..... Yes No Unkn NA  
\_\_\_\_\_  
\_\_\_\_\_
17. Has a radon test been done? *If yes, attach a copy of the report* ..... Yes No Unkn NA  
\_\_\_\_\_  
\_\_\_\_\_
18. Has motor fuel, motor oil, home heating fuel, lubricating oil or any other petroleum product, methane gas, or any hazardous or toxic substance spilled, leaked or otherwise been released on the property or from the property onto any other property? *If yes, describe below* ..... Yes No Unkn NA  
\_\_\_\_\_  
\_\_\_\_\_
19. Has the property been tested for the presence of motor fuel, motor oil, home heating fuel, lubricating oil, or any other petroleum product, methane gas, or any hazardous or toxic substance? *If yes, attach report(s)* ..... Yes No Unkn NA  
\_\_\_\_\_  
\_\_\_\_\_
- 19-a. Has the property been tested for indoor mold? *If yes, attach a copy of the report*..... Yes No Unkn

## STRUCTURAL

20. Is there any rot or water damage to the structure or structures? *If yes, explain below* ..... Yes No Unkn NA  
\_\_\_\_\_  
\_\_\_\_\_
21. Is there any fire or smoke damage to the structure or structures? *If yes, explain below* ..... Yes No Unkn NA  
\_\_\_\_\_  
\_\_\_\_\_
22. Is there any termite, insect, rodent or pest infestation or damage? *If yes, explain below* ..... Yes No Unkn NA  
\_\_\_\_\_  
\_\_\_\_\_
23. Has the property been tested for termite, insect, rodent or pest infestation or damage? ..... Yes No Unkn NA  
*If yes, please attached report(s)*
24. What is the type of roof/roof covering (slate, asphalt, other)? ..... \_\_\_\_\_  
• Any known material defects? ..... \_\_\_\_\_  
• How old is the roof? ..... \_\_\_\_\_  
• Is there a transferable warrantee on the roof in effect now? *If yes, explain below* ..... \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

# Property Condition Disclosure Statement

25. Are there any known material defects in any of the following structural systems: footings, beams, girders, lintels, columns or partitions? ..... Yes No Unkn NA

\_\_\_\_\_  
\_\_\_\_\_

## MECHANICAL SYSTEMS AND SERVICES

26. What is the water source? (Check all that apply) .....  well,  private,  Municipal  
other: \_\_\_\_\_

• If municipal, is it metered? ..... Yes No Unkn NA

27. Has the water quality and/or flow rate been tested? ..... Yes No Unkn NA

\_\_\_\_\_  
\_\_\_\_\_

28. What is the type of sewage system? (Check all that apply) .....  public sewer,  private sewer,  
 septic,  cesspool

• If septic or cesspool, age? .....

• Date last pumped? .....

• Frequency of pumping? .....

• Any known material defects? *If yes, explain below* ..... Yes No Unkn NA

\_\_\_\_\_  
\_\_\_\_\_

29. Who is your electric service provider? .....

• What is the amperage? .....

• Does it have circuit breakers or fuses? .....

• Private or public poles? .....

• Any known material defects? *If yes, explain below* ..... Yes No Unkn NA

\_\_\_\_\_  
\_\_\_\_\_

30. Are there any flooding, drainage or grading problems that resulted in standing water on any portion of the property? *If yes, state locations and explain below* ..... Yes No Unkn NA

\_\_\_\_\_  
\_\_\_\_\_

31. Does the basement have seepage that results in standing water? *If yes, explain below* ..... Yes No Unkn NA

\_\_\_\_\_  
\_\_\_\_\_

# Property Condition Disclosure Statement

Are there any known material defects in any of the following? *If yes, explain below. Use additional Sheets if necessary* .....

- 32. Plumbing system? ..... Yes No Unkn NA
- 33. Security system? ..... Yes No Unkn NA
- 34. Carbon monoxide detector? ..... Yes No Unkn NA
- 35. Smoke detector? ..... Yes No Unkn NA
- 36. Fire sprinkler system? ..... Yes No Unkn NA
- 37. Sump pump? ..... Yes No Unkn NA
- 38. Foundation/slab? ..... Yes No Unkn NA
- 39. Interior walls/ceilings? ..... Yes No Unkn NA
- 40. Exterior walls or siding? ..... Yes No Unkn NA
- 41. Floors? ..... Yes No Unkn NA
- 42. Chimney/fireplace or stove? ..... Yes No Unkn NA
- 43. Patio/deck? ..... Yes No Unkn NA
- 44. Driveway? ..... Yes No Unkn NA
- 45. Air conditioner? ..... Yes No Unkn NA
- 46. Heating system? ..... Yes No Unkn NA
- 47. Hot water heater? ..... Yes No Unkn NA

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48. The property is located in the following school district \_\_\_\_\_

**Note:** Buyer is encouraged to check public records concerning the property (e.g. tax records and wetland and floodplain maps).

*The seller should use this area to further explain any item above. If necessary, attach additional pages and indicate here the number of additional pages attached.*

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# Property Condition Disclosure Statement

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## SELLER'S CERTIFICATION:

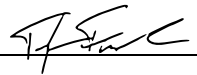
Seller certifies that the information in this Property Condition Disclosure Statement is true and complete to the seller's actual knowledge as of the date signed by the seller. If a seller of residential real property acquires knowledge which renders materially inaccurate a Property Condition Disclosure Statement provided previously, the seller shall deliver a revised Property Condition Disclosure Statement to the buyer as soon as practicable. In no event, however, shall a seller be required to provide a revised Property Condition Disclosure Statement after the transfer of title from the seller to the buyer or occupancy by the buyer, whichever is earlier.

*Seller's Signature*

X  \_\_\_\_\_

Date 8/4/2023

*Seller's Signature*

X  \_\_\_\_\_

Date 8/4/2023

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## BUYER'S ACKNOWLEDGMENT:

Buyer acknowledges receipt of a copy of this statement and buyer understands that this information is a statement of certain conditions and information concerning the property known to the seller. It is not a warranty of any kind by the seller or seller's agent and is not a substitute for any home, pest, radon or other inspections or testing of the property or inspection of the public records.

*Buyer's Signature*

X \_\_\_\_\_

Date \_\_\_\_\_

*Buyer's Signature*

X \_\_\_\_\_

Date \_\_\_\_\_



## DISCLOSURE FORM – PART A

*Utility Surcharges/Agricultural Districts/Uncapped Natural Gas well*

**PROPERTY ADDRESS:** \_\_\_\_\_

### ELECTRIC AVAILABILITY

Seller represents that electric utility service  IS or  IS NOT currently available at the above referenced property lot location.

### UTILITY SURCHARGES

Seller represents that this property  IS or  IS NOT subject to an electric, gas and/or water utility surcharge specified below. Seller also represents that this property is subject to such offer surcharge specified below.

Type  Electric  gas  water  other    Purpose: \_\_\_\_\_

Amount: \$ \_\_\_\_\_                      Payable:  monthly  yearly  other \_\_\_\_\_

### AGRICULTURAL DISTRICTS/FARMING ACTIVITY DISCLOSURE

This property  IS or  IS NOT in an Agricultural District.

Pursuant to Section 310 of Agricultural and Markets Law, a notice containing the following paragraph must be included in all purchase contracts for property that may be located either partially or wholly within an agricultural district. If property is in an agricultural district, the following disclosure applies.

It is the policy of this state and this community to conserve, protect and encourage the development and improvement of agricultural land for the production of food, and other products, and also for its natural and ecological value. This disclosure notice is to inform prospective residents that the property they are about to acquire lies partially or wholly within an agricultural district and that farming activities occur within the district. Such farming activities may include, but not be limited to, activities that cause noise, dust and odors. Prospective residents are also informed that the location of property within an agricultural district may impact the ability to access water and/or sewer services for such property under certain circumstances. **Prospective purchasers are urged to contact the New York State Department of Agriculture and Markets to obtain additional information or clarification regarding their rights and obligations under article 25-AA of the Agriculture and Markets Law.**

### UNCAPPED NATURAL GAS WELL DISCLOSURE

Initial the following:

\_\_\_\_\_ I HAVE NO actual knowledge of any uncapped natural gas well(s) on the aforementioned property.

\_\_\_\_\_ I HAVE actual knowledge of an uncapped natural gas well(s) on the aforementioned property.

As the seller of residential real property, you are required by law to disclose the existence of an UNCAPPED NATURAL GAS WELL on your property of which you have actual knowledge and to disclose such fact to any purchaser of your property prior to entering into a contract for the sale of such property. Section 242(3) of the Real Property Law states as follows: Any person, firm, company, partnership or corporation offering to sell real property on which uncapped natural gas wells are situated, and of which such person, firm, company, partnership or corporation has actual knowledge, shall inform any purchaser of the existence of these wells prior to entering into a contract for the sale/purchase of such property. I have received and read this disclosure notice. I authorize my agent to provide a copy of this disclosure notice to any prospective purchaser.

SELLER: \_\_\_\_\_ *[Signature]*

BUYER: \_\_\_\_\_

SELLER: \_\_\_\_\_ *[Signature]*

BUYER: \_\_\_\_\_

DATE: \_\_\_\_\_

DATE: \_\_\_\_\_





## DISCLOSURE FORM – PART B

*Protection Device/Oil, Gas, Mineral and Timber rights*

**PROPERTY ADDRESS:** \_\_\_\_\_

### PROTECTION DEVICE DISCLOSURE

#### SMOKE ALARMS

The law requires that a property owner/landlord must provide working smoke detectors on each floor of all properties for sale or rent. It is the responsibility of the property owner/landlord to ensure that smoke detectors are in working order when a new owner/tenant moves in. Once a new owner/tenant moves in, it is then the new owner/tenant's responsibility to check the batteries in the smoke detector and to ensure that the unit is in good working order. New owners/tenants understand that there are legal penalties for removing the batteries from any smoke alarm.

#### CARBON MONOXIDE DETECTORS

As of March 6, 2003 the law requires that a property owner/landlord must provide at least one working carbon monoxide detector in each unit for sale or rent.

It is the responsibility of the property owner/landlord to ensure that the carbon monoxide detector is in working condition when a new owner/tenant moves in. Once a new owner/tenant moves in, it is then the responsibility of the new owner/tenant to check the batteries in the carbon monoxide detector and to ensure that the unit is in good working order. New owners/tenants understand that there are legal penalties for removing batteries from any carbon monoxide detector.

### SELLER DISCLOSURE REGARDING OIL, GAS, MINERAL AND TIMBER RIGHTS

The owner of real property has a variety of rights that can convey with property when the property is sold to another. These rights include surface rights (the rights to build or plant crops upon the ground) and certain subsurface rights (the right to extract materials from below the ground). Among the various subsurface rights, are the rights to explore for, and remove, oil, gas and various minerals such as coal, sand and gravel. Surface and subsurface rights are often transferred together; however these rights can transfer separately. Despite the best intention of Sellers, property owners are often not aware of the extent of the oil, gas and mineral rights they may or may not own. Determining who owns the various rights to oil, gas and minerals can be complex and should only be done by an attorney and/or title company with expertise in this area. Buyers of real property are strongly encouraged to have their rights to oil, gas and minerals examined before moving forward with a purchase and sale agreement.

- Seller owns all and has not leased any oil, gas, mineral and/or timber rights.
- Seller does not own the rights to oil, gas and/or minerals.
- Seller does not own the rights to timber.
- Some oil, gas, mineral and/or timber rights have been leased by the Seller or previous owner.
- Seller has attached copies of all written oil, gas, mineral and/or timber rights leases and other documents (e.g. leases, royalty agreements) within the Seller's possession to this disclosure.
- Seller has no knowledge.

THIS IS A DISCLOSURE ONLY. Buyer has received and read this disclosure notice.

SELLER: 

BUYER: \_\_\_\_\_

SELLER: 

BUYER: \_\_\_\_\_

DATE: \_\_\_\_\_

DATE: \_\_\_\_\_



New York State  
DEPARTMENT OF STATE  
Division of Licensing Services  
P.O. Box 22001  
Albany, NY 12201-2001

Customer Service: (518) 474-4429  
[www.dos.state.ny.us](http://www.dos.state.ny.us)

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## **New York State Disclosure Form for Buyer and Seller**

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### **THIS IS NOT A CONTRACT**

*New York State law requires real estate licensees who are acting as agents of buyers or sellers of property to advise the potential buyers or sellers with whom they work of the nature of their agency relationship and the rights and obligations it creates. This disclosure will help you to make informed choices about your relationship with the real estate broker and its sales agents.*

*Throughout the transaction you may receive more than one disclosure form. The law may require each agent assisting in the transaction to present you with this disclosure form. A real estate agent is a person qualified to advise about real estate.*

*If you need legal, tax or other advice, consult with a professional in that field.*

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## **Disclosure Regarding Real Estate Agency Relationships**

### **Seller's Agent**

A seller's agent is an agent who is engaged by a seller to represent the seller's interests. The seller's agent does this by securing a buyer for the seller's home at a price and on terms acceptable to the seller. A seller's agent has, without limitation, the following fiduciary duties to the seller: reasonable care, undivided loyalty, confidentiality, full disclosure, obedience and duty to account. A seller's agent does not represent the interests of the buyer. The obligations of a seller's agent are also subject to any specific provisions set forth in an agreement between the agent and the seller. In dealings with the buyer, a seller's agent should (a) exercise reasonable skill and care in performance of the agent's duties; (b) deal honestly, fairly and in good faith; and (c) disclose all facts known to the agent materially affecting the value or desirability of property, except as otherwise provided by law.

### **Buyer's Agent**

A buyer's agent is an agent who is engaged by a buyer to represent the buyer's interests. The buyer's agent does this by negotiating the purchase of a home at a price and

on terms acceptable to the buyer. A buyer's agent has, without limitation, the following fiduciary duties to the buyer: reasonable care, undivided loyalty, confidentiality, full disclosure, obedience and duty to account. A buyer's agent does not represent the interest of the seller. The obligations of a buyer's agent are also subject to any specific provisions set forth in an agreement between the agent and the buyer. In dealings with the seller, a buyer's agent should (a) exercise reasonable skill and care in performance of the agent's duties; (b) deal honestly, fairly and in good faith; and (c) disclose all facts known to the agent materially affecting the buyer's ability and/or willingness to perform a contract to acquire seller's property that are not inconsistent with the agent's fiduciary duties to the buyer.

### **Broker's Agents**

A broker's agent is an agent that cooperates or is engaged by a listing agent or a buyer's agent (but does not work for the same firm as the listing agent or buyer's agent) to assist the listing agent or buyer's agent in locating a property to sell or buy, respectively, for the listing agent's seller or the buyer agent's buyer. The broker's agent does not have a direct relationship with the buyer or seller and the buyer or seller can not provide instructions or direction directly to the broker's agent. The buyer and the seller therefore do not have vicarious liability for the acts of the broker's agent. The listing agent or buyer's agent do provide direction and instruction to the broker's agent and therefore the listing agent or buyer's agent will have liability for the acts of the broker's agent.

### **Dual Agent**

A real estate broker may represent both the buyer and seller if both the buyer and seller give their informed consent in writing. In such a dual agency situation, the agent will not be able to provide the full range of fiduciary duties to the buyer and seller. The obligations of an agent are also subject to any specific provisions set forth in an agreement between the agent, and the buyer and seller. An agent acting as a dual agent must explain carefully to

both the buyer and seller that the agent is acting for the other party as well. The agent should also explain the possible effects of dual representation, including that by consenting to the dual agency relationship the buyer and seller are giving up their right to undivided loyalty. A buyer or seller should carefully consider the possible consequences of a dual agency relationship before agreeing to such representation. A seller or buyer may provide advance informed consent to dual agency by indicating the same on this form.

of the real estate broker. With the informed consent of the buyer and the seller in writing, the designated sales agent for the buyer will function as the buyer's agent representing the interests of and advocating on behalf of the buyer and the designated sales agent for the seller will function as the seller's agent representing the interests of and advocating on behalf of the seller in the negotiations between the buyer and seller. A designated sales agent cannot provide the full range of fiduciary duties to the buyer or seller. The designated sales agent must explain that like the dual agent under whose supervision they function, they cannot provide undivided loyalty. A buyer or seller should carefully consider the possible consequences of a dual agency relationship with designated sales agents before agreeing to such representation. A seller or buyer may provide advance informed consent to dual agency with designated sales agents by indicating the same on this form.

### Dual Agent with Designated Sales Agents

If the buyer and seller provide their informed consent in writing, the principals and the real estate broker who represents both parties as a dual agent may designate a sales agent to represent the buyer and another sales agent to represent the seller to negotiate the purchase and sale of real estate. A sales agent works under the supervision

This form was provided to me by \_\_\_\_\_ (print name of licensee) of \_\_\_\_\_ (print name of company, firm or brokerage), a licensed real estate broker acting in the interest of the:

- |   |  |
|---|--|
| <input type="checkbox"/> Seller as a (check relationship below) | <input type="checkbox"/> Buyer as a (check relationship below) |
| <input type="checkbox"/> Seller's agent                         | <input type="checkbox"/> Buyer's agent                         |
| <input type="checkbox"/> Broker's agent                         | <input type="checkbox"/> Broker's agent                        |
| <input type="checkbox"/> Dual agent                             |  |
| <input type="checkbox"/> Dual agent with designated sales agent |  |

For advance informed consent to either dual agency or dual agency with designated sales agents complete section below:

- Advance informed consent dual agency
- Advance informed consent to dual agency with designated sales agents

If dual agent with designated sales agents is indicated above: \_\_\_\_\_ is appointed to represent the buyer; and \_\_\_\_\_ is appointed to represent the seller in this transaction.

(I) (We) \_\_\_\_\_ acknowledge receipt of a copy of this disclosure form: signature of { } Buyer(s) and/or { } Seller(s):

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Date: 8/4/2023

Date: \_\_\_\_\_



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## **New York State Housing Discrimination Disclosure Form**

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Federal, State and local Fair Housing Laws provide comprehensive protections from discrimination in housing. It is unlawful for any property owner, landlord, property manager or other person who sells, rents or leases housing, to discriminate based on certain protected characteristics, which include, but are not limited to **race, creed, color, national origin, sexual orientation, gender identity or expression, military status, sex, age, disability, marital status, lawful source of income or familial status**. Real estate professionals must also comply with all Fair Housing Laws.

### **Real estate brokers and real estate salespersons, and their employees and agents violate the Law if they:**

- Discriminate based on any protected characteristic when negotiating a sale, rental or lease, including representing that a property is not available when it is available.
- Negotiate discriminatory terms of sale, rental or lease, such as stating a different price because of race, national origin or other protected characteristic.
- Discriminate based on any protected characteristic because it is the preference of a seller or landlord.
- Discriminate by “steering” which occurs when a real estate professional guides prospective buyers or renters towards or away from certain neighborhoods, locations or buildings, based on any protected characteristic.
- Discriminate by “blockbusting” which occurs when a real estate professional represents that a change has occurred or may occur in future in the composition of a block, neighborhood or area, with respect to any protected characteristics, and that the change will lead to undesirable consequences for that area, such as lower property values, increase in crime, or decline in the quality of schools.
- Discriminate by pressuring a client or employee to violate the Law.
- Express any discrimination because of any protected characteristic by any statement, publication, advertisement, application, inquiry or any Fair Housing Law record.

### **YOU HAVE THE RIGHT TO FILE A COMPLAINT**

**If you believe you have been the victim of housing discrimination** you should file a complaint with the New York State Division of Human Rights (DHR). Complaints may be filed by:

- Downloading a complaint form from the DHR website: [www.dhr.ny.gov](http://www.dhr.ny.gov);
- Stop by a DHR office in person, or contact one of the Division’s offices, by telephone or by mail, to obtain a complaint form and/or other assistance in filing a complaint. A list of office locations is available online at: <https://dhr.ny.gov/contact-us>, and the Fair Housing HOTLINE at (844)-862-8703.

You may also file a complaint with the NYS Department of State, Division of Licensing Services. Complaints may be filed by:

- Downloading a complaint form from the Department of State’s website [https://www.dos.ny.gov/licensing/complaint\\_links.html](https://www.dos.ny.gov/licensing/complaint_links.html)
- Stop by a Department’s office in person, or contact one of the Department’s offices, by telephone or by mail, to obtain a complaint form.
- Call the Department at (518) 474-4429.

There is no fee charged to you for these services. It is unlawful for anyone to retaliate against you for filing a complaint.



# Division of Licensing Services

New York State  
Department of State, Division of Licensing Services  
(518) 474-4429  
[www.dos.ny.gov](http://www.dos.ny.gov)

New York State  
Division of Consumer Rights  
(888) 392-3644

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## New York State Housing Discrimination Disclosure Form

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For more information on Fair Housing Act rights and responsibilities please visit <https://dhr.ny.gov/fairhousing> and <https://www.dos.ny.gov/licensing/fairhousing.html>.

This form was provided to me by \_\_\_\_\_ (print name of Real Estate Salesperson/  
Broker) of \_\_\_\_\_ (print name of Real Estate company, firm or brokerage)

(I)(We) \_\_\_\_\_

(Real Estate Consumer/Seller/Landlord) acknowledge receipt of a copy of this disclosure form:

Real Estate Consumer/Seller/Landlord Signature  \_\_\_\_\_ Date: \_\_\_\_\_

Real Estate broker and real estate salespersons are required by New York State law to provide you with this Disclosure.

**Disclosure of Information on Lead-Based Paint and/or Lead-Based Paint Hazards**

**Lead Warning Statement**

Every purchaser of any interest in residential real property on which a residential dwelling was built prior to 1978 is notified that such property may present exposure to lead from lead-based paint that may place young children at risk of developing lead poisoning. Lead poisoning in young children may produce permanent neurological damage, including learning disabilities, reduced intelligence quotient, behavioral problems, and impaired memory. Lead poisoning also poses a particular risk to pregnant women. The seller of any interest in residential real property is required to provide the buyer with any information on lead-based paint hazards from risk assessments or inspections in the seller's possession and notify the buyer of any known lead-based paint hazards. A risk assessment or inspection for possible lead-based paint hazards is recommended prior to purchase.

**Seller's Disclosure**

(a) Presence of lead-based paint and/or lead-based paint hazards (check (i) or (ii) below):

(i) \_\_\_\_\_ Known lead-based paint and/or lead-based paint hazards are present in the housing (explain).  
\_\_\_\_\_

(ii) \_\_\_\_\_ Seller has no knowledge of lead-based paint and/or lead-based paint hazards in the housing.

(b) Records and reports available to the seller (check (i) or (ii) below):

(i) \_\_\_\_\_ Seller has provided the purchaser with all available records and reports pertaining to lead-based paint and/or lead-based paint hazards in the housing (list documents below).  
\_\_\_\_\_

(ii) \_\_\_\_\_ Seller has no reports or records pertaining to lead-based paint and/or lead-based paint hazards in the housing.

**Purchaser's Acknowledgment (initial)**

(c) \_\_\_\_\_ Purchaser has received copies of all information listed above.

(d) \_\_\_\_\_ Purchaser has received the pamphlet *Protect Your Family from Lead in Your Home*.

(e) Purchaser has (check (i) or (ii) below):

(i) \_\_\_\_\_ received a 10-day opportunity (or mutually agreed upon period) to conduct a risk assessment or inspection for the presence of lead-based paint and/or lead-based paint hazards; or

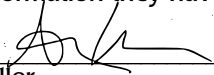
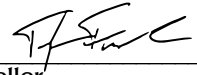
(ii) \_\_\_\_\_ waived the opportunity to conduct a risk assessment or inspection for the presence of lead-based paint and/or lead-based paint hazards.

**Agent's Acknowledgment (initial)**

(f) \_\_\_\_\_ Agent has informed the seller of the seller's obligations under 42 U.S.C. 4852d and is aware of his/her responsibility to ensure compliance.

**Certification of Accuracy**

The following parties have reviewed the information above and certify, to the best of their knowledge, that the information they have provided is true and accurate.

	8/4/2023		8/4/2023
_____ Seller	_____ Date	_____ Seller	_____ Date
_____ Purchaser	_____ Date	_____ Purchaser	_____ Date
_____ Agent	_____ Date	_____ Agent	_____ Date

# HOME SURVEILLANCE DISCLOSURE AND CONSENT FORM

The information and form below are provided to help sellers, buyers, and other visitors understand and comply with New York State law with respect to home audio surveillance devices.

Eavesdropping is illegal in New York. Eavesdropping includes wiretapping and mechanical overhearing of a conversation. Wiretapping includes the intentional overhearing or recording of a telephonic communication by a person other than the sender or receiver without the consent of either the sender or receiver. Mechanical overhearing of a conversation is the intentional overhearing or recording of a conversation or discussion without the consent of at least one party thereto. If you have equipment that allows for listening to and/or recording of audio in your home, then you may be guilty of eavesdropping if you do not obtain the proper consent. In the absence of such consent, homeowners are advised to disable any audio recording functionality in their home during real estate related activities (e.g., open houses, walk-throughs, and visits by agents, potential buyers, inspectors, photographers, or appraisers, etc.). If there is audio recording equipment that allows for listening to and/or recording conversations in the home that will be activated during real estate related activity, appropriate consent must be obtained in advance of such activity.


**PROPERTY ADDRESS:** 379 Gunderman Rd, Spencer, NY 14883

## FOR THE SELLER:

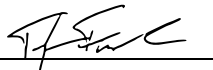
If you have equipment that allows for listening to and/or recording of audio in your home, please disclose this to your agent by answering the questions below. If you have such equipment, your agent must then disclose this information by placing it in the MLS agent remarks. If such equipment will be activated during real estate related activity at the property, this information will also be disclosed and you are advised to conspicuously post written notice of same on the premises.

◆ **Caution:** Disclosure alone does not mean consent; without the appropriate consent, it is illegal in New York to listen to or record another's conversation. A visitor to your home may give consent, using the form below, to allow you to legally listen to and/or record their conversations during their visit to the premises.

1. I have equipment that allows me to listen to and/or record audio at the property  Yes  No (check one)
2. (if applicable) My audio equipment will be disabled during all real estate related visits to the home (e.g., showings, inspections, open houses, appraisals, walkthroughs, etc.)  Yes  No (check one)

SELLER: 

DATE: 8/4/2023

SELLER: 

DATE: 8/4/2023

## FOR THE VISITOR:

Yes  No (check one) I consent to having my conversations listened to and/or audio recorded during my visit to this property. I understand that if I deny consent, my access to this property may be denied by the seller.

VISITOR: \_\_\_\_\_

DATE: \_\_\_\_\_

VISITOR: \_\_\_\_\_

DATE: \_\_\_\_\_