

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

1 **SELLER:** Joseph + Michelle Whitegell
2 **PROPERTY:** 1604 Calhoun Marysville, KS 66508
3

4 **1. SELLER'S INSTRUCTIONS**

5 SELLER agrees to disclose to BUYER all material defects, conditions and facts **KNOWN TO SELLER**
6 which may materially affect the value of the Property. This disclosure statement is designed to assist
7 SELLER in making these disclosures. Licensee(s), prospective buyers and buyers will rely on this
8 information.
9

10 **2. NOTICE TO BUYER**

11 This is a disclosure of SELLER'S knowledge of the Property as of the date signed by SELLER and is not
12 a substitute for any inspections or warranties that BUYER may wish to obtain. It is not a warranty of any
13 kind by SELLER or a warranty or representation by the Broker(s) or their licensees.
14

15 **3. OCCUPANCY**

16 Approximate age of Property? 42 How long have you owned? 9
17 Does SELLER currently occupy the Property? Yes ☒ No ☐
18 If not, how long has it been since SELLER occupied the Property? _____ years/months.
19

20 **4. LAND (SOILS, DRAINAGE AND BOUNDARIES). (IF RURAL OR VACANT LAND, ATTACH
21 SELLER'S LAND DISCLOSURE ALSO.)**

- 22 (a) Fill or expansive soil on the Property? Yes ☐ No ☒
23 (b) Sliding, settling, earth movement, upheaval or earth stability problems on
24 the Property? Yes ☐ No ☒
25 (c) Is the Property or any portion thereof located in a flood zone, wetlands area
26 or **proposed** to be located in such as designated by FEMA which requires
27 flood insurance? Yes ☐ No ☒
28 (d) Drainage or flood problems on the Property or adjacent properties? Yes ☐ No ☒
29 (e) Do you pay flood insurance premiums? Yes ☐ No ☒
30 (f) If so, is it required? Yes ☐ No ☒
31 (g) Are the boundaries of the Property marked in any way? Yes ☐ No ☒
32 (h) Has Property had a stake survey? If yes, attach copy Yes ☐ No ☒
33 (i) Encroachments, boundary line disputes, or non-utility easements affecting
34 the Property. Yes ☐ No ☒
35 (j) Any fencing on the Property? Yes ☒ No ☐
36 (k) If yes, does fencing belong to the Property Yes ☒ No ☐
37 (l) Diseased, dead, or damaged trees or shrubs on the Property Yes ☐ No ☒
38 (m) Gas/oil wells, lines or storage facilities on Property or adjacent property Yes ☐ No ☒

39 If any of the answers in this section are "Yes", explain in detail: Privacy fence built in 2014
40 _____
41 _____
42 _____

5. ROOF:

- (a) Approximate Age: 10-15 years ☐ Unknown Type: _____
(b) Have there been any problems with the roof, flashing or rain gutters? Yes ☐ No ☒
If so, what was the date of the occurrence _____
(c) Have there been any repairs to the roof, flashing or rain gutters? Yes ☒ No ☐
Date of and company performing such repairs 2017 / Sedlacek Construction
(d) Has there been any roof replacement? Yes ☐ No ☒
If yes, was it: ☐ Complete or ☐ Partial
(e) What is the number of layers currently in place: _____ layers, or ☒ Unknown.

If any of the answers in this section are "Yes", explain in detail below: (All available warranties and other documentation are attached) New gutters in 2017

6. INFESTATION – ARE YOU AWARE OF:

- (a) Any termites, wood destroying insects, or **other** pests on the Property? Yes ☐ No ☒
(b) Any damage to the property by termites, wood destroying insects or **other** pests? Yes ☐ No ☒
(c) Any termite, wood destroying insects or other pest control treatments on the Property in the last five years? Yes ☐ No ☒
If yes, list company, when and where treated _____
(d) Any warranty, bait stations or other treatment coverage by a licensed pest control company on the Property? Yes ☐ No ☒
If yes, the annual cost of service renewal is \$ _____ and the time remaining on the service contract is _____. (Check One)
☐ The treatment system stays with the Property, or ☐ the treatment system is subject to removal by the treatment company if annual service fee is not paid.

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

7. STRUCTURAL, BASEMENT AND CRAWL SPACE ITEMS – ARE YOU AWARE OF:

- (a) Movement, shifting, deterioration, or other problems with walls, foundations, crawl space or slab? Yes ☐ No ☒
(b) Any cracks or flaws in the walls, ceilings, foundations, concrete slab, crawl space, basement floor or garage? Yes ☒ No ☐
(c) Any corrective action taken including, but not limited to piling or bracing? Yes ☐ No ☒
(d) Any water leakage or dampness in the house, crawl space or basement? Yes ☒ No ☐
(e) Any dry rot, wood rot or similar conditions on the wood of the Property? Yes ☐ No ☒
(f) Any problems with driveways, patios, decks, fences or retaining walls on the Property? Yes ☐ No ☒
(g) Any problems with fireplace and/or chimney? Yes ☐ No ☐
Date of last cleaning? _____
(h) Does the Property have a sump pump? Yes ☒ No ☐
(i) Any repairs or other attempts to control the cause or effect of any problem described above? .. New gutters as mentioned above Yes ☒ No ☐

If any of the answers in this section are "Yes", explain in detail. When describing repairs or control efforts, describe the location, extent, date, and name of the person who did the repair or control effort and attach, if available, any inspection reports, estimates or receipts: _____

94 b - stairway between garage and house - no change since we moved in
95 d - After installation of new gutters and dirt around foundation there has been no
96 water in basement (previously small amounts of water in unfinished store room).
97

98 **8. ADDITIONS AND/OR REMODELING:**

99 (a) Are you aware of any additions, structural changes, or other material
100 alterations to the Property? Yes ☐ No ☒

101 If "Yes", explain: _____
102

103 (b) If "Yes", were all necessary permits and approvals obtained, and was all
104 work in compliance with building codes? N/A ☐ Yes ☐ No ☐

105 If "No", explain: _____
106
107

108 **9. PLUMBING RELATED ITEMS:**

109 (a) What is the drinking water source? ☒ Public ☐ Private ☐ Well ☐ Cistern
110 If well water, state type _____ depth _____

111 diameter _____ age _____

112 (b) If the drinking water source is a well, when was the water last checked for safety and what
113 was the result of the test? _____ Yes ☒ No ☐

114 (c) Is there a water softener on the Property? Yes ☒ No ☐
115 (If so, is it: ☐ Leased ☒ Owned?)

116 (d) Is there a water purifier system? Reverse osmosis Yes ☒ No ☐
117 (If so, is it: ☐ Leased ☒ Owned?)

118 (e) What type of sewage system serves the Property? ☒ Public Sewer, or ☐ Private Sewer, or
119 ☐ Septic System, or ☐ Cesspool, or ☐ Lagoon, or ☐ Other _____

120 (f) If there is a septic system, is there a sewage pump on the septic system? Yes ☐ No ☐

121 (g) Is there a grinder pump system? Basement toilet Yes ☒ No ☐

122 (h) If there is a privately owned system, when was the septic tank, cesspool, or sewage system
123 last serviced? _____ By whom? _____

124 (i) Is there a sprinkler system? Yes ☐ No ☒
125 Does sprinkler system cover full yard? N/A ☐ Yes ☐ No ☐

126 If "No", explain: _____

127 (j) Is there a back flow prevention device on the lawn sprinkling system, sewer
128 or pool? Yes ☐ No ☐

129 (k) Are you aware of any leaks, backups, or other problems relating to any of the plumbing,
130 water, and sewage related systems? Yes ☐ No ☒

131 (l) Type of plumbing material currently used in the Property:
132 ☐ Copper ☐ Galvanized ☐ Other _____

133 The location of the main water shut-off is Basement store room

134 (m) The location of the sewer line clean out trap is: Back yard

135 If your answer to any of the questions in this section is "Yes", explain in detail and provide
136 available documentation: _____
137
138
139

140 **10. HEATING AND AIR CONDITIONING:**

141 (a) Does the Property have air conditioning? Yes ☒ No ☐

142 ☒ Central Electric ☐ Central Gas ☐ Heat Pump ☐ Window Unit(s)
143 Unit Age of Unit Leased Owned Location Last Date Serviced/By Whom?

144 1.

145 2.

146 (b) Does the Property have heating systems? Yes ☒ No ☐

147 ☒ Electric ☐ Fuel Oil ☐ Natural Gas ☐ Heat Pump ☐ Propane ☐ Fuel Tank ☐ Other ____
148 Unit Age of Unit Leased Owned Location Last Date Serviced/By Whom?

149 1.

150 2.

151 (c) Are there rooms without heat or air conditioning? Yes ☐ No ☒
152 If yes, which room(s)? _____

153 (d) Does the Property have a water heater? Yes ☒ No ☐

154 ☐ Electric ☒ Gas ☐ Solar
155 Unit Age of Unit Leased Owned Location Last Date Serviced/By Whom?

156 1.

157 2.

158 (e) Are you aware of any problems regarding these items? Yes ☐ No ☒

159 If your answer to question 10(c) and/or 10(e) in this section is "Yes", explain in detail: _____

160 AC + Heating units serviced each spring

164 **11. ELECTRICAL SYSTEM:**

165 (a) Type of material used: ☐ Copper ☐ Aluminum ☒ Unknown

166 (b) Type of electrical panel(s): ☒ Breaker ☐ Fuse

167 Location of electrical panel(s): Laundry room

168 Size of electrical panel (total amps), if known: _____

169 (c) Are you aware of any problem with the electrical system? Yes ☐ No ☒

170 If "Yes", explain in detail: _____

175 **12. HAZARDOUS CONDITIONS:**

176 (a) Underground tanks on the Property? Yes ☐ No ☒

177 (b) Landfill on the Property? Yes ☐ No ☒

178 (c) Toxic substances on the Property, (e.g. tires, batteries, etc.)? Yes ☐ No ☒

179 (d) Has the Property been tested for any of the above listed items? Yes ☐ No ☒

180 (e) Radon in the property? Yes ☐ No ☒

181 (f) Have you had the property tested for radon? Yes ☐ No ☒

182 (g) Have you had the property tested for mold? Yes ☐ No ☒

183 (h) Are you aware of any other environmental issues? Yes ☐ No ☒

184 (i) Are you aware of any methamphetamine or controlled substances ever being
185 used or manufactured on the Property? Yes ☐ No ☒

186 (In Missouri, a separate disclosure is required if methamphetamine or
187 other controlled substances have been present on or in the Property)

188 If your answer to any of the questions in this section is "Yes", explain in detail and attach test
189 results: _____
190 _____
191 _____

192
193 **13. NEIGHBORHOOD INFORMATION AND HOMEOWNERS ASSOCIATIONS:**

- 194 (a) Are you aware of any current/pending bonds, assessments, or special taxes
195 that apply to Property? Yes ☐ No ☒
196 Amount: \$ _____
- 197 (b) Are you aware or have you received any notice of any condition or proposed
198 change in your neighborhood or surrounding area? Yes ☐ No ☒
- 199 (c) Is the Property subject to covenants, conditions, and restrictions of a
200 Homeowner's Association or subdivision restrictions? Yes ☐ No ☒
- 201 (d) Are you aware of any violations of such covenants and restrictions? Yes ☐ No ☒
- 202 (e) Does the Homeowner's Association impose its own transfer fee when this
203 Property is sold? Yes ☐ No ☒
204 If "yes", what is the amount? \$ _____
- 205 (f) Are you aware of any defect, damage, proposed change or problem with any
206 common elements or common areas? Yes ☐ No ☒
- 207 (g) Are you aware of any condition or claim which may result in any change to
208 assessments or fees? Yes ☐ No ☒
- 209 (h) Are streets privately owned? Yes ☐ No ☒
- 210 (i) Is Property in a historic, conservation or special review district that
211 requires any alterations or improvements to Property be approved by a
212 board or commission? Yes ☐ No ☒
- 213 (j) Is Property subject to tax abatement? Yes ☐ No ☒
- 214 (k) Is Property subject to a right of first refusal? Yes ☐ No ☒

215 If the answer to any of the above questions is "Yes" except (c), explain in detail, including
216 amounts, if applicable: _____
217 _____
218 _____
219 _____

220
221 Homes Association dues which are paid in full until _____ in the amount of \$ _____
222 payable ☐ yearly ☐ monthly ☐ quarterly, sent to _____ and
223 such includes: _____
224 Homeowner's Association contact name, phone number, website, or email address: _____
225 _____
226 _____

227 **14. OTHER MATTERS:**

- 228 (a) Are you aware of any of the following?
229 ☐ Party walls ☐ Common areas ☐ Easement Driveways Yes ☐ No ☒
- 230 (b) Are you aware of any fire damage to the Property? Yes ☐ No ☒
- 231 (c) Are there any liens, other than mortgage(s)/deeds of trust currently on the
232 Property? Yes ☐ No ☒
- 233 (d) Are there any violations of laws or regulations affecting the Property? Yes ☐ No ☒
- 234 (e) Are you aware of any other conditions that may materially and adversely
235 affect the value or desirability of the Property? Yes ☐ No ☒
- 236 (f) Are you aware of any other condition that may prevent you from completing
237 the sale of the Property? Yes ☐ No ☒
- 238 (g) Are you aware of any general stains or pet stains to the carpet, the flooring

- or sub-flooring? Yes ☐ No ☒
- (h) Do you have keys for all exterior doors, including garage doors in the home? Yes ☒ No ☐
- List locks without keys _____
- (i) Are you aware of any violation of zoning, setbacks or restrictions, or non-conforming uses? Yes ☐ No ☒
- (j) Are you aware of any unrecorded interests affecting the Property? Yes ☐ No ☒
- (k) Are you aware of anything that would interfere with giving clear title to the BUYER? Yes ☐ No ☒
- (l) Are you aware of any existing or threatened legal action pertaining to the Property? Yes ☐ No ☒
- (m) Are you aware of any litigation or settlement pertaining to this Property? Yes ☐ No ☒
- (n) Have you added any insulation since you have owned the Property? Yes ☐ No ☒
- (o) Have you replaced any appliances that remain with the Property in the past five years? Yes ☒ No ☐
- (p) Are there any transferable warranties on the Property or any of its components? Yes ☐ No ☒
- (q) Have you made any insurance or other claims pertaining to this Property in the past 5 years? Yes ☒ No ☐
- If yes, were repairs from claim(s) completed? Yes ☒ No ☐
- (r) Are you aware of any use of synthetic stucco in the property? Yes ☐ No ☒

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

0 - New refrigerator - 2017

2 - Fridge water like leak - 2019 - replacement of laminate + carpet in upstairs

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

Electric Company Name - Evergy Phone _____

Gas Company Name - KS Gas Phone _____

Water Company Name - City of Marysville Phone _____

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

The Residential Real Estate Sale Contract, not the Seller's Disclosure Statement, the MLS, or other promotional material, provides for what is included in the sale of the property. All existing improvements on Property (if any) and appurtenances, fixtures and equipment, whether buried, nailed, bolted, screwed, glued or otherwise permanently attached to Property are expected to remain with Property unless excluded from the sale in the Residential Real Estate Sale Contract.

OS = Operating and Staying with the Property (Means the item is performing its intended function)

EX = Staying with the Property but Excluded from Mechanical Repairs and cannot be an Unacceptable Condition

NA = Not applicable

NS = Not staying with the Property

282	<u>NA</u> Air Conditioning Window Units, # _____	<u>OS</u> Garage door opener(s)	<u>NA</u> Sprinkler System _____
283	<u>OS</u> Air Conditioning Central System	<u>OS</u> Garage Door Transmitter(s), # _____	<u>NA</u> Sprinkler System Back Flow Valve
284	<u>NA</u> Attic Fan	<u>NS</u> Gas Grill	<u>NA</u> Sprinkler System Auto Timer
285	<u>OS</u> Ceiling Fans, # <u>6</u>	<u>NA</u> Gas Yard Light	<u>NA</u> Statuary/Yard Art
286	<u>NA</u> Central vac & attachments	<u>NS</u> Humidifier	<u>OS</u> Stove, _____ Elec. <u>X</u> Gas
287	<u>OS</u> Dishwasher	<u>NA</u> Intercom	<u>NA</u> Stove Downdraft Cooktop
288	<u>OS</u> Disposal	<u>NS</u> Laundry – Washer	<u>OS</u> Stove Oven _____ Elec. <u>X</u> Gas
289	<u>OS</u> Doorbell	<u>NS</u> Laundry – Dryer	<u>NA</u> Stove Oven – Convection
290	<u>NA</u> Electric air cleaner or purifier	<u>NS</u> Microwave Oven	<u>NA</u> Stove/Oven Clock Timer
291	<u>OS</u> Electric Garage Door Opener(s)	<u>NA</u> Propane Tank	<u>OS</u> Stove Vent Hood
292	<u>OS</u> Exhaust fan(s) – baths	<u>OS</u> Refrigerator	<u>OS</u> Sump Pump
293	<u>NA</u> Fireplace heat re-circulator	Location of Refrigerator <u>Kitchen</u>	<u>NA</u> Swimming Pool
294	Fireplace insert	<u>NA</u> Security System	<u>NA</u> Swimming Pool Heater
295	Fireplace Gas Logs	_____ Owned _____ Leased	<u>NA</u> Swimming Pool Equipment
296	Fireplace Gas Starter	<u>OS</u> Smoke Detector(s), # _____	<u>NA</u> Trash Compactor
297	Fireplace – wood burning stove	<u>NA</u> Spa/Hot Tub	<u>OS</u> TV Antenna/Receiver/Satellite Dish
298	Fountain(s)	<u>NA</u> Spa/Sauna	_____ Own _____ Lease
299	<u>OS</u> Furnace/heat pump/other htg system	<u>NA</u> Spa Equipment	<u>OS</u> Water Softener and/or purifier
300	Other _____	Other _____	<u>X</u> Own _____ Lease
301	Other _____	Other _____	Other _____

302
303 Disclose any material information and describe any significant repairs, improvements or alterations to
304 the Property not fully revealed above. If applicable, state who did the work. Attach to this disclosure any
305 repair estimates, reports, invoices, notices or other documents describing or referring to the matters
306 revealed herein: New garage doors in July 2020

307
308
309
310 The undersigned SELLER represents that the information set forth in the foregoing Disclosure Statement
311 is accurate and complete. SELLER does not intend this Disclosure Statement to be a warranty or
312 guarantee of any kind. SELLER hereby authorizes their agent to provide this information to prospective
313 BUYER of the property and to real estate brokers and salespeople. **SELLER will promptly notify**
314 **Licensee assisting the SELLER, in writing, if any information in this disclosure changes prior to**
315 **Closing, and Licensee assisting the SELLER will promptly notify Licensee assisting the BUYER,**
316 **in writing, of such changes. (Initial and date any changes and/or attach a list of additional**
317 **changes. If attached, # _____ of pages).**

318
319 **CAREFULLY READ THE TERMS HEREOF BEFORE SIGNING. WHEN SIGNED BY ALL PARTIES,**
320 **THIS DOCUMENT BECOMES PART OF A LEGALLY BINDING CONTRACT.**
321 **IF NOT UNDERSTOOD, CONSULT AN ATTORNEY BEFORE SIGNING.**

322
323
324 [Signature] 8/11/21 [Signature] 8/11/21
325 SELLER DATE SELLER DATE

326 **BUYER ACKNOWLEDGEMENT AND AGREEMENT**

- 327
- 328 1. I understand and agree that the information in this form is limited to information of which SELLER has
- 329 actual knowledge and that SELLER need only make an honest effort at fully revealing the information
- 330 requested.
- 331 2. This property is being sold to me without warranties or guaranties of any kind by SELLER or
- 332 Broker(s) or agents concerning the condition or value of the Property.
- 333 3. I agree to verify any of the above information, and any other important information provided by
- 334 SELLER or Broker (including any information obtained through the Multiple Listing Service) by an
- 335 independent investigation of my own. I have been specifically advised to have Property examined by
- 336 professional inspectors.
- 337 4. I acknowledge that neither SELLER nor Broker is an expert at detecting or repairing physical defects
- 338 in Property.
- 339 5. I specifically represent that there are no important representations concerning the condition or value
- 340 of Property made by SELLER or Broker on which I am relying except as may be fully set forth in
- 341 writing and signed by them.
- 342
- 343
- 344

345 **BUYER**

DATE

BUYER

DATE

No
warranty is made or implied as to the legal validity or adequacy of this 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. Copyright January 2008. Last revised 10/07. All previous versions of this document may no longer
be valid.