



Sale Agreement # _____

WOODSTOVE/WOOD BURNING FIREPLACE INSERT ADDENDUM

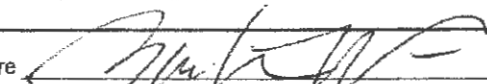
- 1 Use this form if a woodstove/fireplace is on the property.
- 2 This is an Addendum to: Real Estate Sale Agreement Seller's Counter Offer Buyer's Counter Offer
- 3 Buyer: _____
- 4 Seller: Barbara Wickham, John Wickham
- 5 The real property is identified as: 12830 NW LAIDLAW RD, Portland, OR 97229 ("the Property")
- 6 **SELLER REPRESENTATIONS TO BUYER.** Seller represents the following:
- 7 Is the woodstove or wood burning fireplace insert certified: Yes No Unknown
- 8 One or more Uncertified Device(s) are located on the Property. (Unless Buyer has signed accepting responsibility at Section 5 below, Seller
- 9 agrees to remove and destroy the Uncertified Device(s) and to so notify DEQ by providing Certificate of Destruction prior to Closing.

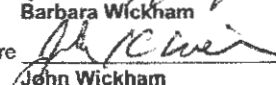
GENERAL INFORMATION:

- 11 **1. Remove and Destroy Before Closing.** As of **August 1, 2010**, Oregon law (ORS 468A.460 - 468A.515) requires all sellers of
- 12 "residential structures" to remove and destroy **uncertified** solid fuel burning devices, such as woodstoves or fireplace inserts (collectively
- 13 "Uncertified Device") prior to closing of the sale. A "residential structure" includes: (1) Any structure that contains one or more dwelling
- 14 units and is four stories or less above grade. (2) A condominium, rental residential unit or other residential dwelling unit that is part of a
- 15 larger structure, if the property interest in the unit is separate from the property interest in the larger structure. (3) A modular home
- 16 constructed off-site; (4) A manufactured dwelling; or (5) A floating home.
- 17 **2. Certification Label.** A certified device is one that bears a certification label located on the back and issued by the Oregon DEQ or U.S.
- 18 Environmental Protection Agency ("EPA") which means that it has met certain particulate emission standards. If the device does not bear
- 19 such a label, it is an "Uncertified Device" and **must** be removed from the Property **and** destroyed. Sellers who cannot access the back of
- 20 their device may call the manufacturer or check the EPA's certified woodstove list at:
- 21 <http://www2.epa.gov/compliance/list-epa-certified-wood-stoves>
- 22 **3. Exemptions.** The primary exemptions from this law are pellet stoves, central wood fired furnaces, antique stoves, masonry fireplaces
- 23 and masonry heaters.
- 24 **4. Removal and Destruction; DEQ Notification.** An Uncertified Device must be entirely removed from the Property, including garages,
- 25 outbuildings and shops. Woodstove retailers, chimney sweeps, or others may perform the removal and destruction. Sellers removing an
- 26 Uncertified Device themselves may take it directly to a metal scrap recycler or DEQ-approved landfill. Sellers must obtain a receipt from
- 27 the contractor or business verifying that the Uncertified Device has been destroyed, and then notify DEQ at:
- 28 <http://www.deq.state.or.us/aq/burning/woodstoves/heatSmart.htm>. Check the DEQ website at:
- 29 <http://www.oregon.gov/deq/AQ/Pages/HeatSmart/HeatSmart.aspx> for the notification form confirming destruction of the Uncertified Device.
- 30 Either form should then be (a) mailed or delivered to Oregon DEQ, Heat Smart Notification, 811 SW Sixth Ave, Portland, OR 97204 or (b)
- 31 faxed to Heat Smart Notification, 503-229-5675. Failure to remove or destroy an Uncertified Device at the time of closing does not
- 32 invalidate the sale. However, it may constitute a Class A Misdemeanor and/or result in a civil fine. See, ORS 468A.990.
- 33 **5. Responsibility.** Seller is primarily responsible for removal and destruction of an Uncertified Device located on the Property unless Buyer accepts
- 34 written responsibility for removal and destruction. (To accept this responsibility, Buyer **must** initial below.)
- 35 _____ / _____ By initialing here, Buyer expressly accepts responsibility and acknowledges that the Uncertified Device must be **both** removed
- 36 and destroyed by Buyer within 30 days following the Closing Date.
- 37 **6. More Information.** Contact: DEQ - Heat Smart Program, 811 SW Sixth Ave., Portland, OR 97204, Review ORS 468A.460 - 468A.515 or go to:
- 38 <http://www.oregon.gov/deq/AQ/Pages/HeatSmart/HeatSmart.aspx> or <http://www.deq.state.or.us/eq/factsheets/10ag011heatSmart.pdf>

39 Buyer Signature _____ Date _____ a.m. ___ p.m. ←

40 Buyer Signature _____ Date _____ a.m. ___ p.m. ←

41 Seller Signature  Date 11/27/17 a.m. 6 p.m. ←

42 Seller Signature  Date 2/20/17 a.m. 7 p.m. ←

43 Buyer's Agent _____ Seller's Agent David Van Nus

44 Buyer's Agent's Firm Broker Initials/Date _____ Seller's Agent's Firm Broker Initials/Date DVN 3/20/17

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