



NORTH CAROLINA REAL ESTATE COMMISSION

Residential Property And Owners' Association Disclosure Statement

Protecting the Public Interest in Real Estate Brokerage Transactions

Property Address/Description: 2209 Terri Creek Dr, Fuquay-Varina, NC 27526

Owner's Name(s): The Neese Family Trust

North Carolina law [N.C.G.S. 47E](#) requires residential property owners to complete this Disclosure Statement and provide it to the buyer prior to any offer to purchase. There are limited exemptions for completing the form, such as new home construction that has never been occupied. Owners are advised to seek legal advice if they believe they are entitled to one of the limited exemptions contained in N.C.G.S. 47E-2.

An owner is required to provide a response to every question by selecting Yes (Y), No (N), No Representation (NR), or Not Applicable (NA). An owner is not required to disclose any of the material facts that have a NR option, even if they have knowledge of them. However, failure to disclose latent (hidden) defects may result in civil liability. The disclosures made in this Disclosure Statement are those of the owner(s), not the owner's broker.

- If an owner selects Y or N, the owner is only obligated to disclose information about which they have actual knowledge. If an owner selects Y in response to any question about a problem, the owner must provide a written explanation or attach a report from an attorney, engineer, contractor, pest control operator, or other expert or public agency describing it.
- If an owner selects N, the owner has no actual knowledge of the topic of the question, including any problem. If the owner selects N and the owner knows there is a problem or that the owner's answer is not correct, the owner may be liable for making an intentional misstatement.
- If an owner selects NR, it could mean that the owner (1) has knowledge of an issue and chooses not to disclose it; or (2) simply does not know.
- If an owner selects NA, it means the property does not contain a particular item or feature.

For purposes of completing this Disclosure Statement: **"Dwelling"** means any structure intended for human habitation, **"Property"** means any structure intended for human habitation and the tract of land, and **"Not Applicable"** means the item does not apply to the property or exist on the property.

OWNERS: The owner must give a completed and signed Disclosure Statement to the buyer no later than the time the buyer makes an offer to purchase property. If the owner does not, the buyer can, under certain conditions, cancel any resulting contract. An owner is responsible for completing and delivering the Disclosure Statement to the buyer even if the owner is represented in the sale of the property by a licensed real estate broker and the broker must disclose any material facts about the property that the broker knows or reasonably should know, regardless of the owner's response.

The owner should keep a copy signed by the buyer for their records. If something happens to make the Disclosure Statement incorrect or inaccurate (for example, the roof begins to leak), the owner must promptly give the buyer an updated Disclosure Statement or correct the problem. Note that some issues, even if repaired, such as structural issues and fire damage, remain material facts and must be disclosed by a broker even after repairs are made.

BUYERS: The owner's responses contained in this Disclosure Statement are not a warranty and should not be a substitute for conducting a careful and independent evaluation of the property. **Buyers are strongly encouraged to:**

- Carefully review the entire Disclosure Statement.
- Obtain their own inspections from a licensed home inspector and/or other professional.

DO NOT assume that an answer of N or NR is a guarantee of no defect. If an owner selects N, that means the owner has no actual knowledge of any defects. It does not mean that a defect does not exist. If an owner selects NR, it could mean the owner (1) has knowledge of an issue and chooses not to disclose it, or (2) simply does not know.

BROKERS: A licensed real estate broker shall furnish their seller-client with a Disclosure Statement for the seller to complete in connection with the transaction. A broker shall obtain a completed copy of the Disclosure Statement and provide it to their buyer-client to review and sign. All brokers shall (1) review the completed Disclosure Statement to ensure the seller responded to all questions, (2) take reasonable steps to disclose material facts about the property that the broker knows or reasonably should know regardless of the owner's responses or representations, and (3) explain to the buyer that this Disclosure Statement does not replace an inspection and encourage the buyer to protect their interests by having the property fully examined to the buyer's satisfaction.

- **Brokers are NOT permitted to complete this Disclosure Statement on behalf of their seller-clients.**
- Brokers who own the property may select NR in this Disclosure Statement but are obligated to disclose material facts they know or reasonably should know about the property.

Buyer Initials _____ Owner Initials EW
Buyer Initials _____ Owner Initials AMH

SECTION A.
STRUCTURE/FLOORS/WALLS/CEILING/WINDOW/ROOF

	Yes	No	NR
A1. Is the property currently owner-occupied? Date owner acquired the property: <u>Dec 15, 2023</u> If not owner-occupied, how long has it been since the owner occupied the property? _____	☒	☐	☐
A2. In what year was the dwelling constructed? <u>2023</u>			☐
A3. Have there been any structural additions or other structural or mechanical changes to the dwelling(s)?	☒	☐	☐
A4. The dwelling's exterior walls are made of what type of material? (Check all that apply) ☐ Brick Veneer ☐ Vinyl ☐ Stone ☒ Fiber Cement ☐ Synthetic Stucco ☐ Composition/Hardboard ☐ Concrete ☐ Aluminum ☐ Wood ☐ Asbestos ☐ Other: _____			☐
A5. In what year was the dwelling's roof covering installed? <u>2023</u>			☐
A6. Is there a leakage or other problem with the dwelling's roof or related existing damage?	☐	☒	☐
A7. Is there water seepage, leakage, dampness, or standing water in the dwelling's basement, crawl space, or slab?	☐	☒	☐
A8. Is there an infestation present in the dwelling or damage from past infestations of wood destroying insects or organisms that has not been repaired?	☐	☒	☐
A9. Is there a problem, malfunction, or defect with the dwelling's:			
NA Yes No NR			
Foundation ☐ NA ☐ Yes ☐ No ☒ NR ☐	Windows ☐ NA ☐ Yes ☐ No ☒ NR ☐	Attached Garage ☐ NA ☐ Yes ☐ No ☒ NR ☐	
Slab ☐ NA ☐ Yes ☐ No ☒ NR ☐	Doors ☐ NA ☐ Yes ☐ No ☒ NR ☐	Fireplace/Chimney ☐ NA ☐ Yes ☐ No ☒ NR ☐	
Patio ☐ NA ☐ Yes ☐ No ☒ NR ☐	Ceilings ☐ NA ☐ Yes ☐ No ☒ NR ☐	Interior/Exterior Walls ☐ NA ☐ Yes ☐ No ☒ NR ☐	
Floors ☐ NA ☐ Yes ☐ No ☒ NR ☐	Deck ☒ NA ☐ Yes ☐ No ☐ NR ☒	Other: _____ ☐ NA ☐ Yes ☐ No ☐ NR ☐	

Explanations for questions in Section A (identify the specific question for each explanation):

A3 - Changed Water heater to tankless

SECTION B.
HVAC/ELECTRICAL

	Yes	No	NR
B1. Is there a problem, malfunction, or defect with the dwelling's electrical system (outlets, wiring, panels, switches, fixtures, generator, etc.)?	☐	☒	☐
B2. Is there a problem, malfunction, or defect with the dwelling's heating and/or air conditioning?	☐	☒	☐
B3. What is the dwelling's heat source? (Check all that apply; indicate the year of each system manufacture)			☐
☒ Furnace [<u>1</u> # of units] Year: <u>2023</u>			
☐ Heat Pump [<u>1</u> # of units] Year: <u>2023</u>			
☐ Baseboard [_____ # of bedrooms with units] Year: _____			
☐ Other: _____ Year: _____			

Buyer Initials _____ Owner Initials AMN
 Buyer Initials _____ Owner Initials AMN

Yes No NR

B4. What is the dwelling's cooling source? (Check all that apply; indicate the year of each system manufacture)

☒ Central Forced Air: _____ Year: 2023 ☐ Wall/Windows Unit(s): _____ Year: _____
☐ Other: _____ Year: _____

B5. What is the dwelling's fuel source? (Check all that apply)

☒ Electricity ☒ Natural Gas ☐ Solar ☐ Propane ☐ Oil ☐ Other: _____

Explanations for questions in Section B (identify the specific question for each explanation):

SECTION C. PLUMBING/WATER SUPPLY/SEWER/SEPTIC

Yes No NR

C1. What is the dwelling's water supply source? (Check all that apply)

☒ City/County ☐ Shared well ☐ Community System ☐ Private well ☐ Other: _____

If the dwelling's water supply source is supplied by a private well, identify whether the private well has been tested for: (Check all that apply).

☐ Quality ☐ Pressure ☐ Quantity

If the dwelling's water source is supplied by a private well, what was the date of the last water quality/quantity test? _____

C2. The dwelling's water pipes are made of what type of material? (Check all that apply)

☐ Copper ☐ Galvanized ☐ Plastic ☐ Polybutylene ☒ Other: PEX

C3. What is the dwelling's water heater fuel source? (Check all that apply; indicate the year of each system manufacture) ☒ Gas: 2025 ☐ Electric: _____ ☐ Solar: _____ ☐ Other: _____

C4. What is the dwelling's sewage disposal system? (Check all that apply)

☐ Septic tank with pump ☐ Community system ☐ Septic tank ☐ Drip system

☒ Connected to City/County System ☐ City/County system available ☐ Other: _____

☐ Straight pipe (wastewater does not go into a septic or other sewer system) *Note: Use of this type of system violates State Law.

If the dwelling is serviced by a septic system, how many bedrooms are allowed by the septic system permit? _____ ☐ No Records Available

Date the septic system was last pumped: _____

C5. Is there a problem, malfunction, or defect with the dwelling's:

	NA	Yes	No	NR
Septic system	☒	☐	☐	☐
Sewer system	☐	☐	☒	☐

	NA	Yes	No	NR
Plumbing system (pipes, fixtures, water heater, etc.)	☐	☐	☒	☐
Water supply (water quality, quantity, or pressure)	☐	☐	☒	☐

Explanations for questions in Section C (identify the specific question for each explanation):

Buyer Initials _____ Owner Initials PAW
 Buyer Initials _____ Owner Initials amh

SECTION D. FIXTURES/APPLIANCES

	Yes	No	NR	
D1. Is the dwelling equipped with an elevator system? If yes, when was it last inspected? _____ Date of last maintenance service: _____	☐	☒	☐	
D2. Is there a problem, malfunction, or defect with the dwelling's:				
NA Yes No NR				
Attic fan, exhaust fan, ceiling fan	☐	☐	☒	☐
Elevator system or component	☒	☐	☐	☐
Appliances to be conveyed	☐	☐	☒	☐
NA Yes No NR				
Irrigation system	☐	☐	☒	☐
Pool/hot tub /spa	☒	☐	☐	☐
TV cable wiring or satellite dish	☐	☐	☒	☐
NA Yes No NR				
Sump pump	☒	☐	☐	☐
Gas logs	☐	☐	☒	☐
Central vacuum	☒	☐	☐	☐
NA Yes No NR				
Garage door system	☐	☐	☒	☐
Security system	☐	☐	☒	☐
Other: _____	☐	☐	☐	☐

Explanations for questions in Section D (identify the specific question for each explanation):

SECTION E. LAND/ZONING

	Yes	No	NR
E1. Is there a problem, malfunction, or defect with the drainage, grading, or soil stability of the property?	☐	☒	☐
E2. Is the property in violation of any local zoning ordinances, restrictive covenants, or local land-use restrictions (including setback requirements?)	☐	☒	☐
E3. Is the property in violation of any building codes (including the failure to obtain required permits for room additions or other changes/improvements?)	☐	☒	☐
E4. Is the property subject to any utility or other easements, shared driveways, party walls, encroachments from or on adjacent property, or other land use restrictions?	☒	☐	☐
E5. Does the property abut or adjoin any private road(s) or street(s)?	☐	☒	☐
E6. If there is a private road or street adjoining the property, are there any owners' association or maintenance agreements dealing with the maintenance of the road or street? <u>NA</u>	☐	☐	☐

Explanations for questions in Section E (identify the specific question for each explanation):

E4 - Drainage easement between Lots 1 + 2 See attached Plat

SECTION F. ENVIRONMENTAL/FLOODING

	Yes	No	NR
F1. Is there hazardous or toxic substance, material, or product (such as asbestos, formaldehyde, radon gas, methane gas, lead-based paint) that exceed government safety standards located on or which otherwise affect the property?	☐	☒	☐

Buyer Initials _____ Owner Initials DM
 Buyer Initials _____ Owner Initials amn

	Yes	No	NR
F2. Is there an environmental monitoring or mitigation device or system located on the property?	☐	☒	☐
F3. Is there debris (whether buried or covered), an underground storage tank, or an environmentally hazardous condition (such as contaminated soil or water or other environmental contamination) located on or which otherwise affect the property?	☐	☒	☐
F4. Is there any noise, odor, smoke, etc., from commercial, industrial, or military sources that affects the property?	☐	☒	☐
F5. Is the property located in a federal or other designated flood hazard zone?	☐	☒	☐
F6. Has the property experienced damage due to flooding, water seepage, or pooled water attributable to a natural event such as heavy rainfall, coastal storm surge, tidal inundation, or river overflow?	☐	☒	☐
F7. Have you ever filed a claim for flood damage to the property with any insurance provider, including the National Flood Insurance Program?	☐	☒	☐
F8. Is there a current flood insurance policy covering the property?	☐	☒	☐
F9. Have you received assistance from FEMA, U.S. Small Business Administration, or any other federal disaster flood assistance for flood damage to the property?	☐	☒	☐
F10. Is there a flood or FEMA elevation certificate for the property?	☐	☒	☐

NOTE: An existing flood insurance policy may be assignable to a buyer at a lesser premium than a new policy. For properties that have received disaster assistance, the requirement to obtain flood insurance passes down to all future owners. Failure to obtain flood insurance can result in an owner being ineligible for future assistance.

Explanations for questions in Section F (identify the specific question for each explanation):

SECTION G. MISCELLANEOUS

	Yes	No	NR
G1. Is the property subject to any lawsuits, foreclosures, bankruptcy, judgments, tax liens, proposed assessments, mechanics' liens, materialmen's liens, or notices from any governmental agency that could affect title to the property?	☐	☒	☐
G2. Is the property subject to a lease or rental agreement?	☐	☒	☐
G3. Is the property subject to covenants, conditions, or restrictions or to governing documents separate from an owners' association that impose various mandatory covenants, conditions, and or restrictions upon the lot or unit?	☒	☐	☐

Explanations for question in Section G (identify the specific question for each explanation):

Buyer Initials _____ Owner Initials PAW
 Buyer Initials _____ Owner Initials amh

SECTION H. OWNERS' ASSOCIATION DISCLOSURE

If you answer 'Yes' to question H1, you must complete the remaining questions in Section H. If you answered 'No' or 'No Representation' to question H1, you do not need to answer the remaining questions in Section H.

Yes No NR

☒ ☐ ☐

H1. Is the property subject to regulation by one or more owners' association(s) including, but not limited to, obligations to pay regular assessments or dues and special assessments?

If "yes," please provide the information requested below as to each owners' association to which the property is subject [insert N/A into any blank that does not apply]:

a. (specify name) Forest Bluff Estates HOA whose regular assessments ("dues") are \$ 300 per year.

The name, address, telephone number, and website of the president of the owners' association or the association manager are: _____

b. (specify name) _____ whose regular assessments ("dues") are \$ _____ per _____.

The name, address, telephone number, and website of the president of the owners' association or the association manager are: _____

c. Are there any changes to dues, fees, or special assessment which have been duly approved and to which the lot is subject?

If "yes," state the nature and amount of the dues, fees, or special assessments to which the property is subject: _____

H2. Is there any fee charged by the association or by the association's management company in connection with the conveyance or transfer of the lot or property to a new owner?

☐ ☒ ☐

If "yes," state the amount of the fees: _____

H3. Is there any unsatisfied judgment against, pending lawsuit, or existing or alleged violation of the association's governing documents involving the property?

☐ ☒ ☐

If "yes," state the nature of each pending lawsuit, unsatisfied judgment, or existing or alleged violation: _____

H4. Is there any unsatisfied judgment or pending lawsuits against the association?

☐ ☒ ☐

If "yes," state the nature of each unsatisfied judgment or pending lawsuit: _____

Explanations for questions in Section H (identify the specific question for each explanation):

Owner(s) acknowledge(s) having reviewed this Disclosure Statement before signing and that all information is true and correct to the best of their knowledge as of the date signed.

Owner Signature: [Signature] Date 6-30-26

Owner Signature: Anastasia M. Reese Date 6-30-26

Buyers(s) acknowledge(s) receipt of a copy of this Disclosure Statement and that they have reviewed it before signing.

Buyer Signature: _____ Date _____

Buyer Signature: _____ Date _____

Curve	Radius	Length	Chord	Chord Bear.
C1	270.00'	0.57'	0.57'	S 89°18'56" E
C2	270.00'	68.10'	87.73'	N 83°01'52" E

I (WE) HEREBY CERTIFY THAT I AM (WE ARE) THE OWNER(S) OF THE PROPERTY SHOWN AND DESCRIBED HEREIN, AND THAT I (WE) HEREBY ADOPTED THIS PLAN OF SUBDIVISION WITH MY (OUR) FREE CONSENT, ESTABLISHING THE MINIMUM BUILDING LINES, LOT SIZES AND DEDICATING ALL STREETS, RIGHTS-OF-WAY, ALLEYS, SIDEWALKS, PUBLIC WATER AND SEWER WITH ASSOCIATED EASEMENTS, PARKS AND/OR GREENWAYS, AND OPEN SPACE FOR PUBLIC OR PRIVATE USE AS NOTED ON THIS PLAN.

6-5-23
DATE

6-5-23
DATE

JRM-FBE, LLC BY:
Debra Massengill
OWNER

MASSENGILL BIDDICK BUILDING, LLC BY:
Debra Massengill
OWNER

State of North Carolina, Wake County

I, James W. Meadlin, certify that this map was drawn under my supervision from an actual survey made under my supervision. That the ratio of precision as calculated by latitudes and departures is 1/10,000, that the boundaries not surveyed are shown as broken lines plotted from information in book SEX page REV, that this map was prepared in accordance with G.S. 47-30 as amended.

Witness my hand and seal this 01 day of June 2023.

SIGNATURE Amest



James W. Meador, Professional Land Surveyor No. L-2247, Certify to me or one of the following as indicated that:

☐ 1. That this plot is a survey that creates a subdivision of land into a number of parcels or a survey that creates land with an evidence that regular parcels of land.

☐ 2. That this plot is a survey that is located in each portion of a county or township that is surveyed that regular parcels of land.

☒ 3. That this plot is a survey of an existing parcel or parcels of land.

☐ 4. That this plot is a survey of another survey, such as the reconstitution of a survey, or a re-survey of a survey, or any other means to the definition of a survey.

☐ 5. That information available to this surveyor is such that I am unable to make a determination to the satisfaction of the professional ability as to whether contained in (a) through (d) above.

James W. Meador

James W. Meador, Professional Land Surveyor No. L-2247

REFERENCES:
D.B.17716, PG.211
B.O.M.2019, PG.2179
B.O.M.2003, PG.102
B.O.M.2002, PG.1727-1728
B.O.M.2007, PG.412
B.O.M.2023, PG.553-554
D.B.19323, PG.1862
OTHER REFERENCES AS SHOWN

NOTES:
(A) THE PROPERTY SHOWN HEREON IS SUBJECT TO ALL EASEMENTS OF RECORD AFFECTING SAME.
(B) NO TITLE SEARCH HAS BEEN PERFORMED BY THIS FIRM DURING THE COURSE OF THIS SURVEY.
(C) THIS SURVEYOR DOES NOT CERTIFY TO THE EXISTENCE OR NONEXISTENCE OF ANY UNDERGROUND UTILITIES THAT MAY OR MAY NOT BE PRESENT ON THIS SITE.

THE SURVEYOR RELIED UPON THE CITY OR COUNTY FOR
APPROVAL OF ALL APPLICABLE ORDINANCE AND
HAS MADE NO INTERPRETATIONS OF THE ORDINANCES.

LEGEND

- Existing Iron Stake (Control Point)
- Iron Stake Set (unless otherwise noted)
- Existing Concrete Monument (Control Point)
- Concrete Monument Set

All measurements shown are horizontal ground measurements unless otherwise noted.
Area computed by coordinates

Zone	<u>RMD</u>	Pin#	<u>0678805379</u>
			<u>0678806348</u>

0000 - DENOTES STREET ADDRESS

RECORDED WAKE COUNTY BOOK 2023 PAGE _____

CANDACE K. WHITE
ROBERT M. MCKANE
D.B.15516, PG.402
B.O.M.2002, PG.1727

EDWARD B. BREITSCHWERT
ANNE S. BREITSCHWERT
D.B.3093, PG.929
B.O.M.1983, PG.137

ROBERT C. TREXLER TRUST
D.B.16479, PG.807
B.O.M.2003, PG.102

RICHARD G. ROBINSON
COLLEEN ROBINSON
D.B.10908, PG.1783
B.O.M.2003, PG.102

BOM 2023 PG 553-554

WAKE COUNTY, NC 34
TAMMY L. BRUNNER
REGISTER OF DEEDS
PRESENTED & RECORDED ON
46/66/2023 14:08:49
BOOK: 312023 PAGE: 00989

THE PURPOSE OF THIS MAP IS TO ADD A NEW 20'X25' PRIVATE DRAINAGE EASEMENT BETWEEN LOTS 1 AND 2. SEE BOOK OF MAPS 2023, PAGE 553-554 FOR ALL PREVIOUS NOTES, CERTIFICATES OF APPROVALS, AND SIGNATURES.

OWNER/DEVELOPER:
JWM-FBE, LLC
6600 BROOKSHIRE DRIVE
FUQUAY-YARINA, N.C. 27526

MASSENGILL RIDDICK BUILDING LLC
8109 WOODCREST COURT
FUYOUAY-VARINA, N.C. 27526

**MAP OF CORRECTION OF:
FOREST BLUFF ESTATES SUBDIVISION
PHASE 1 - LOTS 1 AND 2**

MIDDLE CREEK TOWNSHIP, WAKE COUNTY, NORTH CAROLINA
SCALE 1" = 30' MAY 30, 2023

MAULDIN - WATKINS SURVEYING, P.A.
P.O. BOX 444 / 139 N. MAIN ST.
FUCKY VAIRIA, NORTH CAROLINA 27528
(919) 552-9326 C-829

JOB #4249
OF 4249 PF 4249F00

