

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

SELLER: McGown Trust

LEGAL DESCRIPTION: (As described in the attached Legal Description/Company Disclosure Addendum, or described below)

A tract containing 50 acres more or less
in the E 1/2 of the NW 1/4 of Section 17, Township 20,
Range 15 East of Coffey County, Kansas.

1. NOTICE TO SELLER.

Be as complete and accurate as possible when answering the questions in this disclosure. Attach additional sheets if space is insufficient for all applicable comments. SELLER understands that the law requires disclosure of any material defects, known to SELLER, in the Property to prospective Buyer(s) and that failure to do so may result in civil liability for damages.
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. WATER SOURCE.

- a. Is there a water source on or to the Property? Yes ☐ No ☐ Unknown ☒
☐ Public ☐ Private ☐ Well ☐ Cistern ☐ Other ☐ None
- b. If well, state type _____ depth _____
1. Diameter _____ age _____
2. Has water ever been tested? Yes ☐ No ☐ Unknown ☐
- c. Other water systems & their condition:
- d. Is there a water meter on the Property? Yes ☐ No ☒ Unknown ☐
- e. Other applicable information:

Rural water available on 20th Rd - no meter

If any of the answers in this section are "Yes", explain in detail or attach documentation:

4. GAS/ELECTRIC.

- a. Is there electric service on the Property? Yes ☒ No ☐ Unknown ☐
If "Yes", is there a meter? Yes ☐ No ☒ Unknown ☐
- b. Is there gas service on the Property? Yes ☐ No ☒ Unknown ☐
If "Yes", what is the source? _____
- c. Are you aware of any additional cost to hook up utilities? Yes ☐ No ☐ Unknown ☒
- d. Other application information:

If an of the answers in this section are "Yes", explain in detail or attach documentation:

Electric power on 20th Rd - no meter

X Seller Initials: cm

Seller and Buyer acknowledge they have read this page.

Buyer Initials: _____

5. LAND (SOILS, DRAINAGE AND BOUNDARIES). ARE YOU AWARE OF:

- a. Any drainage or flood problems on the Property or adjacent properties? Yes ☐ No ☒
- b. Any neighbors complaining Property causes drainage problems? Yes ☐ No ☒
- c. The Property having had a stake survey? Yes ☒ No ☐
- d. Any fencing/gates on the Property? Yes ☐ No ☒
- e. If "Yes", does fencing/gates belongs to the Property? Yes ☐ No ☐
- f. Any encroachments, boundary line disputes, or non-utility easements affecting the Property? Yes ☐ No ☒
- g. Any expansive soil, fill dirt, sliding, settling, earth movement, upheaval, or earth stability problems that have occurred on the Property or in the immediate vicinity? Yes ☐ No ☒
6. Other applicable information:

5.C. → Prior owner had property surveyed for lot split.

If any of the answers in this section are "Yes" (except g), explain in detail or attach all warranty information and other documents:

6. SEWAGE

- a. Does the Property have any sewage facilities on or connected to it? Yes ☐ No ☒ Unknown ☐
- If "Yes", are they:
- ☐ Public Sewer ☐ Private Sewer ☐ Septic System ☐ Cesspool
- ☐ Lagoon ☐ Grinder Pump ☐ Other _____
- If applicable, when last serviced? _____
- By whom? _____
- b. Has Property had any surface or subsurface soil testing related to installation of sewage facility? Yes ☐ No ☐ Unknown ☒
- c. Are you aware of any problems relating to the sewage facilities? Yes ☐ No ☒ Unknown ☐
- If any of the answers in this section are "Yes", explain in detail or attach all warranty information and other documentation:

7. LEASEHOLD AND TENANT'S RIGHTS, INTERESTS, INCLUDING GAS AND OIL LEASES.

(Check and complete applicable box(es))

- a. Are there leasehold interest in the Property? Yes ☒ No ☐ Unknown ☐
- Agreement between Seller and Lessee shall end on or before: March 1, 2019 - Year-to-Year oak farm lease
- b. Are there tenant's rights in the property? Yes ☒ No ☐ Unknown ☐
- c. Do additional leasehold interests or tenant's rights exist? Yes ☐ No ☐ Unknown ☒

8. MINERAL RIGHTS (unless superseded by local, state or federal laws).

- ☒ Seller's interest passes to Buyers.
- ☐ Remain with the Seller.
- ☐ Have been previously assigned as follows:

X Seller Initials cm

Seller and Buyer acknowledge they have read this page
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Buyer Initials _____

9. WATER RIGHTS (unless superseded by local, state or federal laws).

- ☒ Pass with the land to the Buyer.
☐ Remain with the Seller.
☐ Have been previously assigned as follows:

10. CROPS (planted at time of sale).

- ☐ Pass with the land to the Buyer.
☐ Remain with the Seller.
☒ To be determined.

11. GOVERNMENT PROGRAMS.

- a. Are you currently participating, or do you intend to participate, in any government farm program? Yes ☒ No ☐ Unknown ☐
b. Are you aware of any interest in all or part of the Property that has been reserved by previous owner or government action to benefit any other property? Yes ☐ No ☒ Unknown ☐

If any of the answers in this section are "Yes", explain in detail or attach documentation:

Farm tenant has properly enrolled in ARC and PLC contract w/USDA through office to FSA.

12. HAZARDOUS CONDITIONS. ARE YOU AWARE OF:

- a. Any underground storage tanks on or near Property? Yes ☐ No ☒
b. Any previous or current existence of hazardous conditions (e.g., storage tanks, oil tanks, oil spills, tires, batteries, or other hazardous conditions)? Yes ☐ No ☒
c. Any previous environmental reports. (e.g. Phase 1 Environmental reports)? Yes ☐ No ☒
d. Any disposal of any hazardous waste products, chemicals, polychlorinated biphenyl's (PCB's), hydraulic fluids, solvents, paint, illegal or other drugs or insulation on the Property or adjacent property? Yes ☐ No ☒
e. Environmental matters (e.g. discoloration of soil or vegetation or oil sheers in wet areas)? Yes ☐ No ☒
f. Any existing hazardous conditions on the Property or adjacent properties (e.g. methane gas, radon gas, radioactive material, landfill, toxic materials)? Yes ☐ No ☒
g. Gas/oil wells, lines or storage facilities on the Property or adjacent property? Yes ☐ No ☒
h. Any other environmental conditions on the Property or adjacent properties? Yes ☐ No ☒
i. Any tests conducted on the Property? Yes ☐ No ☒

If any of the answers in this section are "Yes" (except b), explain in detail or attach documentation:

13. OTHER MATTERS. ARE YOU AWARE OF:

- a. Any violation of zoning, setbacks or restrictions, or non-conforming use? Yes ☐ No ☒
b. Any violation of laws or regulations affecting the Property? Yes ☐ No ☒
c. Any existing or threatened legal action pertaining to the Property? Yes ☐ No ☒
d. Any litigation or settlement pertaining to the Property? Yes ☐ No ☒
e. Any current or future special assessments to the Property? Yes ☐ No ☒
f. Any other conditions that may materially and adversely affect the value or desirability of the Property? Yes ☐ No ☒

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- g. Any other condition that may prevent you from completing the sale of the Property? Yes ☐ No ☒
- h. Any burial grounds on the Property? Yes ☐ No ☒
- i. Any public authority contemplating condemnation proceedings? Yes ☐ No ☒
- j. Any government rule limiting the future use of the Property other than existing zoning and subdivision regulations? Yes ☐ No ☒
- k. Any government plans or discussion of public projects that could lead to special benefit assessment against the Property or any part thereof? Yes ☐ No ☒
- l. Any unrecorded interests affecting the Property? Yes ☐ No ☒
- m. Anything that would interfere with passing clear title to the Buyer? Yes ☐ No ☒
- n. The Property being subject to a right of first refusal? Yes ☐ No ☒
- If "Yes", number of days required for notice: _____

If any of the answers in this section are "Yes", explain in detail or attach documentation:

14. UTILITIES. Identify the name and phone number for utilities listed below. This information is simply who provides the nearest utilities and doesn't guarantee availability of utilities if utilities are not already in service.

Electric Company Name: Lynn Coffey Electric Phone # _____
 Gas Company Name: _____ Phone # _____
 Water Company Name: _____ Phone # _____

The undersigned SELLER represents, to the best of their knowledge, 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 Licensee assisting SELLER 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. (SELLER and BUYER initial and date any changes and/or any 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.

Ch M Mufson, Trustee 7-16-18
 SELLER DATE

SELLER DATE

CM Seller Initials CM Seller and Buyer acknowledge that they have read this page Buyer Initials _____

BUYER ACKNOWLEDGEMENT AND AGREEMENT

1. I understand and agree the information in this form is limited to information of which SELLER has actual knowledge and 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(s)(including any information obtained through the Multiple Listing Service) by an independent investigation of my own. I have been specifically advised to have the property examined by professional inspectors. Buyer assumes responsibility Property is suitable for their intended use.
4. I acknowledge neither SELLER nor Broker(s) is an expert at detecting or repairing physical defects in the Property.
5. I specifically represent there are no important representations concerning the condition or value of the Property made by SELLER or Broker(s) on which I am relying except as may be fully set forth in writing and signed by them.

BUYER

DATE

BUYER

DATE