

Dear Client:

We are very pleased that you have agreed to designate us your listing agency for marketing the sale of your property. We hope the marketing process goes smoothly and a qualified purchaser for your property can be located on the price and terms you find acceptable.

Many things have changed since the time you purchased your property. Federal and state requirements impose ever-increasing obligations upon the parties to these transactions.

The purchaser of your property will undoubtedly bargain for and expect to receive a warranty deed to the property. This is not an unusual request; indeed, it is the type of deed whereby virtually all properties in Vermont, especially residential properties are sold. However, in the summer of 1997, the Vermont Supreme Court issued a ruling indicating that additional warranties and promises are considered to be included in and made a part of the warranty deed. The additional ingredients which are now a part of the warranty deed that you will be expected to deliver to your purchaser require that you have in place all state and local permits required for the use of the property.

It has come to our attention that, often times, these permits are simply never applied for nor are they issued. Many real estate transactions have been delayed or canceled by virtue of this new requirement. In light of this Supreme Court decision, it will be your responsibility as the seller of the property to deliver to your purchaser, at or prior to the closing, evidence that the property has the benefit of these permits.

Normally, the seller requests an attorney's assistance only after a purchase agreement with a buyer has been signed for the purpose of preparing a deed, transfer return and other associated closing documents. However, in any purchase agreement you enter into, it is highly likely that, given this recent Supreme Court decision, issues will arise as to the existence and status of these state and local use permits.

Because we want to make sure that any purchase transaction that you enter into goes smoothly, we strongly recommend that you immediately engage your own attorney or permit consultant to insure that the permits you need to sell your property have been issued and are in place.

You should act now to obtain assurance that these permits have been issued or to initiate the process of obtaining them. The types of permits that you will be asked to furnish evidence of concerning your property may include the following:

1. State of Vermont Act 250/Land Use Permit;
2. State of Vermont Subdivision Permit;
3. Town or City Subdivision Permit;
4. Town or City Wastewater/Septic/Sewer Permit;
5. Building Permit;
6. Driveway or Curb Cut Permit; and/or
7. Certificate of Occupancy.

Note: This is not an exhaustive list. It is not a representation on our part that these permits are actually required concerning your property or that there are not other permits that may be required.

As real estate professionals, we are not the persons who are involved in applying for these permits, nor do we have the responsibility to research and investigate whether they have been issued. This task is left to professionals such as attorneys.

We recommend that you engage such professionals within 15 days of your receipt of this letter to begin the process of assuring that the permits you need to close on your property are in place. We further request that you advise us by letter as to the attorney or other professional that you have engaged to assist you with this process.

Very truly yours,

Listing Agency

ACKNOWLEDGED AND RECEIVED.

Dated: _____

Seller

Dated: _____

Seller

Dated: _____

Seller

Dated: _____

Seller

SUPPLEMENTAL INFORMATION TO PROPERTY DESCRIPTION

- | | | |
|--|------------------------------|-----------------------------|
| 1. State land use (Act 250) permit issued? | Yes <input type="checkbox"/> | No <input type="checkbox"/> |
| Copy available? | Yes <input type="checkbox"/> | No <input type="checkbox"/> |
| 2. State subdivision permit issued? | Yes <input type="checkbox"/> | No <input type="checkbox"/> |
| Copy available? | Yes <input type="checkbox"/> | No <input type="checkbox"/> |
| 3. Town or city planning commission approval? | Yes <input type="checkbox"/> | No <input type="checkbox"/> |
| Copy available? | Yes <input type="checkbox"/> | No <input type="checkbox"/> |
| 4. Town or city zoning approval? | Yes <input type="checkbox"/> | No <input type="checkbox"/> |
| Copy available? | Yes <input type="checkbox"/> | No <input type="checkbox"/> |
| 5. Town or city wastewater/septic system approval? | Yes <input type="checkbox"/> | No <input type="checkbox"/> |
| Copy available? | Yes <input type="checkbox"/> | No <input type="checkbox"/> |
| 6. Driveway or curb cut permit? | Yes <input type="checkbox"/> | No <input type="checkbox"/> |
| Copy available? | Yes <input type="checkbox"/> | No <input type="checkbox"/> |
| 7. Building Permit? | Yes <input type="checkbox"/> | No <input type="checkbox"/> |
| Copy available? | Yes <input type="checkbox"/> | No <input type="checkbox"/> |
| 8. Certificate of occupancy? | Yes <input type="checkbox"/> | No <input type="checkbox"/> |
| Copy available? | Yes <input type="checkbox"/> | No <input type="checkbox"/> |
| 9. Any notices of violations of any permit issued by state or local authorities? | Yes <input type="checkbox"/> | No <input type="checkbox"/> |
| If yes, describe: _____ | | |
| _____ | | |
| _____ | | |