

REAL PROPERTY LAW SECTION 462-A REQUIRES THE SELLER OF RESIDENTIAL REAL PROPERTY TO CAUSE THIS DISCLOSURE STATEMENT OR A COPY 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 INFORMATION CONCERNING, WHERE APPLICABLE, THE OCCURRENCE AND RESULTS OF ANY WATER TESTS 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 WATER TESTS.

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.

INSTRUCTIONS 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 AUTHORIZES 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.

WATER TEST DISCLOSURE

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|--|-----|----|------|----|
| 1. WHAT IS THE WATER SOURCE (CIRCLE ALL THAT APPLY - WELL, PRIVATE, MUNICIPAL, OTHER)? IF MUNICIPAL, IS IT METERED? YES NO UNKN NA | | | | |
| 2. HAS THE WATER QUALITY AND/OR FLOW RATE BEEN TESTED? YES NO UNKN NA (IF YES, DESCRIBE BELOW) | | | | |
| 3. HAVE ANY WATER TESTS BEEN PERFORMED? | YES | NO | UNKN | NA |
| 4. WHAT IS THE DATE OF SUCH WATER TESTS? | | | UNKN | NA |
| 5. ATTACH WELL TEST RESULTS. | | | | NA |
| 6. DID THE TEST REVEAL ANY FAILURES? | YES | NO | UNKN | NA |
| 7. WHICH PARAMETERS FAILED? | | | UNKN | NA |
| 8. WAS REMEDIATION DONE? | YES | NO | UNKN | NA |
| 9. WHAT TYPE OF REMEDIATION? | | | UNKN | NA |
| 10. WAS THE WELL RETESTED? | YES | NO | UNKN | NA |
| 11. WHEN WAS THE RETESTING PERFORMED? | | | UNKN | NA |
| 12. ATTACH COPY OF NEW TEST. | | | | NA |
| 13. ANY FURTHER COMMENTS OR INFORMATION RELATING TO YOUR WELL. | | | | NA |

S 2. The opening paragraph of section 463 of the real property law, as added by chapter 456 of the laws of 2001, is amended to read as follows:

[A] THE property condition disclosure statement SET FORTH IN SECTION FOUR HUNDRED SIXTY-TWO OF THIS ARTICLE AND THE WATER TEST DISCLOSURE STATEMENT SET FORTH IN SECTION FOUR HUNDRED SIXTY-TWO-A OF THIS ARTICLE

1 shall not be required in connection with any of the following transfers
2 of residential real property:
3 S 3. This act shall take effect on the one hundred eightieth day after
4 it shall have become a law.