

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 Sylvia Lynch Property Address 46939 SD Hwy 50

This Disclosure Statement concerns the real property identified above situated in the City of Rural - Bearbank
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? 1981

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 X

3. Are there any recorded liens or financial instruments against the property, other than a first mortgage?
Yes ___ No X

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 X 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 X Unknown ___

6. Are there any problems related to establishing the lot lines/boundaries? Yes ___ No X Unknown ___

7. Do you have a location survey in your possession or a copy of the recorded plat? If yes, attach a copy.
Yes X 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 X

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 X

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 X

11. Is the property currently occupied by the owner? Yes X No ___

12. Does the property currently receive the owner occupied tax reduction pursuant to SDCL 10-13-39?
Yes X No ___

13. Is the property currently part of a property tax freeze for any reason? Yes ___ No X Unknown ___

14. Is the property leased? Yes ___ No X

15. If leased, does the property use comply with local zoning laws? Yes ___ No UK

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 mandatory 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? sump pump July 10th
 If any, when? all repair
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? caulking drive way
5. Are you aware of any roof leakage, past or present? Yes ___ No
 Type of roof covering: asphalt Age: 2007, July
 What roof repairs, if any, have been made, when and by whom? none
- 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? I do treat or spray for spiders etc in July
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: _____
 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 _____
 Have any insurance claims been made? Yes No ___ Unknown ___ water this spring
 Was an insurance payment received? Yes No ___ Unknown ___
 Has the damage been repaired? Yes No ___ If yes, describe in detail: _____
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		X	
2. Air Exchanger			
3. Air Purifier			
4. Attic Fan		X	
5. Burglar Alarm & Security System			
6. Ceiling Fan		Y	
7. Central Air - Electric		Y	
8. Central Air - Water Cooled			
9. Cistern			
10. Dishwasher		X	
11. Disposal		X	
12. Doorbell		X	
13. Fireplace			
14. Fireplace Insert			
15. Garage Door/Opener Control(s)		X	
16. Garage Wiring			
17. Heating System			
18. Hot Tub, Whirlpool, and Controls		X	
19. Humidifier		X	
20. Intercom			
21. Light Fixtures			
22. Microwave/Hood		X	
23. Plumbing and Fixtures		Y	
24. Pool and Equipment		Y	
25. Propane Tank			
26. Radon System			
27. Sauna			
28. Septic/Leaching Field			
29. Sewer Systems/Drains		Y	
30. Smoke/Fire Alarm		Y	
31. Solar House - Heating		Y	
32. Sump Pump(s)		Y	
33. Switches and Outlets		Y	
34. Underground Sprinkler and Heads		Y	
35. Vent Fan		X	
36. Water Heater - Electric or Gas		X	
37. Water Purifier		X	
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		X		
2. Lead Paint		X		
3. Radon Gas (House)		X		
4. Radon Gas (Well)		X		
5. Radioactive Materials				
6. Landfill, Mineshaft		X		
7. Expansive Soil		X		
8. Mold		X		
9. Toxic Materials		X		
10. Urea Formaldehyde Foam Insulations		X		
11. Asbestos Insulation		X		
12. Buried Fuel Tanks		X		
13. Chemical Storage Tanks		X		
14. Fire Retardant Treated Plywood		X		
15. Production of Methamphetamine		X		

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

