

Southwind Key Property Disclosure Packet

The following disclosure packet request form should be used to obtain resale disclosure information on a Southwind Key property. Requests for an electronic version of the disclosure packet should be emailed to:

ervin4735@rcn.com.

Requests for paper copies of the packet should be sent to the following address along with a \$15 check payable to SWKPOA:

Eugene D. Ervin
Treasurer, SWKPOA
4735 Belmont Drive
Emmaus, Pa. 18049

SOUTHWIND KEY POA DISCLOSURE PACKET REQUEST FORM

Please furnish the resale disclosure information on the below mentioned property pursuant to the Virginia Property Association Act. I understand that it is the Settlement Company's responsibility to ensure all finances and assessments in the resale of a property have been paid, that this is included in the settlement proceedings and that failure to resolve outstanding balances will result in possible litigation.

1. Owner's name: _____

2. Lot number and address: _____

3. Owner's address (if different) _____

4. Owner's phone numbers: _____

5. Name of Real Estate Agent: _____

Telephone Number: _____

Address: _____

6. Buyer's Name: _____

Buyer's Address: _____

Buyer's Phone # _____

7. a. _____ Electronic Disclosure Packet requested (no fee). Send to:

(email address) _____

b. _____ Paper version Disclosure Packet requested (\$15 fee). Mail Disclosure Packet to:

9. Signature _____

For Association Use Only

Date request received _____

Date package due _____

Date package ready _____

Date of receipt of \$15 fee (paper copy requests) _____

Date package mailed or picked up _____

Signature _____ Date _____

All property sales in Southwind Key are subject to the *Virginia Property Owners' Associations Act*. The association shall deliver, within 14 days after receipt of a written request and instructions by a seller or his authorized agent, an association disclosure packet as directed in the written request.

Contents of the Southwind Key POA Disclosure Packet:

- The name of the association the state of incorporation and the name and address of the registered agent;
- A statement of any approved expenditures that shall require an additional assessment during the current year or the immediately succeeding fiscal year;
- A statement of all assessments and other mandatory fees currently imposed by the association;
- A statement whether there is any other entity or facility to which the lot owner may be liable for fees or charges;
- The current reserve study report (or a summary thereof), a statement of the status and amount of any reserve or replacement fund and any portion of the fund allocated by the board for a specified project;
- A copy of the association's current budget (or a summary thereof) and a copy of its statement of income and expenses or financial condition for the last fiscal year available, including a statement of the balance due of any outstanding loans of the association;
- A statement of the nature and status of any pending suit or unpaid judgment to which the association is a party which either could or would have a material impact on the association or which relates to the lot being purchased;
- A statement setting forth what insurance coverage is provided for all lot owners by the association, including any fidelity bond maintained by the association, and what additional insurance would normally be secured by each individual lot owner;
- A statement that any improvement or alteration made to the lot, or uses made of the lot or common area assigned thereto by the prior lot owner, are not in violation of any of the instruments referred to in this disclosure notice;
- A statement setting forth any restriction, limitation, or prohibition on the right of a lot owner to place a sign on the owner's lot advertising the lot for sale;
- A statement setting forth any restriction, limitation, or prohibition on the right of a lot owner to display any flag on the owner's lot, including, but not limited to reasonable restrictions as to the size, place and manner of placement or display of such flag and the installation of any flagpole or similar structure necessary to display such flag;
- A copy of the current declaration, the association's articles of incorporation and bylaws, and any rules and regulations or architectural guidelines adopted by the association;
- A copy of notice given to the lot owner by the association of any current or pending rule or architectural violation;
- A copy of any approved minutes of the board of directors and association meetings for the six calendar months preceding the request for the disclosure packet;
- A copy of the fully completed one-page cover sheet developed by the Common Interest Community Board pursuant to § 54.1-2350; and
- Certification, that the association has filed with the Common Interest Community Board the annual report required by §55-516.1 of the Code of Virginia; which certification shall indicate the filing number assigned by the Common Interest Community Board and the expiration date of such filing.