

(Revised 3/12/2004)

**SELLER'S DISCLOSURE STATEMENT FOR NEW CONSTRUCTION/LAND**

The following is a disclosure statement, made by the SELLER, of information concerning the condition of the Property located at:

**Lots - Overlook Estates, Phase II**

This disclosure is not a warranty of any kind by the SELLER or any agent of the SELLER in this transaction, and is not a substitute for any inspections or warranties the BUYER may wish to obtain. If the above-described Property is of new construction, said construction may or may not have commenced at the date of this disclosure. The structure and all improvements, appliances, equipment and systems are new or of new materials and will be or have been installed in a workmanlike manner consistent with community and market standards and in compliance with all applicable local building codes and with all necessary permits obtained and inspections completed as required by the applicable local building code enforcement division. The structure and all improvements, appliances, equipment and systems will be warranted for a period of one year by a written, limited warranty supplied by the builder and/or manufacturer, under the terms of said warranties. Additional information regarding construction specifications, features, and warranties should be obtained from the SELLER or SELLER'S agent of the Property.

<b>WATER SYSTEMS</b>		<b>YES</b>	<b>NO</b>	<b>UNK</b>
Is the Property connected to a <input type="checkbox"/> city, or <input checked="" type="checkbox"/> rural treated water system?		✓	—	—
If yes, please describe: <b>Rural Water #4</b>		—	—	—
Have there been any problems with or repairs to the water system?		—	✓	—
If yes, please explain: <b>Water lines are currently being installed. Estimated completion is October 10, 2018. Water meters are currently available at Buyers expense. Contract Rural Water Dist #4 for verification. 1768 N 700 Rd, Baldwin City, KS · 785.594.3847</b>		—	—	—
Are there any well(s) or cistern(s) located on the Property?		—	—	✓
If well(s): drilled? <input type="checkbox"/> hand-dug? <input type="checkbox"/>		—	—	—
Age of well(s) _____ Have there been any problems or repairs?		—	—	✓
If yes, please explain: _____		—	—	—
_____		—	—	—
Location of well(s) and well volume _____		—	—	—
_____		—	—	—
Location of cistern(s): _____		—	—	—
_____		—	—	—
Has any testing been done on the water?		—	✓	—
If yes, date of last report and results: _____		—	—	—
_____		—	—	—

<b>DRAINAGE/SEWAGE</b>	Are there any septic tanks/drain fields on the Property?	—	—	✓
	Is the Property connected to a city sanitary sewer system?	—	✓	—
	Is the Property in a flood plain or wetlands area?	✓	***See below	
	Has Property been elevated above flood plain?	—	✓	—
	If in flood plain or wetlands, call 832-3150. Ask for and make a note of the legal description of your Property. You will need this information when making the following phone call: If your Property is in the city, call the City Zoning Department, 832-3150 or 832-3156. If your Property is in the county, call the County Engineer, 841-7700. Ask for the number of the map that was used in determining flood plain or wetlands on your Property. That map number is: _____ Please add any additional comments or information that you received concerning the flood plain or wetlands status of your Property: _____ <b>***A couple of the lots have wetland area on their outer boundaries. Please review map from county provided by seller or review map on website: FloryAndAssociates.com</b>			

<b>ENVIRONMENTAL</b>	Has Property been pre-treated for wood-destroying insects?	—	✓	—
	Are there any previous or existing hazardous conditions on the Property, such as: the disposal or storage of any hazardous substance, methane, radio-active material, landfill, mine shaft, toxic materials, oil or gas wells?	—	—	✓
	If yes, please describe: _____	—	—	—
	_____	—	—	—
	Are there any underground storage tanks on the Property?	—	—	✓
	If yes, please describe: _____	—	—	—
	_____	—	—	—

SELLER'S Initials and date: DS 9/19/2018 4:08:45 PM PDT BUYER'S Initials and date: \_\_\_\_\_  
 SELLER'S Initials and date: GW JF BUYER'S Initials and date: \_\_\_\_\_

**BOUNDARIES/LAND**

YES NO UNK

Has Property been elevated using controlled landfill?  
Are there any features of the Property that are shared in common with adjoining landowners, such as walls, fences, roads, and driveways whose use or responsibility for maintenance may have an effect on the Property?  
If yes, please describe: \_\_\_\_\_

\_\_\_  \_\_\_  
\_\_\_ \_\_\_ \_\_\_

Are there "common areas", (facilities such as pools, tennis courts, walkways, or other areas) that are co-owned in undivided interest with others?  
If yes, please describe: \_\_\_\_\_

\_\_\_  \_\_\_

Have there been any problems related to any common area(s)?  
If yes, please describe: \_\_\_\_\_

\_\_\_  \_\_\_

Are there any rights-of-way, easements, (including utility or access), leases or similar matters that may affect your interest in the property?  
If yes, please describe: **Water line, Westar**

\_\_\_ \_\_\_

Has Property been surveyed?  
If yes, what type(s): ALTA  Boundary  Mortgagee Title Inspection  and/or Flood Elevation Certificate

\_\_\_ \_\_\_

Have there been any boundary disputes?  
If yes, please describe: **Review Plat at www.FloryAndAssociats.com**

\_\_\_  \_\_\_

Have there been any grading or soil problems caused by settling, flooding or natural springs?  
If yes, please describe: \_\_\_\_\_

\_\_\_  \_\_\_

Are there any zoning violations or non-conforming uses related to this Property?  
If yes, please describe: \_\_\_\_\_

\_\_\_ \_\_\_

**ASSESSMENTS/IMPROVEMENTS**

Are there any conditions, other than construction of improvements, that may result in an increase in assessments?  
If yes, please describe: \_\_\_\_\_

\_\_\_  \_\_\_

Are there any bonds or assessments that apply or may apply to this Property?  
If yes, please describe: \_\_\_\_\_

\_\_\_  \_\_\_

Are there any special assessments that will apply to this Property?  
If yes:  
Total remaining special assessments: \$ \_\_\_\_\_  
Total estimated/proposed Specials or Benefit Districts: \$ \_\_\_\_\_  
For questions concerning special assessments call: City Clerk: 785/832-3201 and County Treasurer: 785/832-5178.

\_\_\_  \_\_\_

**HOMEOWNER'S ASSOCIATION**

Is there a homeowners' association that has authority over the Property?  
If yes, please describe: \_\_\_\_\_

\_\_\_ \_\_\_ \_\_\_

Association dues annual amount is: \$ \_\_\_\_\_  
Dues are paid:  Monthly  Quarterly  Semi-Annually  Annually  
Please describe maintenance that is covered by homeowners' association dues: \_\_\_\_\_

SELLER'S Initials and date: EW  
SELLER'S Initials and date: JF

DS DS

9/19/2018 4:08:45 PM PDT

BUYER'S Initials and date: \_\_\_\_\_  
BUYER'S Initials and date: \_\_\_\_\_

**MISCELLANEOUS**

Have you received notices or been made aware of any conditions or incidents on, at, or over the Property that could possibly lead to a lawsuit or liability under any law, rule, ordinance, or other legal theory?  
If yes, please describe: \_\_\_\_\_

YES NO UNK

\_\_\_ ✓ \_\_\_

\_\_\_\_\_  
Please state any other facts or information relating to this Property that might be of concern to a BUYER: \_\_\_\_\_

**Buyers to review, understand and acknowledge Covenants & Restrictions for Overlook Estates (phase II) posted on website at www.FloryAndAssociates.com**

SELLER certifies that the information herein is true and correct to the best of SELLER'S knowledge as of the date signed by the SELLER. SELLER further agrees to notify BUYER of any additional items which may become known to the SELLER prior to recording of the Deed. SELLER further agrees to hold the Real Estate Broker(s) harmless from any liability incurred as a result of any third-party reliance on the disclosure contained herein and acknowledges receipt of a copy of this statement.

DocuSigned by:  
Glen Westermelt

9/19/2018 6:50:30 PM PDT

DocuSigned by:  
Jason Flory

(Date)

9/19/2018 4:08:45 PM PDT

DocuSigned by:  
(SELLER)

(Date)

BUYER'S RECEIPT OF DISCLOSURE STATEMENT

**BUYER acknowledges that this disclosure does not constitute a warranty.** The BUYER is urged to carefully inspect the property and to have the property inspected by a qualified inspector. The BUYER understands that there are areas of the property of which the SELLER has no knowledge and this disclosure statement does not encompass those areas. The BUYER also acknowledges that he has read and received a signed copy of this statement from the SELLER or SELLER'S Agent. The BUYER acknowledges any personal property not included in the sales contract remains the property of the SELLER.

**BUYER'S RIGHT TO PROFESSIONAL COUNSEL:** BUYER acknowledges and agrees that the purchase of real property encompasses many professional disciplines, and while Broker possesses considerable general knowledge, Broker is not expert in matters of law, tax, financing, surveying, structural conditions, hazardous material, engineering, etc. BUYER acknowledges that BUYER has been advised by Broker to seek professional expert assistance and advice in those and other areas of professional expertise. In the event that Broker provides to BUYER names or sources for such advice and assistance, BUYER acknowledges and agrees that Broker does not warrant or guarantee such services and/or products.

BUYER herein understands that outside legal and tax counsel is recommended. Comprehensive mechanical, structural and other inspections are recommended. If, at BUYER'S option and choice, BUYER decides not to conduct inspections or obtain tax and legal counsel before closing, then BUYER accepts the Property in its present condition and will make no claim against SELLER, Brokers, or agents, based upon the lack of tax or legal counsel or based on any known or unknown past, current, or future condition of the above property and/or its improvements including but not limited to latent or patent defects, repairs, or replacements.

BUYER is advised that school boundaries are subject to change.

BUYER is advised that Kansas law requires persons who are convicted of certain sexually violent crimes after April 14, 1994, to register with the sheriff of the county in which they reside. BUYER is advised that information regarding those registrants may be available through the Kansas Bureau of Investigation (home page address: [www.ink.org/public/kbi](http://www.ink.org/public/kbi)) or by contacting the local sheriff's office.

BUYER is advised that fungal contaminants (molds, etc.) may exist in the Property of which the Seller is unaware. These contaminants generally grow in places where there is excessive moisture, such as where leakage may have occurred in roofs, pipes, walls, plant pots, or where there has been flooding. A professional home inspection may not disclose fungal contaminants. BUYER may wish to obtain an inspection specifically for fungal contaminants to more fully determine the condition of the Property and its environmental status. Companies may be found in the Yellow Pages under "Environmental and Ecological Consultants," or "Environmental and Ecological Equipment and Services." Additional information about mold/fungal contaminants may be found at the following Internet Web Sites: [www.cdc.gov/nceh/airpollution/mold/moldfacts.htm](http://www.cdc.gov/nceh/airpollution/mold/moldfacts.htm), and [www.epa.gov/iaq/asthma/triggers/molds.html](http://www.epa.gov/iaq/asthma/triggers/molds.html).

\_\_\_\_\_  
(BUYER)

\_\_\_\_\_  
(Date)

\_\_\_\_\_  
(BUYER)

\_\_\_\_\_  
(Date)