



SELLER'S DISCLOSURE AND
CONDITION OF PROPERTY ADDENDUM
(Residential)

SELLER: PHILLIP & MARILYN WEST

PROPERTY: 1695 ROCK CREEK ROAD, OTTAWA

1. SELLER'S INSTRUCTIONS

SELLER agrees to disclose to BUYER all material defects, conditions and facts **KNOWN TO SELLER** which may materially affect the value of the Property. Non-occupant SELLERS are not relieved of this obligation. This disclosure statement is designed to assist SELLER in making these disclosures. Licensee(s), prospective buyers and buyers will rely on this information.

2. NOTICE TO BUYER

This is a disclosure of SELLER'S knowledge of the Property as of the date signed by SELLER and is not a substitute for any inspections or warranties that BUYER may wish to obtain. It is not a warranty of any kind by SELLER or a warranty or representation by the Broker(s) or their licensees.

3. OCCUPANCY

Approximate age of Property? 12 years How long have you owned? 4 years

Does SELLER currently occupy the Property? Yes ☒ No ☐

If not, how long has it been since SELLER occupied the Property? _____ years/months.

4. LAND (SOILS, DRAINAGE AND BOUNDARIES). (IF RURAL OR VACANT LAND, ATTACH SELLER'S LAND DISCLOSURE ALSO.)

- (a) Fill or expansive soil on the Property? Yes ☐ No ☒
- (b) Sliding, settling, earth movement, upheaval or earth stability problems on the Property? Yes ☐ No ☒
- (c) Is the Property or any portion thereof located in a flood zone, wetlands area or **proposed** to be located in such as designated by FEMA which requires flood insurance? Yes ☐ No ☒
- (d) Drainage or flood problems on the Property or adjacent properties? Yes ☐ No ☒
- (e) Do you pay flood insurance premiums? Yes ☐ No ☒
- (f) Are you aware of a need for flood insurance on the Property? Yes ☐ No ☒
- (g) Are the boundaries of the Property marked in any way? Yes ☒ No ☐
- (h) Has Property had a stake survey? If yes, attach copy Yes ☒ No ☐
- (i) Encroachments, boundary line disputes, or non-utility easements affecting the Property Yes ☐ No ☒
- (j) Any fencing on the Property? Yes ☒ No ☐
If yes, does fencing belong to the Property Yes ☒ No ☐
- (k) Diseased, dead, or damaged trees or shrubs on the Property Yes ☒ No ☐
- (l) Gas/oil wells, lines or storage facilities on Property or adjacent property Yes ☐ No ☒

If any of the answers in this section are "Yes", explain in detail: (K) DEAD ELM IN
TIMBER

5. ROOF:

- (a) Approximate Age: 2 years ☐ Unknown Type: composition
- (b) Have there been any problems with the roof, flashing or rain gutters? Yes ☐ No ☒
If so, what was the date of the occurrence _____
- (c) Have there been any repairs to the roof, flashing or rain gutters? Yes ☐ No ☒
Date of and company performing such repairs _____ / _____
- (d) Has there been any roof replacement? Yes ☒ No ☐
If yes, was it: ☒ Complete or ☐ Partial
- (e) What is the number of layers currently in place: 1 layers, or ☐ Unknown.

If any of the answers in this section are "Yes", explain in detail: (All available warranties and other documentation are attached) shingles replaced after hail and wind

6. INFESTATION – ARE YOU AWARE OF:

- (a) Any termites, wood destroying insects, or **other** pests on the Property? Yes ☐ No ☒
- (b) Any damage to the Property by termites, wood destroying insects or **other** pests? Yes ☐ No ☒
- (c) Any termite, wood destroying insects or other pest control treatments on the Property in the last five years? Yes ☐ No ☒
If yes, list company, when and where treated _____
- (d) Any warranty, bait stations or other treatment coverage by a licensed pest control company on the Property? Yes ☐ No ☒
If yes, the annual cost of service renewal is \$ _____ and the time remaining on the service contract is _____. (Check one)
☐ The treatment system stays with the Property, or ☐ the treatment system is subject to removal by the treatment company if annual service fee is not paid.

If any of the answers in this section are "Yes", explain in detail (attach any receipts): _____

7. STRUCTURAL, BASEMENT AND CRAWL SPACE ITEMS – ARE YOU AWARE OF:

- (a) Movement, shifting, deterioration, or other problems with walls, foundations, crawl space or slab? Yes ☐ No ☒
- (b) Any cracks or flaws in the walls, ceilings, foundations, concrete slab, crawl space, basement floor or garage? Yes ☐ No ☒
- (c) Any corrective action taken including, but not limited to piling or bracing? .. Yes ☐ No ☒
- (d) Any water leakage or dampness in the house, crawl space or basement? Yes ☐ No ☒
- (e) Any dry rot, wood rot or similar conditions on the wood of the Property? Yes ☐ No ☒
- (f) Any problems with driveways, patios, decks, fences or retaining walls on the Property? Yes ☐ No ☒
- (g) Any problems with fireplace and/or chimney? Yes ☐ No ☒
Date of last cleaning? _____
- (h) Does the Property have a sump pump? Yes ☐ No ☒
If yes, location _____
- (i) Any repairs or other attempts to control the cause or effect of any problem described above? Yes ☐ No ☒

If any of the answers in this section are "Yes", explain in detail. When describing repairs or control efforts, describe the location, extent, date, and name of the person who did the repair or control effort and attach, if available, any inspection reports, estimates or receipts:

8. ADDITIONS AND/OR REMODELING:

- (a) Are you aware of any additions, structural changes, or other material alterations to the Property? Yes ☒ No ☐
If "Yes", explain: FINISHED BASEMENT
- (b) If "Yes", were all necessary permits and approvals obtained, and was all work in compliance with building codes? N/A ☐ Yes ☒ No ☐
If "No", explain: _____

9. PLUMBING RELATED ITEMS:

- (a) What is the drinking water source? ☒ Public ☐ Private ☐ Well ☐ Cistern
If well water, state type _____ depth _____ diameter _____ age _____
- (b) If the drinking water source is a well, when was the water last checked for safety and what was the result of the test? _____
- (c) Is there a water softener on the Property? Yes ☐ No ☒
(If so, is it: ☐ Leased ☐ Owned?)
- (d) Is there a water purifier system? Yes ☐ No ☒
(If so, is it: ☐ Leased ☐ Owned?)
- (e) What type of sewage system serves the Property? ☐ Public Sewer, or ☐ Private Sewer, or ☒ Septic System, or ☐ Cesspool, or ☐ Lagoon, or ☐ Other
- (f) The location of the sewer line clean out trap is SW side of house by AC unit
- (g) Is there a sewage pump on the septic system? N/A ☐ Yes ☐ No ☒
- (h) Is there a grinder pump system? Yes ☐ No ☒
- (i) If there is a privately owned system, when was the septic tank, cesspool, or sewage system last serviced? 2005 By whom? private licensed contractor - Ottawa
- (j) Is there a sprinkler system? Yes ☐ No ☒
Does sprinkler system cover full yard and landscaped areas? N/A ☒ Yes ☐ No ☐
If "No", explain: _____
- (k) Are you aware of any leaks, backups, or other problems relating to any of the plumbing, water, and sewage related systems? Yes ☐ No ☒
- (l) Type of plumbing material currently used in the Property:
☒ Copper ☐ Galvanized ☐ Other SW corner of basement
The location of the main water shut-off is ↓ ↓
- (m) Is there a back flow prevention device on the lawn sprinkling system, sewer or pool? N/A ☐ Yes ☐ No ☐

If your answer to 9(k) in this section is "Yes", explain in detail and provide available documentation:

10. HEATING AND AIR CONDITIONING:

(a) Does the Property have air conditioning? Yes ☒ No ☐

☒ Central Electric ☐ Central Gas ☒ Heat Pump ☐ Window Unit(s)

Unit Age of Unit Leased Owned Location Last Date Serviced/By Whom?

1. compressor 4 ✓ basement 11/08 Adamson Hg

2.

(b) Does the Property have heating systems? Yes ☐ No ☐

☐ Electric ☐ Fuel Oil ☐ Natural Gas ☒ Heat Pump ☐ Propane ☐ Fuel Tank ☐ Other

Unit Age of Unit Leased Owned Location Last Date Serviced/By Whom?

1. 12 ✓ basement 11/08 Adamson Hg C

2.

(c) Are there rooms without heat or air conditioning? Yes ☐ No ☒

If yes, which room(s)?

(d) Does the Property have a water heater? Yes ☒ No ☐

☒ Electric ☐ Gas ☐ Solar

Unit Age of Unit Leased Owned Location Capacity Last Date Serviced/By Whom?

1. 12

2.

(e) Are you aware of any problems regarding these items? Yes ☐ No ☒

If your answer to question 10(c) and/or 10(e) in this section is "Yes", explain in detail:

11. ELECTRICAL SYSTEM:

(a) Type of material used: ☒ Copper ☐ Aluminum ☐ Unknown

(b) Type of electrical panel(s): ☒ Breaker ☐ Fuse

Location of electrical panel(s): Storage room

Size of electrical panel (total amps), if known:

(c) Are you aware of any problem with the electrical system? Yes ☐ No ☒

If "Yes", explain in detail:

12. HAZARDOUS CONDITIONS:

(a) Underground tanks on the Property? Yes ☐ No ☒

(b) Landfill on the Property? Yes ☐ No ☒

(c) Toxic substances on the Property, (e.g. tires, batteries, etc.)? Yes ☐ No ☒

(d) Has the Property been tested for any of the above listed items? Yes ☐ No ☒

(e) Radon in Property? Yes ☐ No ☒

(f) Have you had the Property tested for radon? Yes ☐ No ☒

(g) Have you had the Property tested for mold? Yes ☐ No ☒

(h) Are you aware of any other environmental issues? Yes ☐ No ☒

(i) Are you aware of any methamphetamine or controlled substances ever being used or manufactured on the Property? Yes ☐ No ☒

(In Missouri, a separate disclosure is required if methamphetamine or other controlled substances have been present on or in the Property.)

If your answer to any of the questions in this section is "Yes", explain in detail and attach test results:

13. NEIGHBORHOOD INFORMATION AND HOMEOWNERS ASSOCIATIONS:

- (a) Are you aware of any current/pending bonds, assessments, or special taxes that apply to Property? Yes ☐ No ☒
Amount: \$
- (b) Are you aware or have you received any notice of any condition or proposed change in your neighborhood or surrounding area? Yes ☐ No ☒
- (c) Is the Property subject to covenants, conditions, and restrictions of a Homeowner's Association or subdivision restrictions? Yes ☐ No ☒
- (d) Are you aware of any violations of such covenants and restrictions? Yes ☐ No ☒
- (e) Does the Homeowner's Association impose its own transfer fee when this Property is sold? NA Yes ☐ No ☐
If "yes", what is the amount? \$
- (f) Are you aware of any defect, damage, proposed change or problem with any common elements or common areas? Yes ☐ No ☒
- (g) Are you aware of any condition or claim which may result in any change to assessments or fees? Yes ☐ No ☒
- (h) Are streets privately owned? Yes ☐ No ☒
- (i) Is Property in a historic, conservation or special review district that requires any alterations or improvements to Property be approved by a board or commission? Yes ☐ No ☒
- (j) Is Property subject to tax abatement? Yes ☐ No ☒
- (k) Is Property subject to a right of first refusal? Yes ☐ No ☒

If the answer to any of the above questions is "Yes" except (c), explain in detail, including amounts, if applicable:

Homes Association dues are paid in full until _____ in the amount of \$ _____ payable ☐ yearly ☐ monthly ☐ quarterly, sent to _____ and such includes: _____

Homeowner's Association contact name, phone number, website, or email address: _____

14. PREINSPECTION: (INSPECTION DONE IN PREPARATION OF LISTING THE PROPERTY).

- (a) Has Property been preinspected? Yes ☐ No ☒
If yes, attach copy of inspection report consisting of _____ number of pages.

15. OTHER MATTERS:

- (a) Are you aware of any of the following?
☐ Party walls ☐ Common areas ☐ Easement Driveways Yes ☐ No ☒
- (b) Are you aware of any fire damage to the Property? Yes ☐ No ☒

- (c) Are there any liens, other than mortgage(s)/deeds of trust currently on the Property? Yes ☐ No ☒
- (d) Are there any violations of laws or regulations affecting the Property? Yes ☐ No ☒
- (e) Are you aware of any other conditions that may materially affect the value or desirability of the Property? Yes ☐ No ☒
- (f) Are you aware of any other condition, including but not limited to financial, that may prevent you from completing the sale of the Property? Yes ☐ No ☒
- (g) Are you aware of any general stains or pet stains to the carpet, the flooring or sub-flooring? Yes ☐ No ☒
- (h) Do you have keys for all exterior doors, including garage doors in the home? Yes ☒ No ☐
- List locks without keys _____
- (i) Are you aware of any violation of zoning, setbacks or restrictions, or non-conforming uses? Yes ☐ No ☒
- (j) Are you aware of any unrecorded interests affecting the Property? Yes ☐ No ☒
- (k) Are you aware of anything that would interfere with giving clear title to the BUYER? Yes ☐ No ☒
- (l) Are you aware of any existing or threatened legal action pertaining to the Property? Yes ☐ No ☒
- (m) Are you aware of any litigation or settlement pertaining to this Property? Yes ☐ No ☒
- (n) Have you added any insulation since you have owned the Property? Yes ☐ No ☒
- (o) Have you replaced any appliances that remain with the Property in the past five years? Yes ☐ No ☒
- (p) Are there any transferable warranties on the Property or any of its components? Yes ☒ No ☐
- (q) Have you made any insurance or other claims pertaining to this Property in the past 5 years? Yes ☒ No ☐
- If yes, were repairs from claim(s) completed? Yes ☒ No ☐
- (r) Are you aware of any use of synthetic stucco in the property? Yes ☐ No ☒

If any of the answers in this section are "Yes", (except h), explain in detail:

State Farm paid on hail and wind damage to roof with total replacement done, ROOF WARRANTY

16. UTILITIES: Identify the name and phone number for utilities listed below.

Electric Company Name: Lyon Coffey Elec. Corp Phone 620-364-2114
 Gas Company Name: NA Phone _____
 Water Company Name: Franklin Co Rural Water Phone 785-746-5571

17. FIXTURES, EQUIPMENT AND APPLIANCES (FILL IN ALL BLANKS)

The Residential Real Estate Sale Contract, not the Seller's Disclosure Statement, the MLS, or other promotional material, provides for what is included in the sale of the Property. All existing improvements on the Property (if any) and appurtenances, fixtures and equipment, whether buried, nailed, bolted, screwed, glued or otherwise permanently attached to Property are expected to remain with Property unless excluded from the sale in the Residential Real Estate Sale Contract.

"OS" = Operating and Staying with the Property (any item that is performing its intended function). Please note the age of any appliances replaced in the last five years.
 "EX" = Staying with the Property but Excluded from Mechanical Repairs; cannot be an Unacceptable Condition.
 "NA" = Not applicable (any item not present).
 "NS" = Not staying with the Property (item should be identified as "NS" below and addressed as an exclusion in the Contract).

NA Air Conditioning Window Units, # <u>05 2</u>	Garage door opener(s)	NA Sprinkler System
OS Air Conditioning Central System	OS Garage door Transmitter(s), # <u>3</u>	1 Sprinkler System Back Flow Valve
OS Attic Fan	NA Gas Grill	1 Sprinkler System Auto Timer
OS Ceiling Fans, # <u>5</u>	NA Gas Yard Light	NS Statuary/Yard Art
OS Central vac and attachments	NA Humidifier	OS Stove, <input checked="" type="checkbox"/> Elec. <input type="checkbox"/> Gas
OS Dishwasher	NA Intercom	OS Stove Downdraft Cooktop
OS Disposal	NS Laundry - Washer	OS Stove Oven <input checked="" type="checkbox"/> Elec. <input type="checkbox"/> Gas
OS Doorbell	NS Laundry - Dryer	NA Stove Oven - Convection
OS Electric air cleaner or purifier	OS Microwave Oven	Stove/Oven Clock Timer
OS Exhaust fan(s) <u>1</u> baths	NA Propane Tank	OS Stove Vent Hood
OS Fireplace heat re-circulator	OS Refrigerator	NA Sump Pump
NA Fireplace insert	Location of Refrigerator <u>utility room</u>	NA Swimming Pool
NA Fireplace Gas Logs	NA Security System	NA Swimming Pool Heater
NA Fireplace Gas Starter	Owned <input type="checkbox"/> Leased <input type="checkbox"/>	NA Swimming Pool Equipment
NA Fireplace - wood burning stove	OS Smoke Detector(s), # <u>5</u>	NA Trash Compactor
NA Fountain(s)	NA Spa/Hot Tub	OS TV Antenna/Receiver/Satellite Dish
OS Furnace/heat pump/other htg system	NA Spa/Sauna	Own <input type="checkbox"/> Lease <input checked="" type="checkbox"/>
OS Other <u>electronic gate with 3 remote openers</u>	NA Spa Equipment	NA Water Softener and/or purifier
Other <u>and lock system</u>	Other <u>jetta whirlpool tub</u>	Own <input type="checkbox"/> Lease <input type="checkbox"/>
Other	Other <u>6 jets</u>	Other

Disclose any material information and describe any significant repairs, improvements or alterations to the Property not fully revealed above. If applicable, state who did the work. Attach to this disclosure any repair estimates, reports, invoices, notices or other documents describing or referring to the matters revealed herein:

The undersigned SELLER represents that the information set forth in the foregoing Disclosure Statement is accurate and complete. SELLER does not intend this Disclosure Statement to be a warranty or guarantee of any kind. SELLER hereby authorizes their agent to provide this information to prospective BUYER of the Property and to real estate brokers and salespeople. **SELLER will promptly notify Licensee assisting the SELLER, in writing, if any information in this disclosure changes prior to Closing, and Licensee assisting the SELLER will promptly notify Licensee assisting the BUYER, in writing, of such changes. (Initial and date any changes and/or attach a list of additional changes. If attached, # of pages).**

CAREFULLY READ THE TERMS HEREOF BEFORE SIGNING. WHEN SIGNED BY ALL PARTIES, THIS DOCUMENT BECOMES PART OF A LEGALLY BINDING CONTRACT.
IF NOT UNDERSTOOD, CONSULT AN ATTORNEY BEFORE SIGNING.

<u>Phillip West</u>	<u>5-12-09</u>	<u>Marilyn R. West</u>	<u>5-12-09</u>
SELLER	DATE	SELLER	DATE

BUYER ACKNOWLEDGEMENT AND AGREEMENT

1. I understand and agree that the information in this form is limited to information of which SELLER has actual knowledge and that SELLER need only make an honest effort at fully revealing the information requested.
2. This Property is being sold to me without warranties or guaranties of any kind by SELLER, Broker(s) or agents concerning the condition or value of the Property.
3. I agree to verify any of the above information, and any other important information provided by SELLER or Broker (including any information obtained through the Multiple Listing Service) by an independent investigation of my own. I have been specifically advised to have Property examined by professional inspectors.
4. I acknowledge that neither SELLER nor Broker is an expert at detecting or repairing physical defects in Property.
5. I specifically represent that there are no important representations concerning the condition or value of Property made by SELLER or Broker on which I am relying except as may be fully set forth in writing and signed by them.

BUYER

DATE

BUYER

DATE

Approved by Legal Counsel of the Kansas City Regional Association of REALTORS® for exclusive use by its REALTOR® members. No warranty is made or implied as to the legal validity or adequacy of this Contract, or that it complies in every respect with the law or that its use is appropriate for all situations. Local law, customs and practices, and differing circumstances in each transaction may dictate that amendments to this Contract be made. Copyright January 2009. Last revised 11/08. All previous versions of this document may no longer be valid.