

## SELLER'S PROPERTY CONDITION DISCLOSURE STATEMENT

(This disclosure shall be completed by the seller. This is a disclosure required by law. If you do not understand this form, seek legal advice.)

Seller Chad & Kari Holden Property Address 311 North Crawford Road

This Disclosure Statement concerns the real property identified above situated in the City of Vermillion  
County of Clay, State of South Dakota.

THIS STATEMENT IS A DISCLOSURE OF THE CONDITION OF THE ABOVE DESCRIBED PROPERTY IN COMPLIANCE WITH § 43-4-38. IT IS NOT A WARRANTY OF ANY KIND BY THE SELLER OR ANY AGENT REPRESENTING ANY PARTY IN THIS TRANSACTION AND IS NOT A SUBSTITUTE FOR ANY INSPECTIONS OR WARRANTIES THE PARTIES MAY WISH TO OBTAIN.

Seller hereby authorizes any agent representing any party in this transaction to provide a copy of this statement to any person or entity in connection with any actual or anticipated sale of the property.

IF ANY MATERIAL FACT CHANGES BEFORE CONVEYANCE OF TITLE TO THIS PROPERTY, THE SELLER MUST DISCLOSE SUCH MATERIAL FACT WITH A WRITTEN AMENDMENT TO THIS DISCLOSURE STATEMENT.

### I. LOT OR TITLE INFORMATION

1. When did you purchase or build the home? July 1999

*If the answer is yes to any of the following, please explain under additional comments or on an attached separate sheet.*

2. Were there any title problems when you purchased the property? Yes \_\_\_ No
3. Are there any recorded liens or financial instruments against the property, other than a first mortgage?  
Yes \_\_\_ No
4. Are there any unrecorded liens or financial instruments against the property, other than a first mortgage; or have any materials or services been provided in the past one hundred twenty days that would create a lien against the property under chapter 44-9?  
Yes \_\_\_ No  Unknown \_\_\_
5. Are there any easements which have been granted in connection with the property (other than normal utility easements for public water and sewer, gas and electric service, telephone service, cable television service, drainage, and sidewalks)? Yes \_\_\_ No  Unknown \_\_\_
6. Are there any problems related to establishing the lot lines/boundaries? Yes \_\_\_ No  Unknown \_\_\_
7. Do you have a location survey in your possession or a copy of the recorded plat? If yes, attach a copy.  
Yes \_\_\_ No  Unknown \_\_\_
8. Are you aware of any encroachments or shared features, from or on adjoining property (i.e. fences, driveway, sheds, outbuildings, or other improvements)? Yes \_\_\_ No
9. Are you aware of any covenants or restrictions affecting the use of the property in accordance with local law? If yes, attach a copy of the covenants and restrictions. Yes \_\_\_ No
10. Are you aware of any current or pending litigation, foreclosure, zoning, building code or restrictive covenant violation notices, mechanic's liens, judgments, special assessments, zoning changes, or changes that could affect your property? Yes \_\_\_ No
11. Is the property currently occupied by the owner? Yes  No \_\_\_
12. Does the property currently receive the owner occupied tax reduction pursuant to SDCL 10-13-39?  
Yes \_\_\_ No \_\_\_
13. Is the property currently part of a property tax freeze for any reason? Yes \_\_\_ No  Unknown \_\_\_
14. Is the property leased? Yes \_\_\_ No
15. If leased, does the property use comply with local zoning laws? Yes  No \_\_\_

16. Does this property or any portion of this property receive rent? Yes \_\_\_ No   
 If yes, how much \$ \_\_\_ and how often \_\_\_?
17. Do you pay any prandatory fees or special assessments to a homeowners' or condominium association?  
 Yes \_\_\_ No   
 If yes, what are the fees or assessments? \$ \_\_\_ per \_\_\_ (i.e. annually, semi-annually, monthly)  
 Payable to whom: \_\_\_\_\_ For what purpose? \_\_\_\_\_
18. Are you aware if the property has ever had standing water in either the front, rear, or side yard more than forty-eight hours after heavy rain? Yes \_\_\_ No
19. Is the property located in or near a flood plain? Yes \_\_\_ No \_\_\_ Unknown \_\_\_
20. Are wetlands located upon any part of the property? Yes \_\_\_ No  Unknown \_\_\_

## II. STRUCTURAL INFORMATION

If the answer is yes to any of the following, please explain under additional comments or on an attached separate sheet.

1. Are you aware of any water penetration problems in the walls, windows, doors, basement, or crawl space?  
 Yes  No \_\_\_
2. What water damage related repairs, if any, have been made? Please see attached sheet  
 If any, when? \_\_\_\_\_
3. Are you aware if drain tile is installed on the property? Yes \_\_\_ No
4. Are you aware of any interior cracked walls or floors, or cracks or defects in exterior driveways, sidewalks, patios, or other hard surface areas? Yes \_\_\_ No   
 What related repairs, if any, have been made? \_\_\_\_\_
5. Are you aware of any roof leakage, past or present? Yes  No \_\_\_  
 Type of roof covering: Asphalt Shingles Age: 2007  
 What roof repairs, if any, have been made, when and by whom? In 2004 we had a leak in roof & replaced shingles @ that time, New shingles again & remodel  
 Describe any existing unrepaired damage to the roof: None
6. Are you aware of insulation in:  
 the ceiling/attic? Yes  No \_\_\_ the walls? Yes  No \_\_\_ the floors? Yes  No \_\_\_
7. Are you aware of any pest infestation or damage, either past or present? Yes \_\_\_ No
8. Are you aware of the property having been treated for any pest infestation or damage?  
 Yes \_\_\_ No  If yes, who treated it and when? \_\_\_\_\_
9. Are you aware of any work upon the property which required a building, plumbing, electrical, or any other permit? Yes  No \_\_\_ If yes, describe the work: Home Remodel  
 Was a permit obtained? Yes  No \_\_\_ Was the work approved by an inspector? Yes  No \_\_\_
10. Are you aware of any past or present damage to the property (i.e. fire, smoke, wind, floods, hail, or snow)?  
 Yes  No  If yes, describe Karaden  
 Have any insurance claims been made? Yes  No \_\_\_ Unknown \_\_\_  
 Was an insurance payment received? Yes  No \_\_\_ Unknown \_\_\_  
 Has the damage been repaired? Yes  No \_\_\_ If yes, describe in detail: Yes, new kitchen, flooring, insulation, electrical, plumbing, sheet rock
11. Are you aware of any problems with sewer blockage or backup, past or present? Yes \_\_\_ No
12. Are you aware of any drainage, leakage, or runoff from any sewer, septic tank, storage tank, or drain on the property into any adjoining lake, stream, or waterway? Yes \_\_\_ No  If yes, describe in detail: \_\_\_\_\_

### III. SYSTEMS/UTILITIES INFORMATION

	None/Not Included			Working			Not Working		
1. 220 Volt Service									
2. Air Exchanger			✓						
3. Air Purifier			✓						
4. Attic Fan									
5. Burglar Alarm & Security System			✓						
6. Ceiling Fan									
7. Central Air - Electric									
8. Central Air - Water Cooled									
9. Cistern			✓						
10. Dishwasher									
11. Disposal			✓						
12. Doorbell			✓						
13. Fireplace			✓						
14. Fireplace Insert			✓						
15. Garage Door/Opener Control(s)									
16. Garage Wiring									
17. Heating System									
18. Hot Tub, Whirlpool, and Controls			✓						
19. Humidifier									
20. Intercom			✓						
21. Light Fixtures									
22. Microwave/Hood									
23. Plumbing and Fixtures									
24. Pool and Equipment			✓						
25. Propane Tank			✓						
26. Radon System									
27. Sauna			✓						
28. Septic/Leaching Field									
29. Sewer Systems/Drains			✓						
30. Smoke/Fire Alarm									
31. Solar House - Heating			✓						
32. Sump Pump(s)			✓						
33. Switches and Outlets									
34. Underground Sprinkler and Heads			✓						
35. Vent Fan									
36. Water Heater - Electric or Gas									
37. Water Purifier			✓						
38. Water Softener - Leased or Owned			✓						
39. Well and Pump									✓
40. Wood Burning Stove			✓						

### IV. HAZARDOUS CONDITIONS

Are you aware of any existing hazardous conditions of the property and are you aware of any tests having been performed?

	Existing Conditions		Tests Performed	
	Yes	No	Yes	No
1. Methane Gas				
2. Lead Paint		✓		
3. Radon Gas (House)		✓		
4. Radon Gas (Well)		✓		
5. Radioactive Materials		✓		
6. Landfill, Mineshaft		✓		
7. Expansive Soil		✓		
8. Mold		✓		
9. Toxic Materials		✓		
10. Urea Formaldehyde Foam Insulations		✓		
11. Asbestos Insulation		✓		
12. Buried Fuel Tanks		✓		
13. Chemical Storage Tanks		✓		
14. Fire Retardant Treated Plywood		✓		
15. Production of Methamphetamines		✓		

If the answer is yes to any of the questions above, please explain in additional comments or on an attached separate sheet.

