

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

1 **SELLER:** Christian & Brianna Perez
2 **PROPERTY:** 228 W Elm Waterville, KS 66548
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? _____ How long have you owned? 1 year
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:** _____

40 _____
41 _____
42 _____

5. ROOF:

- (a) Approximate Age: _____ 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 _____ / _____
- (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) _____

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 Schenkel Pest Control, May 2022, inside/outside
- (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 piercing 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? 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: Basement braces on east wall by previous owner

8. ADDITIONS AND/OR REMODELING:

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

If "Yes", explain:

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

If "No", explain:

9. PLUMBING RELATED ITEMS:

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

(b) If the drinking water source is a well, when was the water last checked for safety and what was the result of the test? _____

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

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

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

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

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

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

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

If "No", explain: _____

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

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

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

The location of the main water shut-off is front of property
(m) The location of the sewer line clean out trap is: west side of house

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

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 _____

161 _____

162 _____

163 _____

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): Basement
- 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: _____

171 _____

172 _____

173 _____

174 _____

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)

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

13. NEIGHBORHOOD INFORMATION AND HOMEOWNERS ASSOCIATIONS:

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

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

Homes Association dues which are paid in full until _____ in the amount of \$ _____ payable ☐ yearly ☐ monthly ☐ quarterly, sent to _____ and such includes: _____

Homeowner's Association contact name, phone number, website, or email address: _____

14. OTHER MATTERS:

- (a) Are you aware of any of the following?
☐ Party walls ☐ Common areas ☐ Easement Driveways. Yes ☐ No ☒
- (b) Are you aware of any fire damage to the Property? Yes ☐ No ☒
- (c) Are there any liens, other than mortgage(s)/deeds of trust currently on the Property? Yes ☐ No ☒
- (d) Are there any violations of laws or regulations affecting the Property? Yes ☐ No ☒
- (e) Are you aware of any other conditions that may materially and adversely affect the value or desirability of the Property? Yes ☐ No ☒
- (f) Are you aware of any other condition that may prevent you from completing the sale of the Property? Yes ☐ No ☒
- (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 no garage key or deadbolt key on back door
- (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: _____

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

Electric Company Name - Through City of Wakenile Phone _____

Gas Company Name - Kansas Gas Phone _____

Water Company Name - City of Wakenile 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	<input type="checkbox"/> Air Conditioning Window Units, # _____	<input type="checkbox"/> Garage door opener(s)	<input type="checkbox"/> Sprinkler System _____
283	<input checked="" type="checkbox"/> Air Conditioning Central System	<input type="checkbox"/> Garage Door Transmitter(s), # _____	<input type="checkbox"/> Sprinkler System Back Flow Valve
284	<input type="checkbox"/> Attic Fan	<input type="checkbox"/> Gas Grill	<input type="checkbox"/> Sprinkler System Auto Timer
285	<input checked="" type="checkbox"/> Ceiling Fans, # <u>3</u>	<input type="checkbox"/> Gas Yard Light	<input type="checkbox"/> Statuary/Yard Art
286	<input type="checkbox"/> Central vac & attachments	<input type="checkbox"/> Humidifier	<input checked="" type="checkbox"/> Stove, <input checked="" type="checkbox"/> Elec. <input type="checkbox"/> Gas
287	<input checked="" type="checkbox"/> Dishwasher	<input type="checkbox"/> Intercom	<input type="checkbox"/> Stove Downdraft Cooktop
288	<input type="checkbox"/> Disposal	<input type="checkbox"/> Laundry – Washer	<input checked="" type="checkbox"/> Stove Oven <input checked="" type="checkbox"/> Elec. <input type="checkbox"/> Gas
289	<input type="checkbox"/> Doorbell	<input type="checkbox"/> Laundry – Dryer	<input type="checkbox"/> Stove Oven – Convection
290	<input type="checkbox"/> Electric air cleaner or purifier	<input type="checkbox"/> Microwave Oven	<input type="checkbox"/> Stove/Oven Clock Timer
291	<input type="checkbox"/> Electric Garage Door Opener(s)	<input type="checkbox"/> Propane Tank	<input type="checkbox"/> Stove Vent Hood
292	<input checked="" type="checkbox"/> Exhaust fan(s) – baths	<input checked="" type="checkbox"/> Refrigerator	<input checked="" type="checkbox"/> Sump Pump
293	<input type="checkbox"/> Fireplace heat re-circulator	<input type="checkbox"/> Location of Refrigerator <u>Kitchen</u>	<input type="checkbox"/> Swimming Pool
294	<input type="checkbox"/> Fireplace insert	<input type="checkbox"/> Security System	<input type="checkbox"/> Swimming Pool Heater
295	<input type="checkbox"/> Fireplace Gas Logs	<input type="checkbox"/> _____ Owned _____ Leased	<input type="checkbox"/> Swimming Pool Equipment
296	<input type="checkbox"/> Fireplace Gas Starter	<input type="checkbox"/> Smoke Detector(s), # _____	<input type="checkbox"/> Trash Compactor
297	<input type="checkbox"/> Fireplace – wood burning stove	<input type="checkbox"/> Spa/Hot Tub	<input type="checkbox"/> TV Antenna/Receiver/Satellite Dish
298	<input type="checkbox"/> Fountain(s)	<input type="checkbox"/> Spa/Sauna	<input type="checkbox"/> _____ Own _____ Lease
299	<input checked="" type="checkbox"/> Furnace/heat pump/other htg system	<input type="checkbox"/> Spa Equipment	<input checked="" type="checkbox"/> Water Softener and/or purifier
300	<input type="checkbox"/> Other _____	<input type="checkbox"/> Other _____	<input checked="" type="checkbox"/> _____ Own _____ Lease
301	<input type="checkbox"/> Other _____	<input type="checkbox"/> Other _____	<input type="checkbox"/> Other _____

Disclose any material information and describe any significant repairs, improvements or alterations to the Property not fully revealed above. If applicable, state who did the work. Attach to this disclosure any repair estimates, reports, invoices, notices or other documents describing or referring to the matters revealed herein:

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 guarantee of any kind. SELLER hereby authorizes their agent to provide this information to prospective BUYER of the property and to real estate brokers and salespeople. **SELLER will promptly notify Licensee assisting the SELLER, in writing, if any information in this disclosure changes prior to Closing, and Licensee assisting the SELLER will promptly notify Licensee assisting the BUYER, in writing, of such changes. (Initial and date any changes and/or attach a list of additional changes. If attached, # _____ of pages).**

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

322	<u>Brianne Perry</u>	<u>6.08.22</u>	<u>Christian M...</u>	<u>6.8.22</u>
323				
324	<u>SELLER</u>	<u>DATE</u>	<u>SELLER</u>	<u>DATE</u>
325				

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.