

**MONTANA ASSOCIATION OF REALTORS®
PROPERTY DISCLOSURE STATEMENT (LAND)**



1 Date: 10/09/2024

3 Property: Nhn Lower Lost Prarie Road (11.12 acres), Marion, MT 59925

4 Seller(s): Carroll DeMars and Nichole S. DeMars

5 Seller Agent: Mark Kuhl and Andrew Burgi

7 Concerning adverse material facts, Montana law provides that a seller agent is obligated to:

- disclose to a buyer or the buyer agent any adverse material facts that concern the property and that are known to the seller agent, except that the seller agent is not required to inspect the property or verify any statements made by the seller; and
- disclose to a buyer or the buyer agent when the seller agent has no personal knowledge of the veracity of information regarding adverse material facts that concern the property.

15 The Seller Agent identified above is providing the attached Owner's Property Disclosure Statement (Land) that has been completed and signed by the Seller(s), if one has been made available to the Seller Agent by the Seller(s). Regardless of whether Seller(s) has/have provided Seller Agent with an Owner's Property Disclosure Statement (Land), **except as set forth below**, the Seller Agent has no personal knowledge:

- (i) about adverse material facts that concern the Property or
- (ii) regarding the veracity (accuracy) of any information regarding adverse material facts that concern the Property

29 Information regarding adverse material facts that concern the Property and that are known to the Seller Agent, if any, is set forth above. However, the Seller Agent is not required to inspect the Property or verify any statements made by the Seller(s). Buyer(s) is/are therefore encouraged to obtain professional advice, inspections or both of the Property and to provide for appropriate provisions in a Buy-Sell Agreement between the Buyer(s) and Seller(s) with respect to any advice, inspections or defects.

35 Seller Agent Signature:

<i>Mark Kuhl</i>	dotloop verified 10/09/24 2:41 PM MDT 9LRY-4ATP-SLY-5BTG	<i>Andrew Burgi</i>	dotloop verified 10/09/24 11:00 AM MDT CHTJ-WCZO-MKJ-8OAY
------------------	---	---------------------	--

37 Dated: _____

39 Buyer and Buyer Agent acknowledge receipt of this Property Disclosure Statement (Land).

41 Buyer Agent: _____

43 Buyer Agent Signature:

45 Dated: _____

47 Buyer Signature:

49 Dated: _____

OWNER'S PROPERTY DISCLOSURE STATEMENT (LAND) MONTANA ASSOCIATION OF REALTORS® STANDARD FORM



Date: 10/09/2024

The undersigned Owner is the owner of certain real property located at Nhn Lower Lost Prarie Road (11.12 acres)
, in the City of Marion
County of Flathead, Montana, which real property is legally described as:
TBD (11.12 acres split from S21, T27 N, R24 W, C.O.S. 22038-2 AG EXEMPT, ACRES 37.46, TR 1GA IN W2)

(hereafter the "Property"). Owner executes this Disclosure Statement to disclose to prospective buyers all adverse material facts which concern the Property. Montana law defines an adverse material fact as a fact that should be recognized as being of enough significance as to affect a person's decision to enter into a contract to buy or sell real property and may be a fact that materially affects the value of the Property, that affects the structural integrity of the Property, or that presents a documented health risk to occupants of the Property.

OWNER'S DISCLOSURE

- ☐ Owner has never been to the Property.
☒ Owner has not been to the Property since 6/1/2024 (date).

The Owner declares that the Owner has prepared this Disclosure Statement and any attachments thereto based on any adverse material facts known to the Owner. Owner hereby authorizes providing a copy of this Statement to any person or entity in connection with any actual or anticipated sale of the Property. Owner further agrees to indemnify and hold any and all real estate agents involved, directly or indirectly, in the purchase and sale of the Property, harmless from all claims for damages based upon the disclosures made in this Disclosure Statement along with the failure of the Owner to disclose any adverse material facts known to the Owner.

This information is a disclosure by the Owner of known adverse material facts concerning the Property as of the above date. **It is not a warranty or representation of any kind by the Owner and it is not a contract between Owner and buyer. This disclosure statement is not a substitute for any inspections the buyer may wish to obtain.**

Please describe any adverse material facts concerning the items listed, or other components, fixtures or matters. If space is inadequate, please use the attached Addendum to Owner's Property Disclosure Statement.

Easements (written or unwritten):
no known issues

Boundaries or property lines:
no known issues

Encroachments or similar matters that may affect your interest in the subject Property including but not limited to buildings, fences, etc.:
no known issues

Access to the Property:
no known issues

 /
 Buyer's Initials

 /
 Owner's Initials

50 Settling, slippage, sliding or other soil problems:
51 no known issues
52 _____
53 _____
54 Flooding, drainage or grading problems:
55 no known issues
56 _____
57 _____
58 Location of the Property in a flood plain, shoreline master plan, wetland or other environmentally sensitive area or work
59 conducted by Seller in or around any natural bodies of water:
60 no known issues
61 _____
62 _____
63 a. Water rights and private wells:
64 Approved location for well
65 _____
66 _____
67 b. Public or Community water systems:
68 NA
69 _____
70 _____
71 Restrictive Covenants and Deed restrictions:
72 no known issues
73 _____
74 _____
75 Septic system approval or existing septic system:
76 Approved for Septic system
77 _____
78 _____
79 Major damage to the Property from fire, earthquakes, floods, slides, etc.:
80 no known issues
81 _____
82 _____
83 Zoning or Historic District violations, non-conforming uses:
84 no known issues
85 _____
86 _____
87 Neighborhood noise problems or other nuisances:
88 no known issues
89 _____
90 _____
91 Property Owner's association obligations (dues, lawsuits, transfer fees, initiation fees, etc.):
92 no known issues
93 _____
94 _____
95 Notice of abatement or citations against the Property:
96 no known issues
97 _____
98 _____
99 Lawsuits or legal proceedings (including foreclosures and bankruptcies) affecting or threatening the Property:
100 no known issues
101 _____
102 _____
103 Waste dump or disposal or landfill or gravel pit or commercial use in the vicinity of the Property, existing or proposed,
104 which may cause smoke, smell, noise or other nuisance, annoyance or pollution:
105 no known issues

Buyer's Initials

Owner's Initials

10/09/24 10/09/24
dotloop.com dotloop.com

106
107
106
107
108
109
110
111
112
113
114
115
116
117
118
119
120
121
122
123
124
125
126
127
128
129
130
131
132
133
134
135
136
137
138
139
140
141
142
143
144
145
146
147
148
149
150
151
152
153
154
155
156
157
158
159

Street or utility improvement planned that may affect or be assessed against the Property:

no known issues

Zoning or land use change planned or being considered by the city or county:

no known issues

Proposed increase in tax assessment value or property owner's association dues for the Property:

no known issues

Underground storage tanks or class II injection wells:

no known issues

Property leases including post-closing short-term rental obligations, crop share agreements, mineral leases or reservations:

no known issues

Conservation Easements (existing or proposed):

no known issues

Landfill (compacted or otherwise) on the Property or any portion thereof:

no known issues

Environmental issues affecting the Property:

no known issues

Pests, rodents:

no known issues

Noxious Weeds:

May have some noxious weeds

Airport affected area:

no known issues

Other matters as set forth below.

 / 

Buyer's Initials

 / 

Owner's Initials

160

161

162

163

164

165

166

167

168

169

170

171

172

173

174

175

176

177

178

179

180

181

182

183

184

185

186

187

188

189

190

191

192

193

194

195

196

197

Owner certifies that the information herein is true, correct and complete to the best of the Owner's knowledge and belief as of the date signed by Owner.

Carroll DeMars

dotloop verified
10/09/24 10:36 AM PDT
87B2-P8UC-QZ5J-LXRV

Owner's Signature

Date

Nichole S. Demars

dotloop verified
10/09/24 11:41 AM MDT
NARU-USJU-7H3B-MJYH

Owner's Signature

Date

/

Buyer's Initials

BUYER'S ACKNOWLEDGEMENT

Subject Property Address: Nhn Lower Lost Prarie Road (11.12 acres), Marion, MT 59925

Buyer(s) understand that the foregoing disclosure statement sets forth any adverse material facts concerning the Property that are known to the Owner. **The disclosure statement does not provide any representations or warranties concerning the Property, nor does the fact this disclosure statement fails to note an adverse material fact concerning a particular feature, fixture or element imply that the same is free of defects.**

Buyer(s) is/are encouraged to obtain professional advice, inspections or both of the Property and to provide for appropriate provisions in a contract between buyer(s) and owner(s) with respect to any advice, inspections or defects. **Buyer(s) are not relying upon this property disclosure statement for buyer(s)' determination of the overall condition of the Property in lieu of other inspections, reports or advice.**

I/WE ACKNOWLEDGE RECEIPT OF A COPY OF THIS STATEMENT.

Buyer's Signature

Date _____

Buyer's Signature

Date _____

NOTE: Unless otherwise expressly stated the term "Days" means calendar days and not business days. Business days are defined as all days except Sundays and holidays. Any performance which is required to be completed on a Saturday, Sunday or holiday can be performed on the next business day.