# 5387 Shearwater Drive

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#### Seller's Property Disclosure - Residential



Notice to Licensee and Seller: Only the Seller should fill out this form.

**Notice to Seller:** Florida law¹ requires a **Seller** of a home to disclose to the **Buyer** all known facts that materially affect the value of the property being sold and that are not readily observable or known by the **Buyer**. This disclosure form is designed to help you comply with the law. However, this disclosure form may not address every significant issue that is unique to the Property. You should think about what you would want to know if you were buying the Property today; and if you need more space for additional information, comments, or explanations, check the Paragraph 12 checkbox and attach an addendum.

**Notice to Buyer:** The following representations are made by **Seller** and **not** by any real estate licensee. This disclosure is not a guaranty or warranty of any kind. It is not a substitute for any inspections, warranties, or professional advice you may wish to obtain. It is not a substitute for your own personal judgment and common sense. The following information is based only upon **Seller's** actual knowledge of the Property's condition. **Sellers** can disclose only what they actually know. **Seller** may not know about all material or significant items. You should have an independent, professional home inspection to verify the condition of the Property and determine the cost of repairs, if any. This disclosure is not a contract and is not intended to be a part of any contract for sale and purchase.

Seller makes the following disclosure regarding the property described as:5387 She		5387 Shearwater Dr	rwater Drive, Sanibel, FL.		
	· · · · · · · · · · · · · · · · · · ·			Property")	
The Property is □owner occupied □to occupied the Property?17 m		unoccupied, how long has	it been sir	nce <b>Seller</b>	
Structures; Systems; Appliance	ne.	<u>Yes</u>	<u>No</u>	Don't <u>Know</u>	
<ul><li>(a) Are the structures including roof pool, hot tub, and spa, if any, str</li><li>(b) Is seawall, if any, and dockage,</li><li>(c) Are existing major appliances an</li></ul>	fs; ceilings; walls; doors; windows; for ructurally sound and free of leaks? if any, structurally sound?	ctrical, security,			
the item was designed to operat  (d) Does the Property have aluminu  (e) Are any of the appliances leased	te? um wiring other than the primary sei	ervice line?	 <b>X</b>	□ <b>X</b>	
<ul> <li>2. Termites; Other Wood-Destroyin</li> <li>(a) Are termites; other wood-destroy on the Property or has the Property</li> <li>(b) Has the Property been treated for including fungi; or pests?</li> <li>(c) If any answer to questions 2(a) -</li> </ul>	ying organisms, including fungi; or perty had any structural damage by for termites; other wood-destroying of	them?  organisms,	×		
3. Water Intrusion; Drainage; Flood (a) Has past or present water intrus (b) Have past or present drainage of (c) Is any of the Property located in (d) Is any of the Property located se (e) Does your lender require flood in (f) Do you have an elevation certific (g) If any answer to questions 3(a) - from Hurricaane Ian has been profession	sion affected the Property? or flooding problems affected the Property as special flood hazard area? eaward of the coastal construction of the surance? cate? If yes, please attach a copy 3(d) is yes, please explain: Apprx. 5 fe	control line?	     <b>X</b>   <b>X</b>	         	

<sup>1</sup> Johnson v. Davis, 480 So.2d 625 (Fla. 1985).

**Buyer** (\_\_\_\_\_) (\_\_\_\_) and **Seller** (\( \lambda \lambda \lambda \) (\_\_\_\_\_) acknowledge receipt of a copy of this page, which is Page 1 of 4 SPDR-3 Rev 2/20

<i>4</i> D	Plumbing	Yes	<u>No</u>	Don't <u>Know</u>
(a) (b)	What is your drinking water source? ★public □private □well □other Have you ever had a problem with the quality, supply, or flow of potable water? Do you have a water treatment system? If yes, is it □owned □leased?		×	
(d)	Do you have a <b>X</b> sewer or □septic system? If septic system, describe the location of each system:			
(f) (g) (h)	Are any septic tanks, drain fields, or wells that are not currently being used located on the Property?  Are there or have there been any defects to the water system, septic system, drain fields or wells?  Have there been any plumbing leaks since you have owned the Property?  Are any polybutylene pipes on the Property?  If any answer to questions 4(b), 4(c), and 4(e) - 4(h) is yes, please explain:		X X X	
(a)	Roof and Roof-Related Items  To your knowledge, is the roof structurally sound and free of leaks?	×		
(c)	The age of the roof is years OR date installed Has the roof ever leaked during your ownership?	×		
(d)	To your knowledge, has there been any repair, restoration, replacement (indicate full or partial) or other work undertaken on the roof?  If yes, please explain:repair to flat section; roof rescrewed belore and after lan	×		
(e)	Are you aware of any defects to the roof, fascia, soffits, flashings or any other component of the roof system?  If yes, please explain:		×	
No cer fea (a)	Pools; Hot Tubs; Spas  te: Florida law requires swimming pools, hot tubs, and spas that received a tificate of completion on or after October 1, 2000, to have at least one safety ture as specified by Section 515.27, Florida Statutes.  If the Property has a swimming pool, hot tub, or spa that received a certificate of completion on or after October 1, 2000, indicate the existing safety feature(s):  □enclosure that meets the pool barrier requirements □approved safety pool cover □required door and window exit alarms ★required door locks □none Has an in-ground pool on the Property been demolished and/or filled?		×	
and to d was (a)	te: When an insurance claim for sinkhole damage has been made by the seller dipaid by the insurer, Section 627.7073(2)(c), Florida Statutes, requires the seller disclose to the buyer that a claim was paid and whether or not the full amount paid is used to repair the sinkhole damage.  Does past or present settling, soil movement, or sinkhole(s) affect the Property or adjacent properties?  Has any insurance claim for sinkhole damage been made?  If yes, was the claim paid? ☐ yes ☐ no If the claim was paid, were all the proceeds used to repair the damage? ☐ yes ☐ no  If any answer to questions 7(a) - 7(b) is yes, please explain:		×	

		<u>Yes</u>	<u>No</u>	Knov
	Is membership in a homeowner's association mandatory or do any covenants, conditions or restrictions (CCRs) affect the Property? (CCRs include deed restrictions, restrictive covenants and declaration of covenants.)  Notice to Buyer: If yes, you should read the association's official records and/or the CCRs before making an offer to purchase. These documents contain information on significant matters, such as recurring dues or fees; special assessments; capital contributions, penalties; and architectural, building, landscaping, leasing, parking, pet, resale, vehicle and other types of restrictions.	×		
	Are there any proposed changes to any of the restrictions?			×
(c)	Are any driveways, walls, fences, or other features shared with adjoining landowners?		×	
(d)	Are there any encroachments on the Property or any encroachments by the			
(0)	Property's improvements on other lands? Are there boundary line disputes or easements affecting the Property?		×	
	Are you aware of any existing, pending or proposed legal or administrative action affecting homeowner's association common areas (such as clubhouse,			
(a)	pools, tennis courts or other areas)? Have any subsurface rights, as defined by Section 689.29(3)(b), Florida Statutes,		×	
(3)	been severed from the Property?			×
(h)	If yes, is there a right of entry? □ yes □ no Are access roads ★private □public? If private, describe the terms and conditions of the maintenance agreement: Owners share in the cost of road			
	maintenance			
(i)	If any answer to questions 8(a) - 8(g) is yes, please explain: Property is part			
	of Heron's Landing HOA			
(a)	nvironmental Was the Property built before 1978? If yes, please see Lead-Based Paint Disclosure. Does anything exist on the Property that may be considered an environmental hazard, including but not limited to, lead-based paint; asbestos; mold; urea formaldehyde; radon gas; methamphetamine contamination; defective drywall; fuel, propane, or chemical storage tanks (active or abandoned); or contaminated		×	
(c)	soil or water? Has there been any damage, clean up, or repair to the Property due to any of the		×	
	substances or materials listed in subsection (b) above?		×	
(d)	Are any mangroves, archeological sites, or other environmentally sensitive areas located on the Property?	×		
(e)	If any answer to questions 9(b) - 9(d) is yes, please explain: Mangroves are on the			
	property			
10. G	overnmental, Claims and Litigation			
(a)	Are there any existing, pending or proposed legal or administrative claims affecting the Property?		×	
(b)	Are you aware of any existing or proposed municipal or county special		^	
(0)	assessments affecting the Property?		×	
(C)	Is the Property subject to any Property Assessed Clean Energy (PACE) assessment per Section 163.08, Florida Statutes?		×	
(d)	Are you aware of the Property ever having been, or is it currently,			
(e)	subject to litigation or claim, including but not limited to, defective building products, construction defects and/or title problems?  Have you ever had any claims filed against your homeowner's Insurance policy?		×	
	10-11-01-11-11-11-11-11-11-11-11-11-11-1			

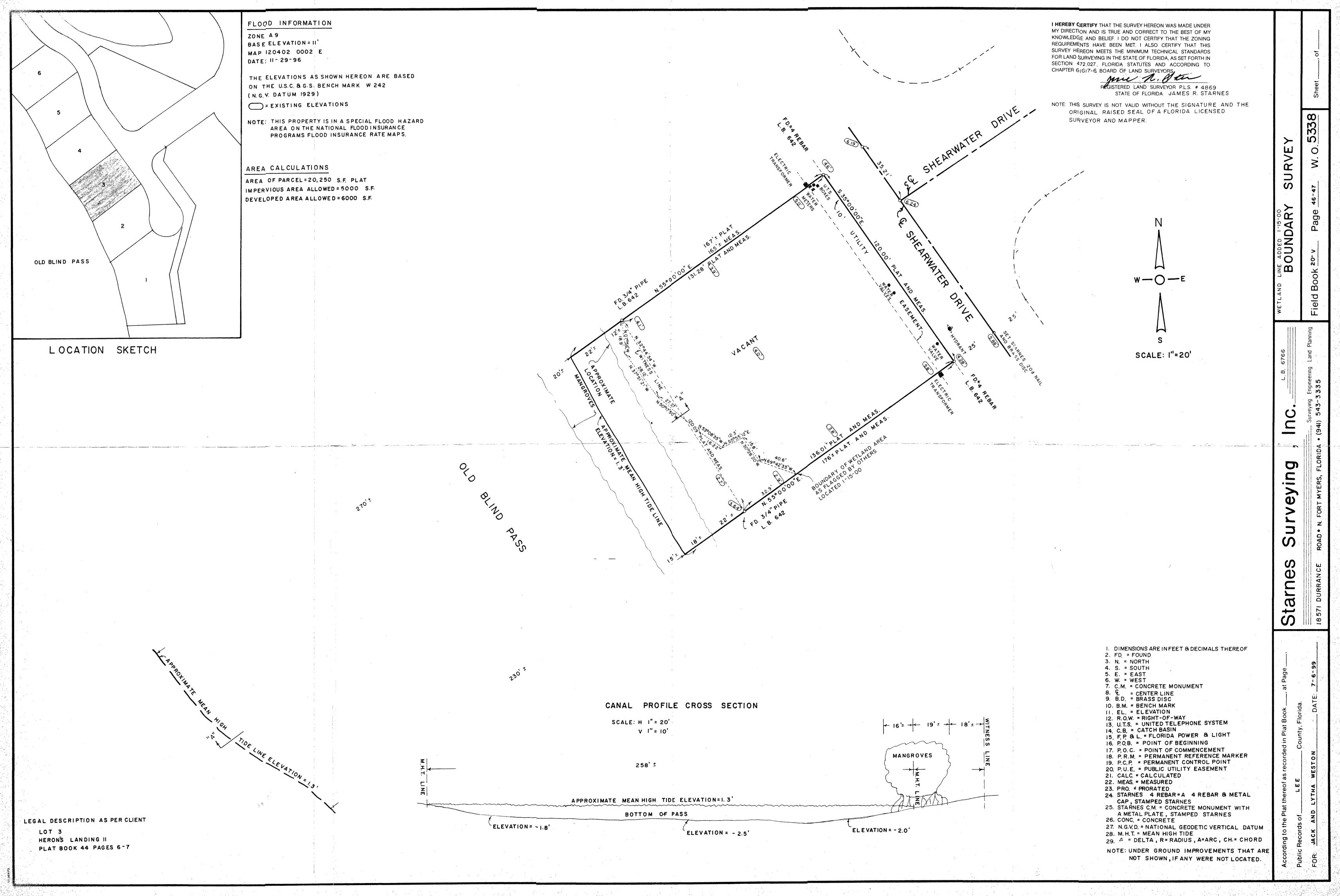
(f) Are there any zoning violations or nonconforming uses?		×	
(g) Are there any zoning restrictions affecting improvements or replacement of the Property?	П	×	П
(h) Do any zoning, land use or administrative regulations conflict with the existing			_
use of the Property?  (i) Do any restrictions, other than association or flood area requirements, affect		×	
improvements or replacement of the Property?		×	
(j) Are any improvements located below the base flood elevation?			×
(k) Have any improvements been constructed in violation of applicable local flood guidelines?		×	
(I) Have any improvements to the Property, whether by your or by others, been		_	
constructed in violation of building codes or without necessary permits?  (m) Are there any active permits on the Property that have not been closed by		×	Ш
a final inspection?		×	
<ul> <li>(n) Is there any violation or non-compliance regarding any unrecorded liens; code enforcement violations; or governmental, building, environmental and sa codes, restrictions or requirements?</li> <li>(o) If any answer to questions 10(a) - 10(n) is yes, please explain:</li> </ul>	ifety	×	
If yes, Buyer and Seller should seek legal and tax advice regarding composition.  12. [If checked] Other Matters; Additional Comments: The attached addended explanation, or comments.  Seller represents that the information provided on this form and any attachments is a Seller's knowledge on the date signed by Seller. Seller authorizes listing broker to provestate licensees and prospective buyers of the Property. Seller understands and ag Buyer in writing if any information set forth in this disclosure statement becomes inaccommendation.	dum contains add accurate and composide this disclosur	olete to t e statem will prom	the best o
Seller: Mariorie W. Glenn /	Date:	Octobe	r 20, 2023
(signature) (print)			<del></del>
Seller://	Date:		
(signature) (print)			
Buyer acknowledges that Buyer has read, understands, and has received a copy of the	his disclosure stat	ement.	
Buyer://	Date:		
(signature) (print)			
Buyer: / (signature) (print)	Date:		
(Signature) (print)			

## **IMPROVEMENT LIST**

## 5387 Shearwater Drive, Sanibel

#### Since 2023:

- New and Improved Landscaping
- Rebuilt Dock
- New alarm system (Ron & Sons monitoring system)
- New pool equipment including new filters and new heaters
- Pool screen on order and is expected to be installed in late November 2023
- All decks re-stained
- Mosquito Mist system
- Propane gas tank checked/serviced and refilled for gas cooktop/fireplace
- New Windows in Primary Bedroom
- New can lights and switches throughout the house
- Damaged siding replaced
- New chimney cap
- New railings on upper deck coming soon
- Appliances including washer and dryer replaced in 2016



FEMA Form 81204-AUG 99

#### FEDERAL EMERGENCY MANAGEMENT AGENCY NATIONAL FLOOD INSURANCE PROGRAM

O.M.B. No. 3067-0077 Expires July 31, 2002

REPLACES ALL PREVIOUS EDITIONS

**ELEVATION CERTIFICATE** Important: Read the instructions on pages 1 - 7. SECTION A - PROPERTY OWNER INFORMATION For Insurance Company Use: **BUILDING OWNER'S NAME** JOHN J. WESTON BUILDING STREET ADDRESS (Including Apt., Unit, Suite, and/or Bidg. No.) OR P.O. ROUTE AND BOX NO. 5387 SHEARWATER DRIVE ZIP 😭 STATE CITY DEC 17 2001 33957 SANIBEL ISLAND PROPERTY DESCRIPTION (Lot and Block Numbers, Tax Parcel Number, Legal Description, etc.) BUILDING DEPT. LOT 3, HERON'S LANDING II BUILDING USE (e.g., Residential, Non-residential, Addition, Accessory, etc. Use a Comments area, if necessary.) CITY OF SANIBEL RESIDENTIAL LATITUDE/LONGITUDE (OPTIONAL) HORIZONTAL DATUM: SOURCE: GPS (Type): ■ NAD 1983 USGS Quad Map Other:\_ (##°-##-##.##° or ##.####°) NAD 1927 WA SECTION B - FLOOD INSURANCE RATE MAP (FIRM) INFORMATION B1. NFIP COMMUNITY NAME & COMMUNITY NUMBER **B2. COUNTY NAME B3. STATE** CITY OF SANIBEL 120402 I FF **FLORIDA B4. MAP AND PANEL** B5. SUFFIX **B6. FIRM INDEX B7. FIRM PANEL** B8. FLOOD B9. BASE FLOOD ELEVATION(S) EFFECTIVE/REVISED DATE NUMBER DATE ZONE(S) (Zone AO, use depth of flooding) 0002 9-29-96 A9 +11' B10. Indicate the source of the Base Flood Elevation (BFE) data or base flood depth entered in B9. ☐ FiS Profile ☑ FIRM Community Determined Other (Describe): B11. Indicate the elevation datum used for the BFE in B9; NGVD 1929 ☐ NAVD 1988 ☐ Other (Describe): B12. Is the building located in a Coastal Barrier Resources System (CBRS) area or Otherwise Protected Area (OPA)? ☐ Yes ☒ No Designation Date: N/A SECTION C - BUILDING ELEVATION (NFORMATION (SURVEY REQUIRED) C1. Building elevations are based on: 
Construction Drawings\* ☐ Building Under Construction\* Finished Construction \*A new Elevation Certificate will be required when construction of the building is complete. C2. Building Diagram Number 6 (Select the building diagram most similar to the building for which this certificate is being completed - see pages 6 and 7. If no diagram accurately represents the building, provide a sketch or photograph.) C3. Elevations - Zones A1-A30, AE, AH, A (with BFE), VE, V1-V30, V (with BFE), AR, AR/A, AR/AE, AR/A1-A30, AR/AH, AR/AO Complete Items C3.-a-i below according to the building diagram specified in Item C2. State the datum used. If the datum is different from the datum used for the BFE in Section B, convert the datum to that used for the BFE. Show field measurements and datum conversion calculation. Use the space provided or the Comments area of Section D or Section G, as appropriate, to document the datum conversion. Datum N/A Conversion/Comments Not Needed/Datum Same as FIRM Elevation reference mark used <u>USC&GS S242</u> Does the elevation reference mark used appear on the FIRM? Yes No o a) Top of bottom floor (including basement or enclosure) <u>+5</u>. 3ft b) Top of next higher floor +15. 4 ft.\*\* SEE COMMENTS\*\* Bean, Whitaker, Lutz & Embossed ( and Date o c) Bottom of lowest horizontal structural member (V zones only) <u>N/A</u>.\_\_ft. Kareh, Inc. o d) Attached garage (top of slab) <u>N/A</u>. \_\_ft. o e) Lowest elevation of machinery and/or equipment e Number, E Signature, servicing the building (Describe in a Comments area) <u>+11</u>.3ft. o f) Lowest adjacent (finished) grade (LAG) +4.6ft. Jøseph L. Lutz License o g) Highest adjacent (finished) grade (HAG) <u>+5</u>. <u>1</u>ft. ₽LS 3375 o h) No. of permanent openings (flood vents) within 1 ft. above adjacent grade 14 Date: 12-12-2001 o i) Total area of all permanent openings (flood vents) in C3.h 3,024 sq. in. SECTION D - SURVEYOR, ENGINEER, OR ARCHITECT CERTIFICATION This certification is to be signed and sealed by a land surveyor, engineer, or architect authorized by law to certify elevation information. I certify that the information in Sections A, B, and C on this certificate represents my best efforts to interpret the data available. I understand that any false statement may be punishable by fine or imprisonment under 18 U.S. Code, Section 1001. CERTIFIER'S NAME LICENSE NUMBER Joseph L. Lutz LS 3375 TITLE COMPANY NAME Professional Surveyor and Mapper Bean, Whitaker, Lutz & Kareh, Inc. (LB4919) **ADDRESS** CITY STATE ZIP CODE 13041-1 McGregor Boulevard Fort Myers 33919 SIGNATURE DATE TELEPHONE 12-12-2001 (941) 481-1331

SEE REVERSE SIDE FOR CONTINUATION

IMPORTANT: In these spaces, copy the corresponding information from Section A.			n A.	For Insurance Company Use:		
BUILDING STREET ADDRESS (Including Apt., Unit, Suite, and/or Bldg. No.) OR P.O. ROUTE AND BOX NO. 5387 SHEARWATER DRIVE			ID BOX NO.	Policy Number	15	
CITY SANIBEL ISLAND	STAT FL	ΓE	ZIP CODE 33957	Company NAIC Number		
SECTION	D - SURVEYOR, ENGINEER, OR AF	RCHITECT	CERTIFICATION (CONTIN	IUED)		
Copy both sides of this Elevation Certificate	e for (1) community official, (2) insurance age	nt/company,	and (3) building owner.			
COMMENTS THE ENCLOSED ENTRY ELEVATION =						
SECTION E - RI III DING ELEV	/ATION INFORMATION (SURVEY N	OT PEOU	PEDI FOR ZONE AO AND	Check here if atta		
	mplete Items E1 through E4. If the Elevation		<del></del>	<del></del>	L)	
LOMR-F, Section C must be completed.	ripete tierris Et d'aougri E4. Il die Elevation	Cermicate is	interided for use as supporting in	Official Colvins of		
•	building diagram most similar to the building f	or which this	certificate is being completed - s	ee pages 6 and 7. If no		
diagram accurately represents the building	ng, provide a sketch or photograph.)			, -		
E2. The top of the bottom floor (including bas	ement or enclosure) of the building is	fL(m)	in.(cm) 🗌 above or 📋 below	(check one) the highest adjac	ent	
grade. (Use natural grade, if available).						
E3. For Building Diagrams 6-8 with openings		ed floor (eleva	tion b) of the building isft.(m)	)in.(cm) above the		
highest adjacent grade. Complete items		almosts die	and the comment of	64-1		
E4. For Zone AO only: If no flood depth num ordinance? Yes No No	nber is available, is the top of the bottom floor nknown. The local official must certify this inf			1100capiain management		
	F - PROPERTY OWNER (OR OWNE			ATION		
	representative who completes Sections A, B,		<del></del>			
	epresentative who completes seculors A, B, set sign here. The statements in Sections A,	•		•		
	AUTHORIZED REPRESENTATIVE'S NAM					
ADDRESS		CITY	STA	TE ZIP CODE		
SIGNATURE		DATE	TELL	EPHONE		
COMMENTS						
	SECTION G - COMMUNITY IN	FORMATI	ON (OPTIONAL)	☐ Check here if atta	chment	
The local official who is authorized by law or o	ordinance to administer the community's floo	dplain manag	gement ordinance can complete	Sections A, B, C (or E), and 0	G	
of this Elevation Certificate. Complete the ap	pplicable item(s) and sign below.					
G1.   The information in Section C was tak		-	-	_		
	ertify elevation information. (Indicate the sour					
G2. A community official completed Sect	•			or Zone AO.		
	G9) is provided for community floodplain man	nagement pu 				
G4. PERMIT NUMBER	G5. DATE PERMIT ISSUED		G6. DATE CERTIFICATE OF ISSUED	F COMPLIANCE/OCCUPAN	NCY	
G7. This permit has been issued for:	New Construction Substantial Improvem	nent				
G8. Elevation of as-built lowest floor (including		MIL	. ft(m)	Datum:		
G9. BFE or (in Zone AO) depth of flooding at			ft.(m)	Datum:	_	
LOCAL OFFICIAL'S NAME		117	LE .			
COMMUNITY NAME		TE	LEPHONE		_	
SIGNATURE			ATE			
COMMENTS						
	•			Check here if atta	ici men	

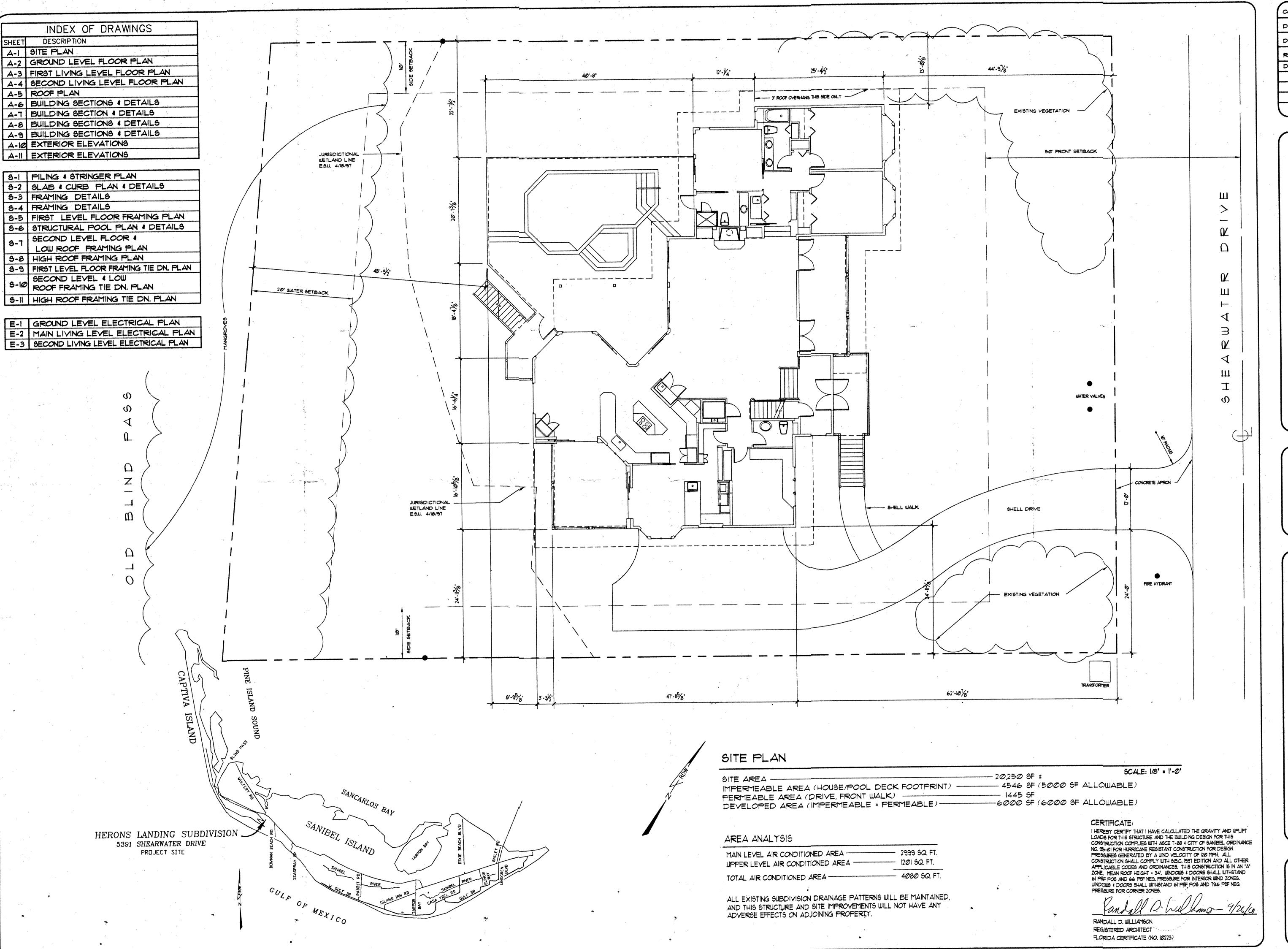


#### KINGFISHER REAL ESTATE INC

# Estimated Monthly Expenses

Electric:	\$600
Water/Sewer:	\$250 / \$210
Pool Service:	\$120
Pool Company Contact:	Deep End Pool Company
Lawn Maintenance:	\$320
Lawn Maint. Contact:	By the Coast Landscaping
Pest Control:	\$128
Pest Control Contact:	Tony's Pest Control
Home Insurance:	\$4300
Home Insurance Contact:	PURE Insurance Company
Flood Insurance:	
Flood Insurance Contact:	Assurant
Wind Insurance:	comb w/ homeowners
Wind Insurance Contact:	PURE Insurance Company
Other Expenses:	

If you have these documents, please send us a copy: Elevation Certificate Floor Plans Survey



COMM NO. 99-117

DRAWN BKL.

DATE 06/28/00

REVISIONS

DATE BY

and LYTHA WESTON

S

R. D. WILLIAMSON
& ASSOCIATES, INC.

ROTH MATERIAL ROPEN BAN 641-8000 FAX 641-8000

SHEET 1

OF 25 SHEETS