



SELLER'S DISCLOSURE STATEMENT

MLS# _____

01 1. Seller(s): Frye & Hutch Development LLC

02

03 Listing Co.: Jim Hutcheson Realtors

04

05 Property Address: Old Wire Trails Lots 1-51

06

07 **NOTICE TO BUYER(S):** This is a disclosure of Seller's knowledge of certain facts relating to the above Property, and is not a
 08 substitute for any inspections or warranties that Buyer might wish to obtain. It is not a warranty of any kind by Seller, nor by the
 09 listing and selling broker(s)/salesperson(s).

MANDATORY DISCLOSURES:

12 **NOTICE TO SELLER:** The following information is required by federal or state law, as indicated, to be disclosed to a poten-
 13 tial buyer, if applicable to your Property.

- 14
- 15
- 16 1. **METHAMPHETAMINE OR RELATED COMPONENTS:** Are you aware if the Property either: (i) is or was used as a site for
 17 methamphetamine production; or, (ii) was the place of residence of a person convicted of any of the following crimes, or
 18 was the storage site or laboratory for any of the substances for which a person was convicted of any of the following
 19 crimes: (1) Creation of a controlled substance in violation of section 195.420, RSMo; (2) Possession of ephedrine with
 20 intent to manufacture methamphetamine in violation of section 195.246, RSMo; (3) Unlawful use of drug paraphernalia with
 21 the intent to manufacture methamphetamine in violation of subsection 2 of section 195.233, RSMo; (4) Endangering the
 22 welfare of a child by any of the means described in subdivision (4) or (5) of subsection 1 of section 568.045, RSMo; or (5)
 23 Any other crime related to methamphetamine, its salts, optical isomers and salts of its optical isomers either in chapter 195,
 24 RSMo, or in any other provision of law? (Note: RSMo 441.236 & 442.606 require this disclosure in writing) Yes No
 25 If "yes," explain:
- 26
- 27 2. **LEAD-BASED PAINT.** Does the Property include one or more residential dwellings built prior to 1978? Yes No (If
 28 "yes," a completed Lead-Based Paint Disclosure form must be signed by Seller, the real estate licensees and given to any
 29 potential buyer in a timely manner, unless exempt.)
- 30
- 31 3. **WASTE DISPOSAL SITE OR DEMOLITION LANDFILL.** Are you aware of a solid waste disposal site or demolition landfill
 32 on the Property (whether permitted or unpermitted)? Yes No If "Yes," RSMo 260.213 (1990) requires you to
 33 disclose the location of the site:
 34 _____
 35 (If "Yes," a buyer should be aware that they may be held liable to the State for any remedial action at the site)
- 36

VOLUNTARY DISCLOSURES

37

38 *Current statutes in Missouri do not require the Seller to make disclosure of information other than the above circumstances relating*
 39 *to the property. Nevertheless, under Missouri case law, a seller of real estate who has knowledge of facts about the property that*
 40 *materially and adversely affect its value has a duty to disclose those defects to a buyer who cannot discover the defects in exercise*
 41 *of due care or reasonable diligence. The Greater Springfield Board of REALTORS® encourages the use of the remainder of*
 42 *this Seller's Disclosure Statement to assist the Seller in meeting its disclosure obligations. Furthermore, your broker may*
 43 *have an office policy requiring this portion of the form to be completed in all of that brokerage's listings.*

- 44
- 45 4. **ACQUISITION/OCCUPANCY.**
- 46 (a) Approximate Year Built: _____ (b) Date Acquired: _____
- 47 (c) Occupancy. Does Seller currently occupy this property? Yes No If not, how long has it been since Seller
 48 occupied or inspected the property? _____
- 49
- 50

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Seller's Initials: JH Seller's Initials: _____ Buyer's Initials: _____ Buyer's Initials: _____



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51 **PROPERTY ADDRESS:** _____ Old Wire Trails Lots 1-51

52 **5. LAND (SOILS, DRAINAGE AND BOUNDARIES).**

- 53 (a) Has any part of the property been filled other than in ordinary construction? Yes No
- 54 (b) Is the property located in a flood zone, established flood plain or wetlands area? Yes No Unknown
- 55 (c) Do you know of any past or present drainage or flood problems affecting the property or immediately adjacent properties?
56 Yes No
- 57 (d) Do you know of any encroachments, boundary line disputes, or easements (other than standard utility and road right of
58 way easements that are of record) affecting the property? Yes No
- 59 (e) Fences: Does the property have a fence? Yes No
60 If "yes" is the fence owned by you? Yes No Partial Unknown If not "Yes", explain: _____
61

62 If any of your answers to (a) through (d) are "Yes," please explain: _____
63
64
65

66 **IF THIS IS A LAND ONLY LISTING PROCEED TO ITEM #14.**

67
68 **6. ROOF.** *(Defined as outer layer of roof)*

- 69 (a) Age: _____ years.
- 70 (b) Has the roof ever leaked during your ownership? Yes No
- 71 (c) Has the roof ever been replaced or repaired during your ownership? Yes No
- 72 (d) Do you know of any problems with the roof or rain gutters? Yes No
- 73 If any of your answers in this section are "Yes," explain in detail: _____
74
75
76

77 **7. TERMITES, DRYROT, PESTS.**

- 78 (a) Do you have any knowledge of termites, wood destroying insects, dryrot, or pests on or affecting the property? Yes No
- 79 (b) Do you have any knowledge of any previous treatment or damage to the property relating to termites, dryrot, or pests?
80 Yes No
- 81 (c) Is your property currently under warranty or other coverage by a licensed pest control company? Yes No
- 82 If any of your answers in this section are "Yes," explain in detail: _____
83
84
85

86 **8. STRUCTURAL ITEMS.**

- 87 (a) Are you aware of any past or present cracks or flaws in the walls or foundations? Yes No
- 88 (b) Are you aware of any past or present water leakage or seepage in the house? Yes No
- 89 (c) Are you aware of any past or present defects in the chimney, fireplace, or anything related thereto, regardless of its cause?
90 Yes No
- 91 (d) Are you aware of any fire damage or other casualty to the property? Yes No
- 92 (e) Have there been any repairs or other attempts to control any problem described above? Yes No
- 93 (f) Have you received any insurance payments for damage to the property which were not spent for repairs? Yes No
- 94 If any of your answers in this section are "Yes," explain in detail. When describing repairs or control efforts, describe the loca-
95 tion, extent, date, and name of the person who did the repair or control effort:
96
97
98
99
100

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101 **PROPERTY ADDRESS:** _____ Old Wire Trails Lots 1-51

102
103 **9. BASEMENTS AND CRAWL SPACES (COMPLETE ONLY IF APPLICABLE).**

104 (a) Does the property have a sump pump? Yes No
105 (b) Has there ever been any water leakage, seepage, accumulation, or dampness within the basement or crawlspace?
106 Yes No
107 If "Yes," describe in detail: _____

108
109
110 (c) Have there been any repairs or other attempts to control any water or dampness problem in the basement or crawlspace?
111 Yes No
112 If "Yes," describe the location, extent, date, and name of the person who did the repair or control effort:
113
114 _____

115
116 **10. ADDITIONS/REMODELS.**

117 (a) Is this either new construction, or have you made any additions, structural changes, or other alterations to the property?
118 Yes No
119 If "Yes" did you obtain all necessary permits and approvals and was all work in compliance with building codes? Yes No
120
121 If your answer is "No," explain: _____

122
123
124
125 **11. HEATING AND AIR CONDITIONING.**

126 (a) Air Conditioning: _____ Central Electric _____ Central Gas _____ Window _____ (#) Units
127 (b) Heating: _____ Electric _____ Propane _____ Natural Gas _____ Other: _____
128 (c) Water Heating: _____ Electric _____ Gas _____ Solar
129 Are you aware of any problems regarding these items? Yes No If "Yes," explain in detail: _____

130
131
132
133 **12. ELECTRICAL SYSTEM.** Are you aware of any problems with the electrical system? Yes No If "Yes," explain in
134 detail: _____

135
136 **13. OTHER EQUIPMENT AND ITEMS.** Indicate the **NUMBER** of items being sold with property.

137 _____ Electric Garage Door Opener _____ Transmitters _____ Water Softener _____ Smoke Detectors
138 _____ Security Alarm System _____ Disposal _____ Lawn Sprinklers _____ Automatic Timers
139 _____ Spa/Hot Tub _____ Refrigerator _____ Dishwasher _____ Ceiling Fans
140 _____ Fireplace Doors and Covering _____ Stove _____ Microwave Oven _____ FP Insert
141 _____ TV Antennas _____ Washer _____ Dryer _____ Propane Tank
142 _____ Wood Stove _____ Swimming Pool _____ Pool Heater
143 _____ Pool/Spa Equipment (list) _____

144
145 Other (describe): _____
146
147 If any of the above are not in working order, or are not owned by Seller, explain: _____

148
149
150 _____

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151 **PROPERTY ADDRESS:** _____ Old Wire Trails Lots 1-51

152
153 Reserve Items: _____
154
155 _____

157 **14. PLUMBING-RELATED ITEMS.**

158 (a) What is your drinking water source? Public ___ Private System ___ Well on Property ___ Shared Well ___ None

160 (b) If non-public, date last tested: _____

162 Results: _____

163 (c) What is the type of sewage system? ___ Public Sewer ___ Private Sewer ___ Septic Tank ___ Lagoon

165 ___ Public sewer available but not connected ___ None ___ Other _____

167 Explanation _____

168 (d) Is there a sewage lift pump? Yes No

169 (e) When was the septic system last serviced? _____

170 (f) Do you know of any leaks, backups, or other problems relating to any of the plumbing, water, and sewage-related items?

171 Yes No

172 If your answer is "Yes," explain in detail: _____

174 **15. NEIGHBORHOOD.** Are you aware of any annexation, school redistricting, threat of condemnation, zoning changes, or street changes?

176 Yes No If "Yes," explain in detail: _____

180 **16. ENVIRONMENTAL HAZARDS.**

181 (a) Are you aware of any underground tanks, toxic or hazardous substances, or dump sites present on the property (structure or soil) such as asbestos, PCBs, accumulated radon, lead paint, or others? Yes No If "Yes," explain in

184 detail: _____

185 (b) Has the property been tested for radon or other toxic or hazardous substances? Yes No If "Yes," please explain

187 in detail: _____

188 (c) Are you aware if the property has ever had toxigenic mold/fungi such as Stachybotrysatra, or any mold or fungi on any building materials, flooring, or furnishings (not including small amounts of common mold in showers and tubs)?

191 Yes No Unknown If "Yes," please explain in detail: _____

194 (d) Has there ever been interior water flooding or accumulation which has not been removed and remedied within 24 hours of

196 its occurrence? Yes No Unknown If "Yes," please explain in detail: _____

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201 **PROPERTY ADDRESS:** _____ Old Wire Trails Lots 1-51

202
203 **17. HOMEOWNER'S ASSOCIATIONS AND CONDOMINIUMS.**

- 204 (a) Is the property subject to covenants, conditions, and restrictions (CC & R's)? Yes No Unknown
- 205 (b) Is the property part of a condominium, other common ownership or homeowner's association? Yes No Unknown
- 206 **(If your answer to (b) is "No," or "Unknown," you may ignore the remainder of this section).**
- 207 (c) Is there any condition or claim which may result in an increase in assessments or fees? Yes No Unknown If
- 208
- 209 your answer to (c) is "yes," explain in detail: _____
- 210 (d) Are all association dues, fees, charges and assessments related to property current? Yes No Unknown If
- 211
- 212 your answer to (d) is "No," explain in detail: _____
- 213

214 **18. OTHER MATTERS.**

- 215 (a) Do you know of any existing legal action which would prevent Seller from conveying the property? Yes No
- 216 (b) Do you know of any violations of local, state, or federal laws or regulations relating to this property? Yes No
- 217 (c) Do you know of any loans, liens or other restrictions that could affect your ability to sell? Yes No
- 218 (d) Do you know of proceedings which might result in a special tax bill or assessment on the property? Yes No
- 219
- 220 If any of your answers in this section are "Yes," explain in detail: _____
- 221 (use extra sheets if necessary)
- 222

223 (e) Other disclosures: Listing agent and broker are both members of the selling LLC.

225 **DUE TO SELLER'S LIMITED KNOWLEDGE OF THE PROPERTY, SELLER MAKES NO DISCLOSURES.**

227 **The undersigned Seller represents that 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 guaranty of any kind. Seller hereby authorizes the Broker to provide this information to prospective buyers of the property and to real estate brokers and sales people. Seller understands and agrees that Seller will notify the Broker in writing immediately if any information set forth in this disclosure statement becomes inaccurate, incorrect, or incomplete in any way through the passage of time. Seller warrants that Seller has full authority to sell the property, and nothing could prevent/restrict Seller's ability to sell.**

234 Seller: Frye & Hutch Development, LLC by Jim Hutcheson, Manager Seller: _____
Date: 8/30/2016 10:36:38 AM CDT Date: _____

RECEIPT AND ACKNOWLEDGMENT OF BUYER

238 I/WE HAVE CAREFULLY INSPECTED THE PROPERTY. I/WE HAVE BEEN ADVISED TO HAVE THE PROPERTY EXAMINED BY PROFESSIONAL INSPECTORS, AND THAT THIS DISCLOSURE STATEMENT IS NOT A SUBSTITUTE FOR SUCH INSPECTIONS. I/WE ACKNOWLEDGE THAT NO BROKER OR AGENT INVOLVED IN THIS TRANSACTION IS AN EXPERT AT DETECTING OR REPAIRING PHYSICAL DEFECTS IN THE PROPERTY.

243 I/WE UNDERSTAND THAT UNLESS STATED OTHERWISE IN MY CONTRACT WITH SELLER, THE PROPERTY IS BEING SOLD IN ITS PRESENT CONDITION ONLY, WITHOUT WARRANTIES OR GUARANTEE OF ANY KIND BY SELLER OR ANY BROKER OR AGENT. I/WE STATE THAT NO REPRESENTATIONS CONCERNING THE CONDITION OF THE PROPERTY ARE BEING RELIED UPON BY ME EXCEPT AS STATED WITHIN THE SALE CONTRACT.

248 Buyer: _____ Date: _____ Buyer: _____ Date: _____

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