



SELLER'S DISCLOSURE AND CONDITION OF PROPERTY ADDENDUM

(Land)

(IF PROPERTY IS IMPROVED, USE IN CONJUNCTION WITH THE APPROPRIATE SELLER'S
DISCLOSURE AND CONDITION OF PROPERTY ADDENDUM)

SELLER (Indicate Marital Status): Richard and Marilyn Donovan Trust, Michael S. Donovan (Trustee)

LEGAL DESCRIPTION: (As described in the attached Legal Description/Company Disclosure Addendum, or described below) abbreviated legal description: 28-14-22 BG 994.88' E NW CR NE1/4 E 664.29' S 420.42' E 156.72' 156.72' S 2204.42' TO S/L NE1/4 W 824.43' N 2626.28' TO POB 49.1 ACS M/L MC 266 4. and 28-14-22 W 60 ACS NE1/4 EX S 30 AC 30 ACS M/L MC 266 2. (Full legal description to be provided by the Title Company).

Approximate date SELLER purchased Property: _____ Property is currently zoned as RUR (Rural, agricultural uses and single family dwellings, 10-acre minimum lot size).

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
 Public Private Well Cistern None Other CITY AND COOP

If well, state type _____ depth _____ diameter _____ age _____
Has water been tested? Yes No

b. Other water systems and their condition: _____

c. Is there a water meter on the Property? Yes No

d. Is there a rural water certificate? Yes No

e. Other applicable information: WATER IS SUPPLIED BY CITY OF GARDNER
THERE IS ALSO ACCESS TO WATER FROM THE COOP AS WELL.

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

If "Yes", is there a meter? N/A Yes No

b. Is there gas service on the Property? Yes No

If "Yes", what is the source? _____

c. Are you aware of any additional costs to hook up utilities? Yes No

d. Other applicable information: _____

If any of the answers in this section are "Yes", explain in detail or attach documentation: GAS AND ELECTRIC ARE LOCATED ON THE PROPERTY

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

- a. 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
- b. Any drainage or flood problems on the Property or adjacent properties? Yes No
- c. Any neighbors complaining Property causes drainage problems? Yes No
- d. The Property having had a stake survey? Yes No
- e. Any boundaries of the Property being marked in any way? Yes No
- f. Having an Improvement Location Certificate (ILC) for the Property? Yes No
- g. Any fencing/gates on the Property? Yes No
If "Yes", does fencing/gates belong to the Property? Yes No
- h. Any encroachments, boundary line disputes, or non-utility easements affecting the Property? Yes No
- i. 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
- j. Any diseased, dead, or damaged trees or shrubs on the Property? Yes No
- k. Other applicable information: _____

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

6. SEWAGE.

- a. Does the Property have any sewage facilities on or connected to it? Yes No
- If "Yes", are they:
 - Public Sewer Private Sewer Septic System Cesspool
 - Lagoon Grinder Pump Other _____
- If applicable, when last serviced? _____
- By whom? _____
- Approximate location of septic tank and/or absorption field: _____
- Has Property had any surface or subsurface soil testing related to installation of sewage facility? N/A Yes No
- b. Are you aware of any problems relating to the sewage facilities? Yes No

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 interests in the Property? Yes No
- If "Yes", complete the following:
 - Lessee is: D 32 OIL EXPLORATION
 - Contact number is: ZANE BELDEN 303-683-4242
 - Seller is responsible for: _____
 - Lessee is responsible for: ALL MAINTENANCE.
 - Split or Rent is: _____
 - Agreement between Seller and Lessee shall end on or before: _____
 - Copy of Lease is attached.

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103 b. Are there tenant's rights in the Property? Yes No

104 If "Yes", complete the following:

105 Tenant/Tenant Farmer is: JOEL THOMAS 913-980-5036

106 Contact number is: 913-980-5036

107 Seller is responsible for: _____

108 Tenant/Tenant Farmer is responsible for: _____

109 Split or Rent is: \$5,000.00 PER YEAR

110 Agreement between Seller and Tenant shall end on or before: _____

111 Copy of Agreement is attached.

112 c. Do additional leasehold interests or tenant's rights exist? Yes No

113 If "Yes", explain: _____

114 _____

115 _____

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

117 Pass unencumbered with the land to the Buyer.

118 Remain with the Seller.

119 Have been previously assigned as follows: _____

120 _____

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

123 Pass unencumbered with the land to the Buyer.

124 Remain with the Seller.

125 Have been previously assigned as follows: _____

126 _____

128 **10. CROPS (planted at time of sale).**

129 Pass with the land to the Buyer.

130 Remain with the Seller.

131 Have been previously assigned as follows: NOTE LEASE IS UP 11/2023

132 _____

134 **11. GOVERNMENT PROGRAMS.**

135 a. Are you currently participating, or do you intend to participate, in any government

136 farm program? Yes No

137 b. Are you aware of any interest in all or part of the Property that has been reserved

138 by previous owner or government action to benefit any other property? Yes No

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

140 _____

141 _____

144 **12. HAZARDOUS CONDITIONS. ARE YOU AWARE OF:**

145 a. Any underground storage tanks on or near Property? Yes No

146 b. Any previous or current existence of hazardous conditions (e.g., storage tanks, oil

147 tanks, oil spills, tires, batteries, or other hazardous conditions)? Yes No

148 If "Yes", what is the location? _____

149 c. Any previous environmental reports (e.g., Phase 1 Environmental reports)? Yes No

150 d. Any disposal of any hazardous waste products, chemicals, polychlorinated

151 biphenyl's (PCB's), hydraulic fluids, solvents, paint, illegal or other drugs or

152 insulation on the Property or adjacent property? Yes No

153 e. Environmental matters (e.g. discoloration of soil or vegetation or oil sheers

154 in wet areas)? Yes No

155 f. Any existing hazardous conditions on the Property or adjacent properties (e.g.

156 methane gas, radon gas, radioactive material, landfill, toxic materials)? Yes No

MTD Initials _____ Initials _____

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- 157 g. Gas/oil wells, lines or storage facilities on the Property or adjacent property? Yes No
- 158 h. Any other environmental conditions on the Property or adjacent properties? Yes No
- 159 i. Any tests conducted on the Property? Yes No

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

162 WEST END HAS OIL STORAGE TANK.

165 **13. OTHER MATTERS. ARE YOU AWARE OF:**

- 166 a. Any violation of zoning, setbacks or restrictions, or non-conforming use? Yes No
- 167 b. Any violation of laws or regulations affecting the Property? Yes No
- 168 c. Any existing or threatened legal action pertaining to the Property? Yes No
- 169 d. Any litigation or settlement pertaining to the Property? Yes No
- 170 e. Any current/pending bonds, assessments, or special taxes that apply to the Property? Yes No
- 171 f. Any burial grounds on the Property? Yes No
- 172 g. Any abandoned wells on the Property? Yes No
- 173 h. Any public authority contemplating condemnation proceedings? Yes No
- 174 i. Any government rule limiting the future use of the Property other than existing
175 zoning and subdivision regulations? Yes No
- 176 j. Any condition or proposed change in surrounding area or received any notice of such? Yes No
- 177 k. Any government plans or discussion of public projects that could lead to special
178 benefit assessment against the Property or any part thereof? Yes No
- 179 l. Any unrecorded interests affecting the Property? Yes No
- 180 m. Anything that would interfere with passing clear title to the Buyer? Yes No
- 181 n. The Property being subject to a right of first refusal? Yes No
- 182 If "Yes", number of days required for notice: _____
- 183 o. The Property subject to a Homeowner's Association fee? Yes No
- 184 p. Any other conditions that may materially and adversely affect the value or
185 desirability of the Property? Yes No
- 186 q. Any other condition that may prevent you from completing the sale of the Property? Yes No

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

193 **14. UTILITIES.** Identify the name and phone number for utilities listed below.

194 Electric Company Name: EVERGY Phone # _____

195 Gas Company Name: KANSAS GAS Phone # _____

196 Water Company Name: _____ Phone # _____

197 Other: _____ Phone # _____

199 **15. ELECTRONIC SYSTEMS AND COMPONENTS.**

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

201 If "Yes", list: _____

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

206 The undersigned SELLER represents, to the best of their knowledge, the information set forth in the foregoing
207 Disclosure Statement is accurate and complete. SELLER does not intend this Disclosure Statement to be a
208 warranty or guarantee of any kind. SELLER hereby authorizes Licensee assisting SELLER to provide this
209 information to prospective BUYER of the Property and to real estate brokers and licensees. **SELLER will promptly**
210 **notify Licensee assisting the SELLER, in writing, if any information in this disclosure changes prior to**
211 **Closing, and Licensee assisting the SELLER will promptly notify Licensee assisting the BUYER, in writing,**
212 **of such changes. (SELLER and BUYER initial and date any changes and/or any list of additional changes. If**
213 **attached, # _____ of pages).**

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