



# SELLER'S PROPERTY DISCLOSURE STATEMENT

Property Address **32435/32437 Hwy 19-207 (83 ac land), Spray, OR 97874**

## INSTRUCTIONS TO THE SELLER

- 1 Please complete the following form. Do not leave any spaces blank. Please refer to the line number(s) of the question(s) when you provide your
- 2 explanation(s). If you are not claiming an exclusion or refusing to provide the form under ORS 105.475 (4), you should date and sign each page of
- 3 this disclosure statement and each attachment.
- 4 Each seller of residential property described in ORS 105.465 must deliver this form to each buyer who makes a written offer to purchase. Under ORS
- 5 105.475 (4), refusal to provide this form gives the buyer the right to revoke their offer at any time prior to closing the transaction. Use only the section(s)
- 6 of the form that apply to the transaction for which the form is used. If you are claiming an exclusion under ORS 105.470, fill out only Section 1.
- 7 An exclusion may be claimed only if the seller qualifies for the exclusion under the law. If not excluded, the seller must disclose the condition of the
- 8 property or the buyer may revoke their offer to purchase any time prior to closing the transaction. Questions regarding the legal consequences of
- 9 the seller's choice should be directed to a qualified attorney.

### DO NOT FILL OUT THIS SECTION UNLESS YOU ARE CLAIMING AN EXCLUSION UNDER ORS 105.470

- 11 Section 1. EXCLUSION FROM ORS 105.465 TO 105.490:
- 12 You may claim an exclusion under ORS 105.470 only if you qualify under the statute. If you are not claiming an exclusion, you must fill out
- 13 Section 2 of this form completely.
- 14 Initial only the exclusion you wish to claim.
- 15 \_\_\_\_\_ This is the first sale of a dwelling never occupied. The dwelling is constructed or installed under building or installation permit(s) #
- 16 \_\_\_\_\_ issued by \_\_\_\_\_.
- 17 \_\_\_\_\_ This sale is by a financial institution that acquired the property as custodian, agent or trustee, or by foreclosure or deed in lieu of
- 18 foreclosure.
- 19 \_\_\_\_\_ The seller is a court appointed (Check only one):  receiver  personal representative  trustee  conservator  guardian
- 20 \_\_\_\_\_ This sale or transfer is by a governmental agency.

- 21 **Signature(s) of Seller(s) Claiming Exclusion**
- 22 Seller \_\_\_\_\_ Date \_\_\_\_\_ ← Seller \_\_\_\_\_ Date \_\_\_\_\_ ←
- Hugh Eisele Family Trust Hugh Eisele Family Trust
- 23 **Signature(s) of Buyer(s) Acknowledging Seller's Claim**
- 24 Buyer \_\_\_\_\_ Date \_\_\_\_\_ ← Buyer \_\_\_\_\_ Date \_\_\_\_\_ ←

### **IF YOU DID NOT CLAIM AN EXCLUSION IN SECTION 1, YOU MUST FILL OUT THIS SECTION.**

- 26 Section 2. SELLER'S PROPERTY DISCLOSURE STATEMENT
- 27 **(NOT A WARRANTY)** (ORS 105.465)
- 28 NOTICE TO THE BUYER: THE FOLLOWING REPRESENTATIONS ARE MADE BY THE SELLER(S) CONCERNING THE CONDITION OF
- 29 THE PROPERTY LOCATED AT 32435/32437 Hwy 19-207 Spray OR 97874 (T8SR24Esec25TL200) "THE PROPERTY."
- 30 DISCLOSURES CONTAINED IN THIS FORM ARE PROVIDED BY THE SELLER ON THE BASIS OF SELLER'S ACTUAL KNOWLEDGE OF
- 31 THE PROPERTY AT THE TIME OF DISCLOSURE. BUYER HAS FIVE BUSINESS DAYS FROM THE SELLER'S DELIVERY OF THIS
- 32 SELLER'S DISCLOSURE STATEMENT TO REVOKE BUYER'S OFFER BY DELIVERING BUYER'S SEPARATE SIGNED WRITTEN
- 33 STATEMENT OF REVOCATION TO THE SELLER DISAPPROVING THE SELLER'S DISCLOSURE STATEMENT, UNLESS BUYER WAIVES
- 34 THIS RIGHT <sup>As signed by:</sup> AT OR PRIOR TO ENTERING INTO A SALE AGREEMENT.

- 35 Seller Hugh Eisele Family Trust Date 1/11/2022 ← Seller \_\_\_\_\_ Date \_\_\_\_\_ ←
- Hugh Eisele Family Trust Hugh Eisele Family Trust

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36 FOR A MORE COMPREHENSIVE EXAMINATION OF THE SPECIFIC CONDITION OF THIS PROPERTY, BUYER IS ADVISED TO OBTAIN  
37 AND PAY FOR THE SERVICES OF A QUALIFIED SPECIALIST TO INSPECT THE PROPERTY ON BUYER'S BEHALF INCLUDING, FOR  
38 EXAMPLE, ONE OR MORE OF THE FOLLOWING: ARCHITECTS, ENGINEERS, PLUMBERS, ELECTRICIANS, ROOFERS,  
39 ENVIRONMENTAL INSPECTORS, BUILDING INSPECTORS, CERTIFIED HOME INSPECTORS, OR PEST AND DRY ROT INSPECTORS.

40 Seller  is  is not occupying the property.

## I. SELLER'S REPRESENTATIONS :

41 The following are representations made by the seller and are not the representations of any financial institution having made, or may make, a loan  
42 pertaining to the property, or that may have or take a security interest in the property, or any real estate licensee engaged by the seller or the buyer.

43 \*If you mark yes on items with \*, attach a copy or explain on an attached sheet.

### 44 1. TITLE

- 45 A. Do you have legal authority to sell the property? .....  Yes  No  Unknown
- 46 \*B. Is title to the property subject to any of the following: .....  Yes\*  No  Unknown
- 47  First right of refusal  Option  Lease or rental agreement  Other listing  Life estate
- 48 \*C. Is the property being transferred an unlawfully established unit of land?.....  Yes\*  No  Unknown
- 49 \*D. Are there any encroachments, boundary agreements, boundary disputes or  
50 recent boundary changes? .....  Yes\*  No  Unknown
- 51 \*E. Are there any rights of way, easements, licenses, access limitations or  
52 claims that may affect your interest in the property? .....  Yes\*  No  Unknown
- 53 \*F. Are there any agreements for joint maintenance of an easement or right of way? .....  Yes\*  No  Unknown
- 54 \*G. Are there any governmental studies, designations, zoning overlays, surveys  
55 or notices that would affect the property? .....  Yes\*  No  Unknown
- 56 \*H. Are there any pending or existing governmental assessments against the property? .....  Yes\*  No  Unknown
- 57 \*I. Are there any zoning violations or nonconforming uses? .....  Yes\*  No  Unknown
- 58 \*J. Is there a boundary survey for the property? .....  Yes\*  No  Unknown
- 59 \*K. Are there any covenants, conditions, restrictions or private assessments that affect the property? .....  Yes\*  No  Unknown
- 60 \*L. Is the property subject to any special tax assessment or tax treatment that may  
61 result in levy of additional taxes if the property is sold? .....  Yes\*  No  Unknown

### 62 2. WATER

- 63 A. Household water
- 64 (1) The source of the water is (check ALL that apply):  Public  Community  Private  Other
- 65 (2) Water source information:
- 66 \*a) Does the water source require a water permit? .....  Yes\*  No  Unknown
- 67 If yes, do you have a permit? .....  Yes  No  Unknown  NA
- 68 \*b) Is the water source located on the property? .....  Yes\*  No  Unknown  NA
- 69 \*If not, are there any written agreements for a shared water source? .....  Yes\*  No  Unknown  NA

70 Seller <sup>DocuSigned by:</sup> Hugh Eisele Family Trust Date 1/11/2022 ← Seller \_\_\_\_\_ Date \_\_\_\_\_ ←  
**Hugh Eisele Family Trust** **Hugh Eisele Family Trust**

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- 71 \*c) Is there an easement (recorded or unrecorded) for your access to or
72 maintenance of the water source?
73 d) If the source of water is from a well or spring, have you had any of
74 the following in the past 12 months?
75 [ ] Flow test [ ] Bacteria test [ ] Chemical contents test
76 \*e) Are there any water source plumbing problems or needed repairs?
77 (3) Are there any water treatment systems for the property?
78 [ ] Leased [ ] Owned

- 79 B. Irrigation
80 (1) Are there any [ ] water rights or [ ] other rights for the property?
81 \*(2) If any exist, has the irrigation water been used during the last five-year period?
82 \*(3) Is there a water rights certificate or other written evidence available?

- 83 C. Outdoor sprinkler system
84 (1) Is there an outdoor sprinkler system for the property?
85 (2) Has a back-flow valve been installed?
86 (3) Is the outdoor sprinkler system operable?

3. SEWAGE SYSTEM

- 88 A. Is the property connected to a public or community sewage system?
89 B. Are there any new public or community sewage systems proposed for the property?
90 C. Is the property connected to an on-site septic system?
91 (1) If yes, when was the system installed?
92 (2) \*If yes, was the system installed by permit?
93 (3) \*Has the system been repaired or altered?
94 (4) \*Has the condition of the system been evaluated and a report issued?
95 (5) Has the septic tank ever been pumped?
96 If yes, when?
97 (6) Does the system have a pump?
98 (7) Does the system have a treatment unit such as a sand filter or an aerobic unit?
99 (8) \*Is a service contract for routine maintenance required for the system?
100 (9) Are all components of the system located on the property?
101 \*D. Are there any sewage system problems or needed repairs?
102 E. Does your sewage system require on-site pumping to another level?

103 Seller [Signature] Date 1/11/2022 Seller [Signature] Date
Hugh Eisele Family Trust Hugh Eisele Family Trust

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104 **4. DWELLING INSULATION**

105 A. Is there insulation in the:

106 (1) Ceiling? .....  Yes  No  Unknown

107 (2) Exterior Walls?.....  Yes  No  Unknown

108 (3) Floors? .....  Yes  No  Unknown

109 B. Are there any defective insulated doors or windows? .....  Yes  No  Unknown

110 **5. DWELLING STRUCTURE**

111 \*A. Has the roof leaked?.....  Yes\*  No  Unknown

112 If yes, has it been repaired?.....  Yes  No  Unknown  NA

113 B. Are there any additions, conversions or remodeling? .....  Yes  No  Unknown

114 If yes, was a building permit required?.....  Yes  No  Unknown  NA

115 If yes, was a building permit obtained?.....  Yes  No  Unknown  NA

116 If yes, was final inspection obtained?.....  Yes  No  Unknown  NA

117 C. Are there smoke alarms or detectors?.....  Yes  No  Unknown

118 D. Are there carbon monoxide alarms?.....  Yes  No  Unknown

119 E. Is there a woodstove or fireplace insert included in the sale?.....  Yes  No  Unknown

120 \*If yes, what is the make? \_\_\_\_\_

121 \*If yes, was it installed with a permit?.....  Yes\*  No  Unknown  NA

122 \*If yes, is a certification label issued by the United States Environmental Protection Agency

123 (EPA) or the Department of Environmental Quality (DEQ) affixed to it?.....  Yes\*  No  Unknown  NA

124 \*F. Has pest and dry rot, structural or "whole house" inspection been done within the last three years?  Yes\*  No  Unknown

125 \*G. Are there any moisture problems, areas of water penetration, mildew odors

126 or other moisture conditions (especially in the basement)?.....  Yes\*  No  Unknown

127 \*If yes, explain on attached sheet the frequency and extent of problem and any insurance claims, repairs or remediation done.

128 H. Is there a sump pump on the property?.....  Yes  No  Unknown

129 I. Are there any materials used in the construction of the structure that are or

130 have been the subject of a recall, class action suit, settlement or litigation? .....  Yes  No  Unknown

131 If yes, what are the materials? \_\_\_\_\_

132 (1) Are there problems with the materials? .....  Yes  No  Unknown  NA

133 (2) Are the materials covered by a warranty? .....  Yes  No  Unknown  NA

134 (3) Have the materials been inspected? .....  Yes  No  Unknown  NA

135 (4) Have there ever been claims filed for these materials by you or by previous owners?..  Yes  No  Unknown  NA

136 If yes, when? \_\_\_\_\_  NA

137 (5) Was money received? .....  Yes  No  Unknown  NA

138 (6) Were any of the materials repaired or replaced? .....  Yes  No  Unknown  NA

139 Seller <sup>DocuSigned by:</sup> Hugh Eisele Family Trust Date 1/11/2022 ← Seller \_\_\_\_\_ Date \_\_\_\_\_ ←  
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140 **6. DWELLING SYSTEMS AND FIXTURES**

- 141 If the following systems or fixtures are included in the purchase price, are they in good working order on the date this form is signed by Seller?
- 142 A. Electrical system, including wiring, switches, outlets and service.....  Yes  No  Unknown
- 143 B. Plumbing system, including pipes, faucets, fixtures and toilets.....  Yes  No  Unknown
- 144 C. Water heater tank .....  Yes  No  Unknown
- 145 D. Garbage disposal.....  Yes  No  Unknown  NA
- 146 E. Built-in range and oven.....  Yes  No  Unknown  NA
- 147 F. Built-in dishwasher.....  Yes  No  Unknown  NA
- 148 G. Sump pump .....  Yes  No  Unknown  NA
- 149 H. Heating and cooling systems
- 150 (1) Heating systems.....  Yes  No  Unknown  NA
- 151 (2) Cooling systems .....  Yes  No  Unknown  NA
- 152 I. Security system  Owned  Leased.....  Yes  No  Unknown  NA
- 153 J. Are there any materials or products used in the systems and fixtures
- 154 that are or have been the subject of a recall, class action settlement or other litigations?..  Yes  No  Unknown
- 155 If yes, what product? \_\_\_\_\_
- 156 (1) Are there problems with the product?.....  Yes  No  Unknown  NA
- 157 (2) Is the product covered by a warranty?.....  Yes  No  Unknown  NA
- 158 (3) Has the product been inspected?.....  Yes  No  Unknown  NA
- 159 (4) Have claims been filed for this product by you or by previous owners?.....  Yes  No  Unknown  NA
- 160 If yes, when? \_\_\_\_\_
- 161 (5) Was money received? .....  Yes  No  Unknown  NA
- 162 (6) Were any of the materials or products repaired or replaced? .....  Yes  No  Unknown  NA

163 **7. COMMON INTEREST**

- 164 A. Is there a Home Owners' Association or other governing entity?.....  Yes  No  Unknown
- 165 Name of Association or Other Governing Entity \_\_\_\_\_
- 166 Contact Person \_\_\_\_\_
- 167 Address \_\_\_\_\_ Phone Number \_\_\_\_\_
- 168 B. Regular periodic assessments: \$ \_\_\_\_\_ per  Month  Year  Other
- 169 \*C. Are there any pending or proposed special assessments? .....  Yes\*  No  Unknown
- 170 D. Are there shared "common areas" or joint maintenance agreement for facilities like walls, fences,
- 171 pools, tennis courts, walkways or other areas co-owned in undivided interest with others?...  Yes  No  Unknown
- 172 E. Is the Home Owners' Association or other governing entity a party to
- 173 pending litigation or subject to an unsatisfied judgment?.....  Yes  No  Unknown  NA

174 Seller <sup>DocuSigned by:</sup> Hugh Eisele Family Trust Date 1/11/2022 ← Seller \_\_\_\_\_ Date \_\_\_\_\_ ←  
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175 F. Is the property in violation of recorded covenants, conditions and  
176 restrictions or in violation of other bylaws or governing rules, whether recorded or not?.....  Yes  No  Unknown  NA

177 **8. SEISMIC**

178 A. Was the house constructed before 1974? .....  Yes  No  Unknown  
179 If yes, has the house been bolted to its foundation? .....  Yes  No  Unknown  NA

180 **9. GENERAL**

181 A. Are there problems with settling, soil, standing water or drainage on  
182 the property or in the immediate area? .....  Yes  No  Unknown

183 B. Does the property contain fill? .....  Yes  No  Unknown

184 C. Is there any material damage to the property or any of the structure(s)  
185 from fire, wind, floods, beach movements, earthquake, expansive soils or landslides?.....  Yes  No  Unknown

186 D. Is the property in a designated floodplain? .....  Yes  No  Unknown

187 **Note: Flood insurance may be required for homes in a floodplain.**

188 E. Is the property in a designated slide or other geologic hazard zone?.....  Yes  No  Unknown

189 \*F. Has any portion of the property been tested or treated for asbestos, formaldehyde, radon, gas,  
190 lead-based paint, mold, fuel or chemical storage tanks or contaminated soil or water?.....  Yes\*  No  Unknown

191 G. Are there any tanks or underground storage tanks (e.g., septic, chemical, fuel, etc.) on the property?  Yes  No  Unknown

192 H. Has the property ever been used as an illegal drug manufacturing or distribution site? .....  Yes  No  Unknown

193 \*If yes, was a Certificate of Fitness issued? .....  Yes\*  No  Unknown

194 I. Has the property been classified as forestland-urban interface?.....  Yes  No  Unknown

195 **10. FULL DISCLOSURE BY SELLER(S)**

196 \*A. Are there any other material defects affecting this property or its value that  
197 a prospective buyer should know about?.....  Yes\*  No

198 If yes, describe the defect on attached sheet and explain the frequency and extent of the problem and any insurance claims, repairs or  
199 remediation?

### VERIFICATION

200 The foregoing answers and attached explanations (if any) are complete and correct to the best of my/our knowledge and I/we have received a copy of this  
201 disclosure statement. I/we authorize my/our agents to deliver a copy of this disclosure statement to all prospective buyers of the property or their agents.

202 \_\_\_\_\_ Number of pages of explanations are attached.

203 Seller <sup>DocuSigned by:</sup> Hugh Eisele Family Trust Date 1/11/2022 ← Seller \_\_\_\_\_ Date \_\_\_\_\_ ←  
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### II. BUYER'S ACKNOWLEDGMENT:

204 A. As buyer(s), I/we acknowledge the duty to pay diligent attention to any material defects that are known to me/us or can be known by me/us  
205 by utilizing diligent attention and observation.

206 B. Each buyer acknowledges and understands that the disclosures set forth in this statement and in any amendments to this statement are  
207 made only by the seller and are not the representations of any financial institution that may have made or may make a loan pertaining to the  
208 property, or that may have or take a security interest in the property, or of any real estate licensee engaged by the seller or buyer. A financial  
209 institution or real estate licensee is not bound by and has no liability with respect to any representation, misrepresentation, omission, error or  
210 inaccuracy contained in another party's disclosure statement required by this section or any amendment to the disclosure statement.

211 C. Buyer (which term includes all persons signing the "Buyer's Acknowledgment" portion of this disclosure statement below) hereby  
212 acknowledges receipt of a copy of this disclosure statement (including attachments, if any) bearing seller's signature(s).

213 DISCLOSURES, IF ANY, CONTAINED IN THIS FORM ARE PROVIDED BY THE SELLER ON THE BASIS OF SELLER'S ACTUAL KNOWLEDGE  
214 OF THE PROPERTY AT THE TIME OF DISCLOSURE. IF THE SELLER HAS FILLED OUT SECTION 2 OF THIS FORM, YOU, THE BUYER,  
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216 DELIVERING YOUR SEPARATE SIGNED WRITTEN STATEMENT OF REVOCATION TO THE SELLER DISAPPROVING THE SELLER'S  
217 DISCLOSURE UNLESS YOU WAIVE THIS RIGHT AT OR PRIOR TO ENTERING INTO A SALE AGREEMENT.

218 **BUYER HEREBY ACKNOWLEDGES RECEIPT OF A COPY OF THIS SELLER'S PROPERTY DISCLOSURE STATEMENT.**

219 Buyer \_\_\_\_\_ Date \_\_\_\_\_ ← Buyer \_\_\_\_\_ Date \_\_\_\_\_ ←

220 Agent receiving disclosure statement on buyer's behalf to sign and date:

221 \_\_\_\_\_ Real Estate Licensee Date received by Licensee \_\_\_\_\_

222 \_\_\_\_\_ Real Estate Firm

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