



ADDENDUM DELETING "AS IS" PROVISIONS

In reference to the Purchase Agreement concerning the property located at _____

NOTE: The preprinted version of the Residential Purchase Agreement includes the following provisions: (1) under "Conditions Affecting Property" [paragraph 9(i) in the CAR form RPA-CA] the property is sold in its "PRESENT physical 'as-is' condition"; and (2) under "Title" [paragraph 12B in the CAR form RPA-CA] title is taken in its present condition subject to all encumbrances "whether of record or not." These provisions are legally referred to as "AS IS" clauses. The Buyer does not intend to make an "as is" offer, and the following paragraphs, if initialed, are substituted for said provisions:

[_____] [_____] **CONDITION OF PROPERTY.** Seller agrees that upon delivery of possession to the Buyer: (a) all built-in appliances included in the sale, and the electrical, plumbing (excluding irrigation systems), heating and cooling systems will be in working order and free of leaks; (b) the roof will be free of leaks; (c) all broken or cracked glass, including mirrors and shower/tub enclosures and broken seals between double-pane windows, will be replaced; (d) and existing window and door screens that are damaged will be repaired. **Unless specifically excluded, all of the above are the obligation of the Seller regardless of any disclosures made or conditions discovered by the parties or their agents.** The following items are specifically excluded from the above: _____

Seller's obligations under this provision are not intended to create a duty to repair an item that may fail after possession is delivered. **Buyer and Seller acknowledge that Broker is not responsible for any alleged breach of these covenants.**

[_____] [_____] **TITLE.** In addition to any encumbrances assumed or taken "subject to", Seller will convey title to the property subject only to real estate taxes not yet due; and covenants, conditions, restrictions, rights of way and easements of record.

Buyer _____ Date _____

Buyer _____ Date _____

The foregoing initialed provisions are accepted, and the "as is" or "present condition" provisions in the preprinted offer form are deleted.

Seller _____ Date _____

Seller _____ Date _____

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