

**DISCLOSURE STATEMENT:
VACANT LAND**

44. THE INFORMATION DISCLOSED IS GIVEN TO THE BEST OF SELLER'S KNOWLEDGE.

45. Property located at TBD Vernon Ave Lakeville MN 55044

46. (4) Are there any current or past Phase I, Phase II, or Phase III Environmental Site Assessment(s)? (If "Yes," please attach if in your possession.) Yes No

48. (5) Access (where/type): County Road + easements

49. Is access (legal and physical) other than by direct frontage on a public road? Yes No

50. (6) Has the Property been surveyed? Yes No

51. Year surveyed: _____

52. What company/person performed the survey? _____

53. Name: _____ Address: _____ Phone: _____

54. (7) Is this platted land? Yes No

55. If "Yes,"

56. has the plat been recorded? Yes No

57. do you have a certificate of survey in your possession? Yes No

58. If "Yes," who completed the survey? _____ When? _____

59. (8) Are there any property markers on the Property? Yes No

60. If "Yes," give details:

61. _____ Maintained

62. (9) Is the Property located on a public or private road? Public Private Public: no maintenance

63. (10) Are there any private or non-dedicated roadways that you are responsible for? Yes No

64. (11) Are there any rivers, lakes, ponds, creeks, streams, or springs running through the Property or along a boundary line? Yes No

66. (12) Flood Insurance: All properties in the State of Minnesota have been assigned a flood zone designation. Some flood zones may require flood insurance.

68. (a) Do you know which zone the Property is located in? Yes No

69. If "Yes," which zone? _____

70. (b) Have you ever had a flood insurance policy? Yes No

71. If "Yes," is the policy in force? Yes No

72. If "Yes," what is the annual premium? \$ _____

73. If "Yes," who is the insurance carrier? _____

74. (c) Have you ever had a claim with a flood insurance carrier or FEMA? Yes No

75. If "Yes," please explain:

76. _____

77. **NOTE:** Whether or not Seller currently carries flood insurance, it may be required in the future. Flood insurance premiums are increasing, and in some cases will rise by a substantial amount over the premiums previously charged for flood insurance for the Property. As a result, Buyer should not rely on the premiums paid for flood insurance on this Property previously as an indication of the premiums that will apply after Buyer completes their purchase.

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84. Property located at **TBD** **Vernon Ave** **Lakeville** **MN** **55044**

- 85. (13) Is the Property located in a drainage district, County or Judicial Drainage System? Yes No
- 86. (14) Is the Property drain tiled? Yes No
- 87. (15) Is there a private drainage system on the Property? Yes No
- 88. (16) Is the Property located within a government designated disaster evacuation zone (e.g., nuclear facility, hazardous chemical facility, hazardous waste facility)? Yes No
- 89. (17) Are there encroachments? Yes No
- 90. (18) Please provide clarification or further explanation for all applicable "Yes" responses in Section A:

91. _____
92. _____
93. _____

94. **B. GENERAL CONDITION:** The following questions are to be answered to the best of Seller's knowledge.

- 95. (1) Are there any structures, improvements, or emblements (e.g., crops) included in the sale? Yes No
- 96. If "Yes," list all items:

97. _____
98. _____

- 99. (2) Are there any abandoned or junk motor vehicles, equipment of any kind, or debris included in the sale? Yes No
- 100. If "Yes," list all items:

101. _____
102. _____

- 103. (3) Are there any drainage issues, flooding, or conditions conducive to flooding? Yes No
- 104. (4) Has there been any damage by wind, fire, flood, hail, or other cause(s)? Yes No
- 105. If "Yes," give details of what happened and when:

106. _____
107. _____

- 107. (5) Were there any previous structures on the Property? Yes No

- 108. (6) Are there any settling, erosion, or soil movement problems on or affecting the Property? Yes No

- 109. (7) Are there any gravel pits, caves, sink holes, or mineshafts on or affecting the Property? Yes No

- 110. (8) For any questions in Section B answered "Yes," please explain:

111. _____
112. _____
113. _____
114. _____

115. **C. USE RESTRICTIONS:** The following questions are to be answered to the best of Seller's knowledge.

- 116. (1) Do any of the following types of covenants, conditions, reservations of rights or use, or restrictions affect the use or future resale of the Property? Yes No
- 117. (a) Are there easements, other than utility or drainage easements? Yes No
- 118. (b) Are there any public or private use paths or roadway rights of way/ easement(s)? Yes No
- 119. (c) Are there any ongoing financial maintenance or other obligations related to the Property that the buyer will be responsible for? Yes No

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- 126. (d) Are there any communication, power, wind, pipeline (utility or drainage), or other utility rights of way/easement(s)? Yes No
- 127. (e) Are there any railroad or other transportation rights of way/easement(s)? Yes No
- 128. (f) Is there subdivision or other recorded covenants, conditions, or restrictions? Yes No
- 129. (g) Are there association requirements or restrictions? Yes No
- 130. (h) Is there a right of first refusal to purchase? Yes No
- 131. (i) Is the Property within the boundaries of a Native American reservation? Yes No
- 132. (j) Are there any Department of Natural Resources restrictions? Yes No
- 133. (k) Is the Property located in a watershed district? Yes No
- 134. (l) Is the Property enrolled in any federal, state, or local governmental programs (e.g., conservation programs, CREP, CRP, EQIP, Green Acres, Managed Forest Land, RIM, riparian buffers, Rural Preserve, SFIA, WRP/RIM-WRP, etc.)? Yes No
- 135. (m) Are there any USDA Wetland Determinations? Yes No
- 136. (n) Are there any USDA Highly Erodible Land Determinations? Yes No
- 137. (o) Are there any conservation practices installed (e.g., terracing, waterways, control structures)? Yes No
- 138. (p) Are there any federal or state listed species? Plants Animals Yes No
- 139. (q) Are there any third parties which have an interest in the mineral rights? Yes No
- 140. (r) Is there any forfeiture or transfer of rights (e.g., mineral, timber, development, etc.)? Yes No
- 141. (s) Are there any historical registry restrictions? Yes No
- 142. (t) If any of the questions in Section C(1) are answered "Yes," please provide written copies of these covenants, conditions, reservations, or restrictions if in your possession:

143. _____

144. _____

145. _____

- 146. (2) Have you ever received notice from any person or authority as to any breach of any of these covenants, conditions, reservations, or restrictions? Yes No

147. If "Yes," please explain:

148. _____

149. _____

- 150. (3) Is the Property currently rented? Yes No
- 151. If "Yes," is there a written lease? Yes No

152. If "Yes," please provide a copy of the lease if in your possession or provide information:

153. Lease start date: March - Oct

154. Lease end date: _____

155. Number of acres leased: \$ 1800/yr for 20 Acres Approximately

156. Price/acre: _____ Hay ground w/ other Adjacent

157. Terms of lease: 1 yr parcel

158. Renter's name: Richard Hemele Phone number: _____

- 159. May the renter be contacted for information on the Property? Yes No

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169. (4) Is woodland leased for recreational purposes? Yes No
170. (5) Has a timber cruise been completed on woodland? Yes No
171. (6) Has timber been harvested in the past 25 years? Yes No
172. If "Yes," what species was harvested? _____
173. Was harvest monitored by a registered forester? Yes No
174. (7) Are there plans for a new road, expansion of an existing road, airport, trail, affect by railroad, or other improvement that may affect this Property? Yes No
175. If "Yes," please explain: _____
176. _____
177. _____
178. _____
179. (8) Are there any zoning violations, nonconforming uses, or unusual restrictions on the Property that would affect future construction or remodeling? Yes No
180. _____
181. **D. UTILITIES:** The following questions are to be answered to the best of Seller's knowledge.
182. (1) Have any percolation tests been performed? Yes No
183. When? _____ By whom? _____
184. Attach copies of results, if in your possession.
185. (2) Subsurface Sewage Treatment System Disclosure: (A subsurface sewage treatment system disclosure is required by MN Statute 115.55.) (Check appropriate box.)
186. Seller DOES DOES NOT know of a subsurface sewage treatment system on or serving the above-described real Property. (Check one.)
187. (If answer is DOES, and the system does not require a state permit, see Disclosure Statement: Subsurface Sewage Treatment System.)
188. There is an abandoned subsurface sewage treatment system on the above-described real Property. (See Disclosure Statement: Subsurface Sewage Treatment System.)
189. _____
190. (3) Private Well Disclosure: (A well disclosure and Certificate are required by MN Statute 103I.235.) (Check appropriate box(es).)
191. Seller does not know of any wells on the above-described real Property.
192. There are one or more wells located on the above-described real Property. (See Disclosure Statement: Well.)
193. This Property is in a Special Well Construction Area.
194. There are wells serving the above-described Property that are not located on the Property.
195. (a) How many properties or residences does the shared well serve? _____
196. (b) Is there a maintenance agreement for the shared well? Yes No
197. _____
200. If "Yes," what is the annual maintenance fee? \$ _____
201. _____

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203. THE INFORMATION DISCLOSED IS GIVEN TO THE BEST OF SELLER'S KNOWLEDGE.

204. Property located at TBD Vernon Ave Lakeville MN 55044

205. (4) Are any of the following presently existing within the Property:
- | | | |
|---|---|--|
| 206. (a) connection to public water? | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| 207. (b) connection to public sewer? | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| 208. (c) connection to private water system off-property? | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| 209. (d) connection to electric utility? | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No |
| 210. (e) connection to pipelines (natural gas, petroleum, other)? | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No |
| 211. (f) connection to communication, power, or utility lines? | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No |
| 212. (g) connection to telephone? | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| 213. (h) connection to fiber optic? | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| 214. (i) connection to cable? | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
- would need to be connected to* →

215. E. ENVIRONMENTAL CONCERNS: The following questions are to be answered to the best of Seller's knowledge.

216. (1) Are there any buried storage tanks or buried debris or waste on the Property? Yes No

217. If "Yes," give details:

218. _____

219. (2) Are there any hazardous or toxic substances or wastes in, on, or affecting the Property? Yes No

220. If "Yes," give details:

221. _____

222. (3) Have any soil tests been performed? Yes No

223. When? _____ By whom? _____

224. Attach copies of results if in your possession.

225. (4) Are there any soil problems? Yes No

226. If "Yes," give details:

227. _____

228. (5) Are there any dead or diseased trees? Yes No

229. If "Yes," give details: _____

230. (6) Are there any insect/animal/pest infestations? Yes No

231. If "Yes," give details: _____

232. _____

233. (7) Are there any animal burial pits? Yes No

234. If "Yes," give details: _____

235. (8) Are there any unused wells or other potential environmental hazards (e.g., fuel or chemical storage tanks, contaminated soil or water) on the land? Yes No

236. If "Yes," give details:

237. _____

238. (9) Did the land at one time abut or was located in close proximity to a gas station, refuse disposal site, toxic substance storage site, junk yard, or other pollution situation? Yes No

239. If "Yes," give details:

240. _____

241. _____

242. _____

243. _____

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247. (10) Is the Property located in or near an agricultural zone? Yes No
248. If "Yes," the Property may be subjected to normal and accepted agricultural practices and operations
249. including, but not limited to, noise; dust; day and nighttime operation of farm machinery; the raising and
250. keeping of livestock; and the storage and application of manure, fertilizers, soil amendments, herbicides
251. and pesticides associated with normal agricultural operations.

252. (11) Are there any landfills or waste disposal sites within two (2) miles of the Property? Yes No
253. If "Yes," give details:

254. _____

255. (12) Is there any government sponsored clean-up of the Property? Yes No
256. If "Yes," give details:

257. _____

258. (13) Are there currently, or have previously been, any orders issued on the Property by any governmental authority
259. ordering the remediation of a public health nuisance on the Property? Yes No
260. If "Yes," Seller certifies that all orders HAVE HAVE NOT been vacated.
------(Check one.)-----

261. (14) Other:
262. _____

263. F. RADON DISCLOSURE: (The following Seller disclosure satisfies MN Statute 144.496.)

264. RADON WARNING STATEMENT: The Minnesota Department of Health strongly recommends that ALL
265. homebuyers have an indoor radon test performed prior to purchase or taking occupancy, and recommends
266. having the radon levels mitigated if elevated radon concentrations are found. Elevated radon concentrations can
267. easily be reduced by a qualified, certified, or licensed, if applicable, radon mitigator.

268. Every buyer of any interest in residential real property is notified that the property may present exposure to
269. dangerous levels of indoor radon gas that may place occupants at risk of developing radon-induced lung cancer.
270. Radon, a Class A human carcinogen, is the leading cause of lung cancer in nonsmokers and the second leading
271. cause overall. The seller of any interest in residential real property is required to provide the buyer with any
272. information on radon test results of the dwelling.

273. RADON IN REAL ESTATE: By signing this Statement, Buyer hereby acknowledges receipt of the Minnesota
274. Department of Health's publication entitled **Radon in Real Estate Transactions**, which is attached hereto and
275. can be found at www.health.state.mn.us/communities/environment/air/radon/radonre.html.

276. A seller who fails to disclose the information required under MN Statute 144.496, and is aware of material facts
277. pertaining to radon concentrations in the Property, is liable to the Buyer. A buyer who is injured by a violation of MN
278. Statute 144.496 may bring a civil action and recover damages and receive other equitable relief as determined by
279. the court. Any such action must be commenced within two years after the date on which the buyer closed the
280. purchase or transfer of the real Property.

281. SELLER'S REPRESENTATIONS: The following are representations made by Seller to the extent of Seller's actual
282. knowledge.

283. (a) Radon test(s) HAVE HAVE NOT occurred on the Property.
------(Check one.)-----

284. (b) Describe any known radon concentrations, mitigation, or remediation. **NOTE: Seller shall attach the most**
285. **current records and reports pertaining to radon concentration within the dwelling:**

286. _____

287. _____

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291. (c) There IS IS NOT a radon mitigation system currently installed on the Property.
-----*(Check one.)*-----

292. If "IS," Seller shall disclose, if known, information regarding the radon mitigation system, including system
293. description and documentation.

294. _____

295. _____

296. **EXCEPTIONS:** See Section O for exceptions to this disclosure requirement.

297. **G. PREFERENTIAL PROPERTY TAX TREATMENT:** Is the Property subject to any preferential
298. property tax status or any other credits affecting the Property (e.g., Exclusive Ag Covenant,
299. Green Acres, Managed Forest Land, Non-Profit Status, Rural Preserve, SFIA, etc.)? Yes No

300. If "Yes," would these terminate upon the sale of the Property? Yes No

301. Explain: _____

302. **H. FOREIGN INVESTMENT IN REAL PROPERTY TAX ACT ("FIRPTA"):** Section 1445 of the Internal Revenue Code
303. provides that a transferee ("Buyer") of a United States real property interest must be notified in writing and must
304. withhold tax if the transferor ("Seller") is a foreign person and no exceptions from FIRPTA withholding apply.

305. Seller represents that Seller IS IS NOT a foreign person (i.e., a non-resident alien individual, foreign corporation,
-----*(Check one.)*-----
306. foreign partnership, foreign trust, or foreign estate) for purposes of income taxation. This representation shall
307. survive the closing of any transaction involving the Property described herein.

308. **NOTE:** If the above answer is "IS," Buyer may be subject to income tax withholding in connection with the
309. transaction (unless the transaction is covered by an applicable exception to FIRPTA withholding). In
310. non-exempt transactions, Buyer may be liable for the tax if Buyer fails to withhold.

311. If the above answer is "IS NOT," Buyer may wish to obtain specific documentation from Seller ensuring
312. Buyer is exempt from the withholding requirements as prescribed under Section 1445 of the Internal
313. Revenue Code.

314. Due to the complexity and potential risks of failing to comply with FIRPTA, including Buyer's responsibility
315. for withholding the applicable tax, Buyer and Seller should **seek appropriate legal and tax advice regarding**
316. **FIRPTA compliance, as the respective licensees representing or assisting either party will be unable to**
317. **assure either party whether the transaction is exempt from the FIRPTA withholding requirements.**

318. **I. METHAMPHETAMINE PRODUCTION DISCLOSURE:**
319. (A methamphetamine production disclosure is required by MN Statute 152.0275, Subd. 2 (m).)

320. Seller is not aware of any methamphetamine production that has occurred on the Property.
321. Seller is aware that methamphetamine production has occurred on the Property.
322. (*See Disclosure Statement: Methamphetamine Production.*)

323. **J. NOTICE REGARDING AIRPORT ZONING REGULATIONS:** The Property may be in or near an airport safety zone
324. with zoning regulations adopted by the governing body that may affect the Property. Such zoning regulations are
325. filed with the county recorder in each county where the zoned area is located. If you would like to determine if
326. such zoning regulations affect the Property, you should contact the county recorder where the zoned area is
327. located.

328. **K. CEMETERY ACT:** MN Statute 307.08 prohibits any damage or illegal molestation of human remains, burials,
329. or cemeteries. A person who intentionally, willfully and knowingly destroys, mutilates, injures, disturbs or removes
330. human skeletal remains or human burial grounds is guilty of a felony.

331. Are you aware of any human remains, burials, or cemeteries located on the Property? Yes No

332. If "Yes," please explain: _____

333. All unidentified human remains or burials found outside of platted, recorded, or identified cemeteries and in
334. contexts which indicate antiquity greater than 50 years shall be dealt with according to the provisions of MN
335. Statute 307.08, Subd. 7.

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338. Property located at TBD Vernon Ave Lakeville MN 55044

339. L. **NOTICE REGARDING PREDATORY OFFENDER INFORMATION:** Information regarding the predatory offender
340. registry and persons registered with the predatory offender registry under MN Statute 243.166 may be
341. obtained by contacting the local law enforcement offices in the community where the land is located or
342. the Minnesota Department of Corrections at (651) 361-7200, or from the Department of Corrections web
343. site at www.corr.state.mn.us.

344. M. **NOTICES/OTHER DEFECTS/MATERIAL FACTS:** The following questions are to be answered to the best of
345. Seller's knowledge.

346. **Notices:** Seller HAS HAS NOT received a notice regarding any proposed improvement project from any
347. assessing authorities, the costs of which project may be assessed against the Property. If "HAS," please attach
348. and/or explain:

349. _____
350. **Other Defects/Material Facts:** Are there any other material facts that could adversely and significantly affect an
351. ordinary buyer's use or enjoyment of the Property or any intended use of the Property? Yes No

352. If "Yes," explain:

353. _____

354. N. **MN STATUTES 513.52 THROUGH 513.60:**

355. **Exceptions:** The seller disclosure requirements of MN Statutes 513.52 through 513.60 **DO NOT** apply to
356. (1) real property that is not residential real property;
357. (2) a gratuitous transfer;
358. (3) a transfer pursuant to a court order;
359. (4) a transfer to a government or governmental agency;
360. (5) a transfer by foreclosure or deed in lieu of foreclosure;
361. (6) a transfer to heirs or devisees of a decedent;
362. (7) a transfer from a co-tenant to one or more other co-tenants;
363. (8) a transfer made to a spouse, parent, grandparent, child, or grandchild of Seller;
364. (9) a transfer between spouses resulting from a decree of marriage dissolution or from a property
365. agreement incidental to that decree;
366. (10) a transfer of newly constructed residential property that has not been inhabited;
367. (11) an option to purchase a unit in a common interest community, until exercised;
368. (12) a transfer to a person who controls or is controlled by the grantor as those terms are defined with
369. respect to a declarant under section 515B.1-103, clause (2);
370. (13) a transfer to a tenant who is in possession of the residential real property; or
371. (14) a transfer of special declarant rights under section 515B.3-104.

372. **MN STATUTES 144.496: RADON AWARENESS ACT**

373. The seller disclosure requirements of MN Statute 144.496 DO NOT apply to (1)-(9) and (11)-(14) above. Sellers
374. of newly constructed residential property must comply with the disclosure requirements of MN Statute 144.496.

375. **Waiver:** The written disclosure required under sections 513.52 to 513.60 may be waived if Seller and the
376. prospective Buyer agree in writing. Waiver of the disclosure required under sections 513.52 to 513.60 does not
377. waive, limit, or abridge any obligation for seller disclosure created by any other law.

378. **No Duty to Disclose**

379. A. There is no duty to disclose the fact that the Property
380. (1) is or was occupied by an owner or occupant who is or was suspected to be infected with Human
381. Immunodeficiency Virus or diagnosed with Acquired Immunodeficiency Syndrome;
382. (2) was the site of a suicide, accidental death, natural death, or perceived paranormal activity; or
383. (3) is located in a neighborhood containing any adult family home, community-based residential facility,
384. or nursing home.

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- 388. B. **Predatory Offenders.** There is no duty to disclose information regarding an offender who is required to
- 389. register under MN Statute 243.166 or about whom notification is made under that section, if Seller, in a
- 400. timely manner, provides a written notice that information about the predatory offender registry and
- 401. persons registered with the registry may be obtained by contacting the local law enforcement agency
- 402. where the property is located or the Department of Corrections.
- 403. C. The provisions in paragraphs A and B do not create a duty to disclose any facts described in paragraphs
- 404. A and B for property that is not residential property.
- 405. D. **Inspections.**
- 406. (1) Except as provided in paragraph (2), Seller is not required to disclose information relating to the real
- 407. Property if a written report that discloses the information has been prepared by a qualified third party
- 408. and provided to the prospective buyer. For purposes of this paragraph, "qualified third party" means
- 409. a federal, state, or local governmental agency, or any person whom Seller or prospective buyer reasonably
- 410. believes has the expertise necessary to meet the industry standards of practice for the type of
- 411. inspection or investigation that has been conducted by the third party in order to prepare the written
- 412. report.
- 413. (2) Seller shall disclose to the prospective buyer material facts known by Seller that contradict any
- 414. information included in a written report under paragraph (1) if a copy of the report is provided to Seller.

415. O. **ADDITIONAL COMMENTS:**

416. _____

417. _____

418. _____

419. P. **SELLER'S STATEMENT:** *(To be signed at time of listing.)*

420. Seller(s) hereby states the facts as stated above are true and accurate and authorizes any licensee(s)

421. representing or assisting any party(ies) in this transaction to provide a copy of this Disclosure Statement to

422. any person or entity in connection with any actual or anticipated sale of the Property. A seller may provide this

423. Disclosure Statement to a real estate licensee representing or assisting a prospective buyer. The Disclosure

424. Statement provided to the real estate licensee representing or assisting a prospective buyer is considered to have

425. been provided to the prospective buyer. If this Disclosure Statement is provided to the real estate licensee

426. representing or assisting the prospective buyer, the real estate licensee must provide a copy to the prospective

427. buyer.

428. **Seller is obligated to continue to notify Buyer in writing of any facts that differ from the facts disclosed**

429. **here (new or changed) of which Seller is aware that could adversely and significantly affect the Buyer's**

430. **use or enjoyment of the Property or any intended use of the Property that occur up to the time of closing.**

431. To disclose new or changed facts, please use the *Amendment to Disclosure Statement* form.

432. Greg Brown 9/19/22 Catherine A. Brown 9/19/22

(Seller) (Date) (Seller) (Date)

433. Q. **BUYER'S ACKNOWLEDGEMENT:** *(To be signed at time of purchase agreement.)*

434. I/We, the Buyer(s) of the Property, acknowledge receipt of this *Disclosure Statement: Vacant Land* and agree

435. that no representations regarding facts have been made other than those made above. This Disclosure Statement

436. is not a warranty or guarantee of any kind by Seller or licensee representing or assisting any party in the

437. transaction and is not a substitute for any inspections or warranties the party(ies) may wish to obtain.

438. The information disclosed is given to the best of Seller's knowledge.

439. _____

(Buyer) (Date) (Buyer) (Date)

440. **LISTING BROKER AND LICENSEES MAKE NO REPRESENTATIONS HERE AND ARE**

441. **NOT RESPONSIBLE FOR ANY CONDITIONS EXISTING ON THE PROPERTY.** _____