

Reference Elfred



MISSOURI ASSOCIATION OF REALTORS®

Farm or Vacant Land or Lot Disclosure Statement

This document has legal consequences. If you do not understand it, consult your attorney.

1 Property Address: Lot 741 Heritage Isle, Porto Cima, MO 65079

2 The following is a disclosure statement made by the Seller regarding the above property.

3 **NOTICE TO SELLER:** Each seller is obligated to disclose to a buyer all "adverse material facts" related to the
4 physical condition of the property being sold that are not readily ascertainable or known to a party and which
5 negatively affects the value of the property. This disclosure statement is designed to assist Seller in complying
6 with disclosure requirements and to assist Buyer in evaluating the property being considered. The listing real
7 estate broker, the selling real estate broker and their respective agents will rely upon this information when they
8 evaluate, market and present Seller's property to prospective buyers.

9 **NOTICE TO BUYER:** This is a disclosure of Seller's knowledge of the condition of the property as of the date
10 signed by Seller and is not a substitute for inspections, tests or other investigation or warranties that Buyer may
11 wish to obtain. It is not a warranty of any kind by Seller or a warranty or representation by the listing broker, the
12 selling broker, or their agents and is not a substitute for any inspection or warranty the Buyer may wish to obtain.

13 A. SURVEY, EASEMENTS, FLOODING

14 (1) When did you purchase the land? Nov 8, 2003

15 (2) Has the land been surveyed? Unknown ☒ Yes ☐ No

16 Year surveyed Unknown

17 (3) What company or person performed the survey?

18 Name Unknown Phone _____

19 Address _____

20 (4) If this is platted land, has a certificate of survey been completed? Unknown ☐ Yes ☐ No

21 If "Yes," by whom? Unknown When? _____

22 (5) Has the plat been recorded in the land records? ☐ Yes ☐ No

23 If "Yes," Plat Book # Unknown Page # _____

24 To the best of your knowledge:

25 (6) Are there any encroachments or boundary line disputes? ☐ Yes ☒ No

26 (7) Are there any easements other than utility or drainage easements? Unknown ☐ Yes ☐ No

27 (8) Is the property in a designated 100 year flood plain or wetlands area? ☐ Yes ☒ No

28 (9) Has there ever been a flood or other disaster at the property? ☐ Yes ☒ No

29 (10) Have there ever been drainage problems affecting the property

30 or adjacent properties? ☐ Yes ☒ No

31 (11) Give the details if any of questions 6 through 9 are answered "Yes."

32 _____

33 B. USE RESTRICTIONS. To the best of your knowledge:

34 (1) Do any of the following types of covenants, conditions, or restrictions affect the land:

35 a. Subdivision or other recorded covenants, conditions, or restrictions? ☐ Yes ☒ No

36 b. A right of first refusal to purchase? Unknown ☐ Yes ☐ No

37 c. Variances, special use permits, or other zoning restrictions specific

38 to this property? Unknown ☐ Yes ☐ No

39 (2) If any of the above questions (B1) are answered "Yes," do you have written copies of

40 these covenants, conditions or restrictions? ☐ Yes ☐ No

41 If "Yes," describe: _____

DSC-8020

RE/MAX Lake of the Ozarks 3525 Hwy 54, Osage Beach MO 65065

Phone: 5733022390

Fax: 5733022388

Fran Campbell

Produced with ZipForm™ by RE FormsNet, LLC 18025 Fifteen Mile Road, Clinton Township, Michigan 48035. www.zipform.com

Page 1 of 3

Elfred.zfx

Reference Eldred

- 42 (3) Have you ever received notice from any person or authority as to any breach of any of
 43 these covenants, conditions or restrictions? ☐ Yes ☒ No
 44 If "Yes," describe: _____

45 C. CONDITION OF THE PROPERTY. To the best of your knowledge:

- 46 (1) Are there any structures, improvements, or personal property included in the sale? ☐ Yes ☒ No
 47 If "Yes," list all items: _____
 48 Are there any problems or defects with any of these items? ☐ Yes ☒ No
 49 If "Yes," describe all problems or defects: _____
 50 (2) Are there any operating or abandoned oil wells, buried storage tanks, or buried debris or
 51 waste on the property? ☐ Yes ☒ No
 52 If "Yes," give details: _____
 53 (3) Is there any hazardous or toxic substance in or on this property or any adjacent property
 54 (including but not limited to mold or lead in the soils)? ☐ Yes ☒ No
 55 If "Yes," give details: _____
 56 (4) Have any soil tests been performed? unknown ☐ Yes ☐ No
 57 If "Yes," When? _____ By Whom? _____
 58 Results: _____
 59 (5) Does the property have any fill or uncompacted soils? ☐ Yes ☒ No
 60 If "Yes," describe location and depth: _____
 61 (6) Are there any settling or soil movement problems on this property or any adjacent property? ... ☐ Yes ☒ No
 62 If "Yes," give details: _____
 63 (7) Is there a large-scale infestation, rot or disease in the trees on the property? ☐ Yes ☒ No
 64 If "Yes," give details: _____

65 D. UTILITIES. To the best of your knowledge:

- 66 (1) Have any percolation tests been performed? unknown ☐ Yes ☐ No
 67 If "Yes," When? _____ By Whom? _____
 68 Results: _____
 69 (2) Are any of the following presently existing within the property?
 70 a. Connection to public water? ☐ Yes ☒ No known d. A water well? ☐ Yes ☒ No positive
 71 b. Connection to public sewer? ☐ Yes ☒ No ✓ e. Septic tank? ☐ Yes ☒ No ✓
 72 c. Connection to private water system off property? ☐ Yes ☒ No ✓ f. Connection to electric utility? ☐ Yes ☒ No ✓
 73 g. Connection to natural gas service? ☐ Yes ☒ No ✓
 74 (3) Are any of the following existing at the boundary of the property?
 75 a. Public water system access? ☐ Yes ☒ No ✓ d. Natural gas access? ☐ Yes ☒ No ✓
 76 b. Private water system access? ☐ Yes ☒ No ✓ e. Telephone system access? ☐ Yes ☒ No ✓
 77 c. Electric service access? ☐ Yes ☒ No ✓
 78 (4) Have any utility access charges been paid? ☐ Yes ☐ No unknown
 79 If "Yes," which charges have been paid? _____

80 E. FEDERAL/STATE/LOCAL FARM PROGRAMS

- 81 (1) CRP (Conservation Reserve Program) Was property enrolled in CRP? ☐ Yes ☒ No
 82 If "Yes," complete the following:
 83 _____ total acres put in CRP _____ last year of participation
 84 _____ per acre bid in _____ enrollment year _____ annual payment
 85 (2) WRP (Wetlands Reserve Program) was property enrolled in WRP? ☐ Yes ☒ No
 86 If "Yes," complete the following:
 87 _____ total acres put in WRP _____ last year of participation
 88 _____ per acre bid in _____ enrollment year _____ annual payment

Reference Eldred

- 89 (3) DCP (Direct and Counter-cyclical Payment Program).
 90 Was property enrolled in DCP? ☐ Yes ☒ No
 91 If "Yes," what is the annual payment? \$ _____
 92 (4) CSP (Cost Share Program) (usually a 10-year program).
 93 Is the property currently participating in any CSP? ☐ Yes ☒ No
 94 If "Yes," check applicable boxes:
 95 _____ Soil/Water _____ Terracing _____ Seeding
 96 (Cost Share Program must be maintained or the original owner can be fined.)
 97 (5) Other Programs (please identify any other federal, state or local farm loan, price support or subsidy
 98 programs in which the property currently participates):
 99 _____

F. OTHER MATTERS

- 100 (1) Are you aware that the property is or was used as a site for methamphetamine production
 101 or the place of residence of a person convicted of a crime involving any controlled substance
 102 related thereto? ☐ Yes ☒ No
 103 If "Yes," MAR Form DSC-5000 must be filled out in conjunction with this form.
 104 (2) Is there anything else that may materially and adversely affect the value or desirability of
 105 property, e.g., pending claims or litigation, notice from any governmental authority of violation
 106 of any law or regulation, proposed zoning changes, street changes, threat of condemnation,
 107 or neighborhood noise or nuisance? ☐ Yes ☒ No
 108 If "Yes," give details: _____
 109 _____

G. SELLER'S STATEMENT (to be signed at time of listing)

- 110 The undersigned Seller represents that the information set forth in the foregoing disclosure statement is
 111 accurate and complete to the best of Seller's knowledge. Seller does not intend this disclosure statement to
 112 be a warranty or guarantee of any kind. Seller hereby authorizes the listing Broker to provide this information
 113 to prospective buyers of the property and to real estate brokers and sales people representing such buyers.
 114 Seller will fully and promptly disclose in writing to Buyer any new information pertaining to the Property that is
 115 discovered by or made known to Seller at any time prior to closing or settlement and constitutes an adverse
 116 material fact or would make any existing information set forth herein false or materially misleading.
 117 _____

118 Chuck Eldred 8-25-08 Linda Eldred 8-25-08
 119 Seller Date Seller Date
 120 Chuck Eldred Linda Eldred

BUYER'S ACKNOWLEDGEMENT AND AGREEMENT

- 121 1. I understand and agree that the information in this form is limited to information of which Seller has actual
 122 knowledge and that Seller need only make an honest effort at fully revealing the information requested.
 123 2. This property is being sold to me without warranties or guaranties of any kind by Seller or any Broker
 124 concerning the condition or value of the property.
 125 3. I understand I have the right to make an independent investigation of my own. I have been specifically
 126 advised to have the property examined by professional inspectors.
 127 4. I acknowledge that neither Seller nor any Broker is an expert at detecting or repairing physical defects in
 128 the property.
 129 5. I specifically represent that there are no important representations concerning the condition or value of
 130 the property made by Seller or any Broker on which I am relying except as may be fully set forth in writing
 131 and signed by either of them.
 132 _____

133 Buyer Date Buyer Date

Approved by legal counsel for use exclusively by members of the Missouri Association of Realtors, P. O. Box 1327, Columbia, Missouri 65205. No warranty is made or implied as to the legal validity or adequacy of this document, or that it complies in every respect with the law or that its use is appropriate for all situations. Local law, customs and practice, and differing circumstances in each transaction, may each dictate that amendments to this document be made. Last Revised 6/14/06. All previous versions of this document are no longer approved.
 ©1996 Missouri Association of Realtors
 DSC-8020