



ROANOKE VALLEY ASSOCIATION OF REALTORS®

Lake Disclosure



(The Lake Disclosure is recommended for use with
RVAR Listing Agreements and Purchase Agreements – Residential & Lot/Land)

Property Address /

Legal Description: _____ (the "Property").

The guidelines of the Shoreline Management Plan, which can be found at www.smithmtn.com, are administered by Appalachian Power Company (APCO) for Smith Mountain and Leesville Lakes. The Shoreline Management Plan imposes regulations on the construction, improvement, and rebuilding of structures and vegetation located within the project boundary.

The following checked numbered clauses are made part of the Listing Agreement and shall be made part of the Purchase Agreement.

1. WATERFRONTAGE:

Use of all property located below the 800 foot contour for Smith Mountain Lake and 620 foot contour for Leesville Lake may be subject to license from the proper government agencies and the Appalachian Power Company (APCO). Waterfront property is considered property that adjoins the 800 foot contour elevation at Smith Mountain Lake and the 620 foot contour elevation at Leesville Lake (collectively "the Project Boundary.")

Seller represents that the Property (check one):

- is waterfront property and is contiguous to the Project Boundary of Smith Mountain Lake or Leesville Lake.
- is not waterfront property but does provide for access by deed or right to the waters of Smith Mountain Lake or Leesville Lake.
- is not waterfront property and does not provide access to the waters of Smith Mountain Lake or Leesville Lake.

2. EXISTING STRUCTURE WITHIN PROJECT BOUNDARY

Seller represents (check one):

- There is a structure located below the Project Boundary which is appurtenant to the Property. **Dock permits issued by APCO must be assigned to Purchaser in order to be valid under the guidelines of the Shoreline Management Plan. If this box is checked complete A-C below.**
- There is a Community or Deeded/Assigned Dock. If this box is checked complete A-C below.
- There is NOT a structure located below the Project Boundary which is appurtenant to the Property.

(A) Improvements to Convey - Included with the sale of the above real estate (if located within said Property at time of signing this agreement) are the following checked items:

- | | |
|--|---|
| <input type="checkbox"/> Hoist | <input type="checkbox"/> Storage / Utility Building |
| <input type="checkbox"/> Lift | <input type="checkbox"/> Irrigation Pump |
| <input type="checkbox"/> Personal Watercraft Lift/Port | <input type="checkbox"/> Other _____ |
| <input type="checkbox"/> Floater | <input type="checkbox"/> None |

(B) Dock Type

- | | | |
|--|---|--|
| <input type="checkbox"/> Single Family | <input type="checkbox"/> Community Dock | <input type="checkbox"/> Covered Deeded/Assigned Boat Dock # _____ |
| <input type="checkbox"/> Multi-Family/Shared | <input type="checkbox"/> Other _____ | <input type="checkbox"/> Uncovered Deeded/Assigned Boat Dock # _____ |

(C) Structure Status within Project Boundary:

- (i) Seller has or has not verified the status of structure(s) within the Project Boundary. If verified a copy of the verification is attached hereto.
- (ii) Seller does or does not have knowledge of any pending mitigation required by APCO. If pending mitigation exists, a copy of the requirements are attached hereto.
- (iii) Common/Community Boat Dock or Seller's deeded/assigned boat slip is not located on Property owned by Seller and APCO will not be notified and verification will not be requested.

3. INFORMATION REGARDING EXISTING NON-COMFORMING DOCKS

Docks built prior to August 29, 2003, may not have been built according to the guidelines of the Shoreline Management Plan.

If a dock which was built before August 29, 2003 is destroyed or damaged (as referenced by the Shoreline Management Plan), APCO may or may not allow a property owner, upon receipt of a permit from APCO, to replace a dock within two years of destruction or damage upon the same footprint of the former dock if APCO received, on or before August 31, 2005, Existing Non-Conforming Structure Documentation (ENCSD) which documented the dock as it was built prior to August 29, 2003.

Check appropriate box:

- (A) Seller certifies ENCSD documents were submitted to APCO and copies are attached hereto.
- (B) Seller certifies no ENCSD documents were submitted to APCO.
- (C) Seller certifies they have no knowledge if ENCSD documents were submitted to APCO.

4. FRANKLIN COUNTY CODE ONLY FOR SEPTIC SYSTEMS WITHIN 500 FEET OF SMITH MOUNTAIN LAKE

Franklin County and the Virginia Department of Health require all on-site sewage treatment systems with a septic tank or drain fields that are located within 500 feet of the 795 foot contour of the shores of Smith Mountain Lake shall be pumped out at least once every five (5) years.

In lieu of requiring proof of septic tank pump-out every five (5) years, the County may allow owners of on-site sewage treatment systems to submit to County, documentation every five (5) years, certified by a sewage handler permitted by the Virginia Department of Health, that the on-site sewage treatment system has been inspected, is functioning properly, and the tank does not need to have the solids pumped.

Seller Date Purchaser Date

Seller Date Purchaser Date

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