



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

SELLER (Indicate Marital Status): David & Juanita Hornbaker Trust (H&W)

PROPERTY: 435 Kingman Rd Quenemo Ks 66528

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. 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? 9 yrs How long have you owned? 9 yrs
Does SELLER currently occupy the Property? Yes ☒ No ☐
If "No", how long has it been since SELLER occupied the Property? _____ years/months

☐ SELLER has never occupied the Property. SELLER to answer all questions to the best of SELLER'S knowledge.

4. TYPE OF CONSTRUCTION. ☒ Manufactured ☐ Modular ☐ Conventional/Wood Frame
☐ Mobile ☐ Other _____

5. LAND (SOILS, DRAINAGE AND BOUNDARIES). (IF RURAL OR VACANT LAND, ATTACH SELLER'S LAND DISCLOSURE ALSO.) ARE YOU AWARE OF:

- a. Any fill or expansive soil on the Property? Yes ☐ No ☒
- b. Any sliding, settling, earth movement, upheaval or earth stability problems on the Property? Yes ☐ No ☒
- c. The Property or any portion thereof being 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. Any drainage or flood problems on the Property or adjacent properties? Yes ☐ No ☒
- e. Any flood insurance premiums that you pay? Yes ☐ No ☒
- f. Any need for flood insurance on the Property? Yes ☐ No ☒
- g. Any boundaries of the Property being marked in any way? Yes ☒ No ☐
- h. The Property having had a stake survey? Yes ☐ No ☒
- i. Any 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? N/A ☐ Yes ☒ No ☐
- k. Any diseased, dead, or damaged trees or shrubs on the Property? Yes ☐ No ☒
- l. Any gas/oil wells, lines or storage facilities on Property or adjacent property? Yes ☐ No ☒
- m. Any oil/gas leases, mineral, or water rights tied to the Property? Yes ☐ No ☒

If any of the answers in this section are "Yes", explain in detail or attach other documentation: front pasture is fenced in.

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55 **6. ROOF.**

- 56 a. Approximate Age: 9 years ☐ Unknown Type: _____
57 b. Have there been any problems with the roof, flashing or rain gutters? Yes ☐ No ☒
58 If "Yes", what was the date of the occurrence? _____
59 c. Have there been any repairs to the roof, flashing or rain gutters? Yes ☐ No ☒
60 Date of and company performing such repairs _____ / _____
61 d. Has there been any roof replacement? Yes ☐ No ☒
62 If "Yes", was it: ☐ Complete or ☐ Partial
63 e. What is the number of layers currently in place? 1 layers or ☐ Unknown.
64

65 If any of the answers in this section are "Yes", explain in detail or attach all warranty information and other
66 documentation: _____
67 _____
68 _____
69 _____

70 **7. INFESTATION. ARE YOU AWARE OF:**

- 71 a. Any termites, wood destroying insects, or **other** pests on the Property? Yes ☐ No ☒
72 b. Any damage to the Property by termites, wood destroying insects or **other**
73 pests? Yes ☐ No ☒
74 c. Any termite, wood destroying insects or **other** pest control treatments on the
75 Property in the last five (5) years? Yes ☐ No ☒
76 If "Yes", list company, **when and where** treated _____
77 d. Any current warranty, bait stations or other treatment coverage by a licensed
78 pest control company on the Property? Yes ☐ No ☒
79 If "Yes", the annual cost of service renewal is \$ _____ and the time
80 remaining on the service contract is _____
81 **(Check one)** ☐ The treatment system stays with the Property or ☐ the treatment system is
82 subject to removal by the treatment company if annual service fee is not paid.
83

84 If any of the answers in this section are "Yes", explain in detail or attach all warranty information and other
85 documentation: _____
86 _____
87 _____
88 _____

89 **8. STRUCTURAL, BASEMENT/CRAWL SPACE, FIREPLACE AND EXTERIOR ITEMS.**
90 **ARE YOU AWARE OF:**

- 91 a. Any movement, shifting, deterioration, or other problems with walls, foundations,
92 crawl space or slab? Yes ☐ No ☒
93 b. Any cracks or flaws in the walls, ceilings, foundations, concrete slab,
94 crawl space, basement floor or garage? Yes ☐ No ☒
95 c. Any corrective action taken including, but not limited to plying or bracing? Yes ☐ No ☒
96 d. Any water leakage or dampness in the house, crawl space or basement? Yes ☐ No ☒
97 e. Any dry rot, wood rot or similar conditions on the wood of the Property? Yes ☐ No ☒
98 f. Any problems with windows or exterior doors? Yes ☐ No ☒
99 g. Any problems with driveways, patios, decks, fences or retaining walls on the Property? Yes ☐ No ☒
100 h. Any problems with fireplace including, but not limited to firebox, chimney,
101 chimney cap and/or gas line? N/A ☐ Yes ☐ No ☒
102 Date of any repairs, inspection(s) or cleaning? _____
103 Date of last use? _____
104 i. Does the Property have a sump pump? Yes ☐ No ☒
105 If "Yes", location: _____
106 j. Any repairs or other attempts to control the cause or effect of any problem described above? Yes ☐ No ☒
107

108 If any of the answers in this section are "Yes", explain in detail or attach all warranty information and other
109 documentation: _____
110 _____
111 _____

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9. 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 in detail: _____
- 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 in detail: _____

10. PLUMBING RELATED ITEMS.

- a. What is the drinking water source? ☐ Public ☐ Private ☒ Well ☐ Cistern ☐ Other: _____
If well water, state type _____ depth _____ diameter _____ age _____
- b. If the drinking water source is a well, has water been tested for safety? N/A ☐ Yes ☐ No ☒
If "Yes", when was the water last checked for safety? _____ (attach test results)
- c. Is there a water softener on the Property? Yes ☐ No ☒
If "Yes", is it: ☐ Leased ☐ Owned?
- d. Is there a water purifier system? Yes ☐ No ☒
If "Yes", is it: ☐ Leased ☐ Owned?
- e. What type of sewage system serves the Property? ☐ Public Sewer ☐ Private Sewer
☒ Septic System, Number of Tanks 1 ☐ Cesspool ☒ Lagoon ☐ Other _____
- f. Approximate location of septic tank and/or absorption field: septic holding tank east of house
- g. The location of the sewer line clean out trap is: basement wall
- h. Is there a sewage pump on the septic system? N/A ☐ Yes ☒ No ☐
i. Is there a grinder pump system? Yes ☒ No ☐
- j. If there is a privately owned system, when was the septic tank, cesspool, or sewage system last serviced? 2 yrs By whom? Gotta-Go
- k. Is there a sprinkler system? Yes ☐ No ☒
Does sprinkler system cover full yard and landscaped areas? N/A ☐ Yes ☐ No ☒
If "No", explain in detail: _____
- l. Are you aware of any leaks, backups, or other problems relating to any of the plumbing, water, and sewage related systems? Yes ☐ No ☒
- m. Type of plumbing material currently used in the Property:
☐ Copper ☐ Galvanized ☐ PVC ☒ PEX ☐ Other _____
The location of the main water shut-off is: basement south west bedroom closet
- n. Is there a back flow prevention device on the lawn sprinkling system, sewer or pool? N/A ☐ Yes ☐ No ☒

If your answer to (l) in this section is "Yes", explain in detail or attach available documentation: _____

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11. 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 9 Leased ☒ Owned ☒ Location mud room Last Date Serviced/By Whom?
1. Serviced 2022 fall by Adamson Brothers
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 9 Leased ☒ Owned ☐ Location _____ Last Date Serviced/By Whom?
1. Adamson Brothers
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 ☐ Tankless
Unit \ Age of Unit _____ Leased ☐ Owned ☐ Location _____ Capacity _____ Last Date Serviced/By Whom?
1. _____
2. _____
- e. Are you aware of any problems regarding these items? Yes ☐ No ☒
If "Yes", explain in detail: _____

12. ELECTRICAL SYSTEM.

- a. Type of material used: ☒ Copper ☐ Aluminum ☐ Unknown
- b. Type of electrical panel(s): ☒ Breaker ☐ Fuse
Location of electrical panel(s): mud room
Size of electrical panel(s) (total amps), if known: 200 amp
- c. Are you aware of any problem with the electrical system? Yes ☐ No ☒
If "Yes", explain in detail: _____

13. HAZARDOUS CONDITIONS. ARE YOU AWARE OF:

- a. Any underground tanks on the Property? Yes ☐ No ☒
- b. Any landfill on the Property? Yes ☐ No ☒
- c. Any toxic substances on the Property (e.g. tires, batteries, etc.)? Yes ☐ No ☒
- d. Any contamination with radioactive or other hazardous material? Yes ☐ No ☒
- e. Any testing for any of the above-listed items on the Property? Yes ☐ No ☒
- f. Any professional testing/mitigation for radon on the Property? Yes ☐ No ☒
- g. Any professional testing/mitigation for mold on the Property? Yes ☐ No ☒
- h. Any other environmental issues? Yes ☐ No ☒
- i. Any controlled substances ever manufactured on the Property? Yes ☐ No ☒
- j. Any methamphetamine ever manufactured on the Property? Yes ☐ No ☒
- (In Missouri, a separate disclosure is required if methamphetamine or other controlled substances have been produced on the Property, or if any resident of the Property has been convicted of the production of a controlled substance.)

If any of the answers in this section are "Yes", explain in detail or attach test results and other documentation: _____

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208 **14. NEIGHBORHOOD INFORMATION & HOMEOWNER'S ASSOCIATION. ARE YOU AWARE OF:**

- 209 a. The Property located outside of city limits? Yes ☒ No ☐
- 210 b. Any current/pending bonds, assessments, or special taxes that
- 211 apply to Property? Yes ☐ No ☒
- 212 If "Yes", what is the amount? \$ _____
- 213 c. Any condition or proposed change in your neighborhood or surrounding
- 214 area or having received any notice of such? Yes ☐ No ☒
- 215 d. Any defect, damage, proposed change or problem with any
- 216 common elements or common areas? Yes ☐ No ☒
- 217 e. Any condition or claim which may result in any change to assessments or fees? Yes ☐ No ☒
- 218 f. Any streets that are privately owned? Yes ☐ No ☒
- 219 g. The Property being in a historic, conservation or special review district that
- 220 requires any alterations or improvements to the Property be approved by a
- 221 board or commission? Yes ☐ No ☒
- 222 h. The Property being subject to tax abatement? Yes ☐ No ☒
- 223 i. The Property being subject to a right of first refusal? Yes ☐ No ☒
- 224 If "Yes", number of days required for notice: _____
- 225 j. The Property being subject to covenants, conditions, and restrictions of a
- 226 Homeowner's Association or subdivision restrictions? Yes ☐ No ☒
- 227 k. Any violations of such covenants and restrictions? N/A ☐ Yes ☐ No ☒
- 228 l. The Homeowner's Association imposing its own transfer fee and/or
- 229 initiation fee when the Property is sold? N/A ☒ Yes ☐ No ☐
- 230 If "Yes", what is the amount? \$ _____
- 231 m. The Property being subject to a Homeowners Association fee? Yes ☐ No ☒
- 232 If "Yes", Homeowner's Association dues are paid in full until _____ in the amount of
- 233 \$ _____ payable ☐ yearly ☐ semi-annually ☐ monthly ☐ quarterly, sent to:
- 234 _____ and such includes:

235 _____

236 Homeowner's Association/Management Company contact name, phone number, website, or email address:

237 _____

238 _____

239 _____

- 240 n. The Property being subject to a secondary Master Community Homeowners Association fee?... Yes ☐ No ☒

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

242 _____

243 _____

244 _____

245 _____

246 _____

247 **15. PREVIOUS INSPECTION REPORTS.**

- 248 Has Property been inspected in the last twelve (12) months? Yes ☐ No ☒
- 249 If "Yes", a copy of inspection report(s) are available upon request.
- 250

251 **16. OTHER MATTERS. ARE YOU AWARE OF:**

- 252 a. Any of the following?
- 253 ☐ Party walls ☐ Common areas ☐ Easement Driveways Yes ☐ No ☒
- 254 b. Any fire damage to the Property? Yes ☐ No ☒
- 255 c. Any liens, other than mortgage(s)/deeds of trust currently on the Property? Yes ☐ No ☒
- 256 d. Any violations of laws or regulations affecting the Property? Yes ☐ No ☒
- 257 e. Any other conditions that may materially affect the value
- 258 or desirability of the Property? Yes ☐ No ☒
- 259 f. Any other condition, including but not limited to financial, that may prevent
- 260 you from completing the sale of the Property? Yes ☐ No ☒
- 261 g. Any animals or pets residing in the Property during your ownership? Yes ☒ No ☐
- 262 h. Any general stains or pet stains to the carpet, the flooring or sub-flooring? Yes ☐ No ☒
- 263 i. Missing keys for any exterior doors, including garage doors to the Property? Yes ☐ No ☒
- 264 List locks without keys _____
- 265 j. Any violations of zoning, setbacks or restrictions, or non-conforming uses? Yes ☐ No ☒
- 266 k. Any unrecorded interests affecting the Property? Yes ☐ No ☒
- 267 l. Anything that would interfere with giving clear title to the BUYER? Yes ☐ No ☒

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- m. Any existing or threatened legal action pertaining to the Property? Yes ☐ No ☒
- n. Any litigation or settlement pertaining to the Property? Yes ☐ No ☒
- o. Any added insulation since you have owned the Property? Yes ☐ No ☒
- p. Having replaced any appliances that remain with the Property in the past five (5) years? Yes ☐ No ☒
- q. Any transferable warranties on the Property or any of its components? Yes ☐ No ☒
- r. Having made any insurance or other claims pertaining to the Property in the past five (5) years? Yes ☐ No ☒
If "Yes", were repairs from claim(s) completed? N/A ☐ Yes ☐ No ☒
- s. Any use of synthetic stucco on the Property? Yes ☐ No ☒

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

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

Electric Company Name: 4 Rivers Phone # _____

Gas Company Name: Federal gas for propane Phone # _____

Water Company Name: NA Phone # _____

Trash Company Name: MBT Phone # _____

Other: _____ Phone # _____

Other: _____ Phone # _____

18. ELECTRONIC SYSTEMS AND COMPONENTS.

Any technology or systems staying with the Property? N/A ☐ Yes ☐ No ☒

If "Yes" list: _____

Upon Closing SELLER will provide BUYER with codes and passwords, or items will be reset to factory settings.

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

The Residential Real Estate Sale Contract, including this paragraph of the residential Seller's Disclosure and Condition of Property Addendum ("Seller's Disclosure"), not the MLS, or other promotional material, provides for what is included in the sale of the Property. Items listed in the "Additional Inclusions" or "Exclusions" in Subparagraphs 1b and 1c of the Contract supersede the Seller's Disclosure and the pre-printed list in Paragraph 1 of the Contract. If there are no "Additional Inclusions" or "Exclusions" listed, the Seller's Disclosure and the pre-printed list govern what is or is not included in this sale. If there are differences between the Seller's Disclosure and the Paragraph 1 list, the Seller's Disclosure governs. Unless modified by the Seller's Disclosure and/or the "Additional Inclusions" and/or the "Exclusions" in Paragraph 1b and/or 1c, all existing improvements on the Property (if any) and appurtenances, fixtures and equipment (which seller agrees to own free and clear), whether buried, nailed, bolted, screwed, glued or otherwise permanently attached to Property are expected to remain with Property, including, but not limited to:

Attached shelves, racks, towel bars	Fireplace grates, screens, glass doors
Attached lighting	Mounted entertainment brackets
Attached floor coverings	Plumbing equipment and fixtures
Bathroom vanity mirrors,	Storm windows, doors, screens
attached or hung	Window blinds, curtains, coverings
Fences (including pet systems)	and window mounting components

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Fill in all blanks using one of the abbreviations listed below.

"OS" = Operating and Staying with the Property (any item that is performing its intended function).

"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.)

NA Air Conditioning Window Units, # _____

OS Air Conditioning Central System

NA Attic Fan

OS Ceiling Fan(s), # 2

NA Central Vac and Attachments

NA Closet Systems

Location _____

NA Doorbell

NA Electric Air Cleaner or Purifier

NA Electric Car Charging Equipment

OS Exhaust Fan(s) – Baths

NA Fences – Invisible & Controls

Fireplace(s), # 1

Location #1 basement Location #2 _____

____ Chimney _____ Chimney

____ Gas Logs _____ Gas Logs

____ Gas Starter _____ Gas Starter

____ Heat Re-circulator _____ Heat Re-circulator

____ Insert _____ Insert

____ Wood Burning Stove _____ Wood Burning Stove

X Other ver less propane Other _____

OS Fountain(s)

OS Furnace/Heat Pump/Other Heating System

NA Garage Door Keyless Entry

OS Garage Door Opener(s), # 2

OS Garage Door Transmitter(s), # 2

NA Gas Yard Light

NA Humidifier

NA Intercom

NA Jetted Tub

KITCHEN APPLIANCES

Cooking Unit

1 Stove/Range

____ Elec. X Gas _____ Convection

____ Built-in Oven

____ Elec. _____ Gas _____ Convection

____ Cooktop _____ Elec. _____ Gas

____ Microwave Oven

OS Dishwasher

OS Disposal

NA Freezer

Location _____

OS Refrigerator (#1)

Location Kitchen

NA Refrigerator (#2)

Location _____

NA Trash Compactor

NS Laundry - Washer

NS Laundry - Dryer

X Elec. _____ Gas

MOUNTED ENTERTAINMENT EQUIPMENT

NA Item #1 _____

Location _____

Item #2 _____

Location _____

Item #3 _____

Location _____

Item #4 _____

Location _____

Item #5 _____

Location _____

____ Outside Cooking Unit

OS Propane Tank

____ Owned X Leased

NA Security System

____ Owned _____ Leased

____ Smoke/Fire Detector(s), # _____

____ Shed(s), # _____

NA Spa/Hot Tub

NA Spa/Sauna

NA Spa Equipment

NA Sprinkler System Auto Timer

NA Sprinkler System Back Flow Valve

NA Sprinkler System (Components & Controls)

NA Statuary/Yard Art

NS Swing set/Playset porch swing

NA Sump Pump(s), # _____

OS Swimming Pool (Swimming Pool Rider Attached)

NA Swimming Pool Heater

OS Swimming Pool Equipment

OS TV Antenna/Receiver/Satellite Dish

X Owned _____ Leased

OS Water Heater(s)

NA Water Softener and/or Purifier

____ Owned _____ Leased

OS Boat Dock, ID # pool

NA Camera-Surveillance Equipment

____ Generator

____ Other _____

____ Other _____

____ Other _____

____ Other _____

____ Other _____

____ Other _____

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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, 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 the Licensee assisting SELLER to provide this information to prospective BUYER of the Property and to real estate brokers and licensees. **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 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>Daniel Houben</u>	<u>10-2-2023</u>	<u>Joanita Hornbaker</u>	<u>10-2-2023</u>
SELLER	DATE	SELLER	DATE

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 licensees 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 Property examined by professional inspectors.
4. I acknowledge neither SELLER nor Broker(s) is an expert at detecting or repairing physical defects in Property.
5. I specifically represent there are no important representations concerning the condition or value of 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
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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 the 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. Last revised 10/21. All previous versions of this document may no longer be valid. Copyright January 2023.