SELLER'S PROPERTY CONDITION DISCLOSURE STATEMENT
RESIDENTIAL-SDCL 43-4-44

Seller(s) Donna Leibrich and Kathy Hausmann
Property Address 413 Park Avenue, Gregory, South Dakota
Property Legal Description Lots 9 & 10 Block 64 OT Gregory, Gregory County, South Dakota

This Disclosure Statement concerns the real property identified above and offered for sale. This disclosure is required by law to be completed by sellers of real property and given to potential buyers. This form can have important legal consequences. If you do not understand this form, you should seek advice from a competent source.

Seller states that the information contained in this disclosure fully reflects the Seller's knowledge of the matters disclosed as of the date affixed to the form. If any material fact changes prior to closing, the seller MUST disclose that change in a written amendment to this disclosure statement and give the same to the buyer.

This statement is a DISCLOSURE OF THE CONDITION OF THE ABOVE DESCRIBED PROPERTY in compliance with South Dakota law § 43-4-38. It is NOT A WARRANTY of ANY KIND by the Seller or anyone representing any party in a transaction. It is NOT A SUBSTITUTE FOR ANY INSPCETIONS OR WARRANTIES either party may wish to obtain.

Seller hereby authorizes any agent representing any party in this transaction to provide a copy of this statement to any person or entity in connection with any actual or anticipated sale of the property.

If the answer to any of the following requires more space for explanation, please fully explain in comments or on an attached separate sheet.

I. LOT OR TITLE INFORMATION

1. When did you purchase or build the home? _____ / 2013
Month Year

	LOT OR TITLE INFORMATION	Yes	No	Do Not Know	N/A	Comments
2.	Are there any recorded liens or financial instruments against the property, other than a first mortgage?				✓	
3.	Are there any unrecorded liens or financial instruments against the property, other than a first mortgage; or have any materials or services been provided in the past one hundred twenty days that would create a lien against the property under chapter 44-9?				✓	

4.	Are there any easements which have been granted in connection with the property (other than normal utility easements for public water and sewer, gas and electric service, telephone service, cable television service, drainage, and sidewalks)?		✓			
5.	Are there any problems related to establishing the lot lines/boundaries?		✓			
6.	Do you have a location survey in your possession or a copy of the recorded plat?		✓			If yes, attach a copy.
7.	Are you aware of any encroachments or shared features, from or on adjoining property (i.e. fences, driveway, sheds, outbuildings, or other improvements)?		✓			
8.	Are you aware of any covenants or restrictions affecting the use of the property in accordance with local law?		✓			If yes, attach a copy.
9.	Are you aware of any current or pending litigation, foreclosure, zoning, building code or restrictive covenant violation notices, mechanic's liens, judgments, special assessments, zoning changes, or changes that could affect your property?		✓			
10.	Is the property currently occupied by the owner?		✓			deceased
11.	Does the property currently receive the owner-occupied tax reduction pursuant to SDCL 10-13-39?	✓				
12.	Is the property currently part of a property tax freeze for any reason?		✓			
13.	Is the property leased?		✓			
14.	If leased, does the property use comply with applicable local ordinances?		✓			

15.	Does this property or any portion of this property receive rent?		✓			If yes, how much $_____ and how often _____
16.	Do you pay any mandatory fees or special assessments to a homeowners' or condominium association?		✓			If yes, what are the fees or assessments? $_____ per _____ (i.e. annually, semi-annually, monthly) Payable to whom: _____ For what purpose: _____
17.	Are you aware if the property has ever had water in either the front, rear, or side yard more than forty-eight hours?		✓			
18.	Is the property located in a flood plain?		✓			
19.	Are federally protected wetlands located upon any part of the property?		✓			
20.	Are you aware of any private transfer fee obligations, as defined pursuant to § 43-4-48, that would require a buyer or seller of the property to pay a fee or charge upon the transfer of the property, regardless of whether the fee or charge is a fixed amount or is determined as a percentage of the value of the property?		✓			If yes, what are the fees or charges? $_____ per _____ (i.e. annually, semi-annually, monthly)

Additional Comments _____

_____

II. STRUCTURAL INFORMATION

	STRUCTURAL INFORMATION	Yes	No	Do Not Know	N/A	Comments
1.	Are you aware of any water penetration in the walls, windows, doors, basement, or crawl space?		✓			

2.	Have any water damage related repairs been made?				✓	
	Are there any unrepaired water-related damages that remain?				✓	
3.	Are you aware if drain tile is installed on the property?		✓			
4.	Are you aware of any interior cracked walls, ceilings or floors, or cracks or defects in exterior driveways, sidewalks, patios, or other hard surface areas?	✓				
5.	Type of roof covering: _____					Shingles
6.	Are you aware of any roof leakage, past or present?		✓			
7.	Is there any existing unrepaired damage to the roof?		✓			
8.	Are you aware of insulation in ceiling/attic?	✓				
9.	Are you aware of insulation in walls?	✓				
10.	Are you aware of insulation in the floors?				✓	
11.	Are you aware of any pest infestation or damage, either past or present?		✓			
	Are you aware of the property having been treated or repaired for any pest infestation or damage?				✓	If yes, who treated it and when?
12.	Are you aware of any work upon the property which required a building, plumbing, electrical, or any other permit?		✓			
13.	Was a permit obtained for work performed upon the property?				✓	
	Was the work approved by an inspector as required by local or state ordinance?				✓	
14.	Are you aware of any past or present damage to the property (i.e. fire, smoke, wind, floods, hail, or snow)?		✓			
15.	Have any insurance claims been made for damage to the property?		✓			
16.	Was an insurance payment received for damage to the property?				✓	
17.	Has the damage to the property					

	been repaired?				✓	
18.	Are there any unrepaired damages to the property from the insurance claim?				✓	
19.	Are you aware of any problems with sewer blockage or backup, past or present?		✓			
20.	Are you aware of any drainage, leakage, or runoff from any sewer, septic tank, storage tank, or drain on the property into any adjoining lake, stream, or waterway?		✓			

Additional Comments _____

_____

III. SYSTEMS/UTILITIES INFORMATION

	SYSTEMS/UTILITIES INFORMATION	Working	Not Working	None	Not Includ	Comments
1.	Air Conditioning System	✓				Age of System, if known:
2.	Air Exchanger				✓	
3.	Air Purifier				✓	
4.	Attic Fan				✓	
5.	Bathroom Whirlpool and Controls				✓	
6.	Burglar Alarm & Security System				✓	
7.	Ceiling Fan	✓				
8.	Central Air - Electric	✓				
9.	Central Air – Water Cooled				✓	
10.	Cistern				✓	
11.	Dishwasher	✓				
12.	Disposal				✓	
13.	Doorbell	✓				
14.	Fireplace				✓	
15.	Fireplace Insert				✓	
16.	Garage Door(s)	✓				
17.	Garage Door Opener(s)	✓				
18.	Garage Door Control(s)	✓				
19.	Garage Wiring					
20.	Home Heating System(s) Type: Propane	✓				Age of System, if known: 10/2012

21.	Hot Tub and Controls				✓	
22.	Humidifier				✓	
23.	In Floor Heat				✓	
24.	Intercom				✓	
25.	Light Fixtures	✓				
26.	Microwave	✓				
27.	Microwave Hood	✓				
28.	Plumbing and Fixtures	✓				
29.	Pool and Equipment				✓	
30.	Propane Tank – Select One: ☑ Leased ☐ Owned					
31.	Radon System				✓	
32.	Sauna				✓	
33.	Septic/Leaching Field				✓	
34.	Sewer Systems/Drains				✓	
35.	Smart Home System				✓	Smart Home System includes:
36.	Smoke/Fire Alarm	✓				
37.	Solar House – Heating				✓	
38.	Sump Pump(s)				✓	
39.	Switches and Outlets	✓				
40.	Underground Sprinkler and Heads				✓	
41.	Vent Fan – Kitchen	✓				
42.	Vent Fan – Bathroom	✓				
43.	Water Heater – Select One: ☑ Electric ☐ Gas	✓				Age of System, if known: Replaced 2020
44.	Water Purifier, Select One: ☐ Leased ☐ Owned				✓	
45.	Water Softener, Select One: ☐ Leased ☑ Owned	✓				
46.	Well and Pump				✓	
47.	Wood Burning Stove				✓	

Additional Comments _____

_____

IV. HAZARDOUS CONDITIONS

Are you aware of any existing hazardous conditions of the property and are you aware of any tests having been performed?

If the answer is yes to any of the questions below, please explain in additional comments or on an attached separate sheet.

HAZARDOUS CONDITIONS	Existing Conditions		Tests Performed		Comments
	Yes	No	Yes	No	
1. Methane Gas		✓		✓	
2. Lead Paint		✓		✓	
3. Radon Gas (House)		✓		✓	
4. Radon Gas (Well)		✓		✓	
5. Radioactive Materials		✓		✓	
6. Landfill, Mineshaft		✓		✓	
7. Expansive Soil		✓		✓	
8. Mold		✓		✓	
9. Toxic Materials		✓		✓	
10. Urea Formaldehyde Foam Insulations		✓		✓	
11. Asbestos Insulation		✓		✓	
12. Buried Fuel Tanks		✓		✓	
13. Chemical Storage Tanks		✓		✓	
14. Fire Retardant Treated Plywood		✓		✓	
15. Production of Methamphetamines		✓		✓	
16. Use of Methamphetamines		✓		✓	

V. MISCELLANEOUS INFORMATION

	MISCELLANEOUS INFORMATION	Yes	No	Do Not Know	N/A	Comments
1.	Is the street or road located at the end of the driveway to the property public or private? Public ✓ ____ Private ____					
2.	Is there a written road maintenance agreement? If yes, attach a copy of the maintenance agreement.				✓	
3.	Has the fireplace/wood stove/chimney flue been cleaned? If yes, please provide date of service.				✓	
4.	Since you have owned the					

	property, are you aware of a human death by homicide or suicide occurring on the property?	☐	☐	☐	☑	
5.	Is the water source (select one) ☑ public or ☐ private	☑	☐	☐	☐	If private, what is the date and result of the last water test?
6.	Is the sewer system (select one) ☑ public or ☐ private	☑	☐	☐	☐	If private, what is the date of the last time septic tank was pumped?
7.	Are there broken window panes or seals?	☐	☑	☐	☐	
8.	Are there any items attached to the property that will not be left, such as: towel bars, mirrors, curtain rods, window coverings, light fixtures, clothes lines, swing sets, storage sheds, ceiling fans, basketball hoops, mail boxes, tv mounts, speakers, etc.?	☐	☑	☐	☐	If yes, please list:
9.	Are you aware of any other material facts which have not been disclosed on this form?	☐	☑	☐	☐	If yes, please explain:

Additional Comments _____

_____

VI. ADDITIONAL COMMENTS (ATTACH ADDITIONAL PAGES IF NECESSARY)

Right side patio door-blind does not go all the way down.
Small tear on left side patio door screen.

_____

CLOSING SECTION

The Seller hereby certifies that the information contained herein is true and correct to the best of the Seller's information, knowledge, and belief as of the date of the Seller's signature below. If any of these conditions change before conveyance of title to this property, the change will be disclosed in a written amendment to this disclosure statement.

Kathy Hausmann 3/26/23
Seller Date

Donna Kerlick 3/26/23
Seller Date

THE SELLER AND THE BUYER MAY WISH TO OBTAIN PROFESSIONAL ADVICE AND INSPECTIONS OF THE PROPERTY TO OBTAIN A TRUE REPORT AS TO THE CONDITION OF THE PROPERTY AND TO PROVIDE FOR APPROPRIATE PROVISIONS IN ANY CONTRACT OF

SALE AS NEGOTIATED BETWEEN THE SELLER AND THE BUYER WITH RESPECT TO SUCH PROFESSIONAL ADVICE AND INSPECTIONS.

I/We acknowledge receipt of a copy of this statement on the date appearing beside my/our signature(s) below. Any agent representing any party to this transaction makes no representations and is not responsible for any conditions existing in the property.

Buyer	Date	Buyer	Date

Disclosure of Information on Lead-Based Paint and/or Lead-Based Paint Hazards

Lead Warning Statement

Every purchaser of any interest in residential real property on which a residential dwelling was built prior to 1978 is notified that such property may present exposure to lead from lead-based paint that may place young children at risk of developing lead poisoning. Lead poisoning in young children may produce permanent neurological damage, including learning disabilities, reduced intelligence quotient, behavioral problems, and impaired memory. Lead poisoning also poses a particular risk to pregnant women. The seller of any interest in residential real property is required to provide the buyer with any information on lead-based paint hazards from risk assessments or inspections in the seller's possession and notify the buyer of any known lead-based paint hazards. A risk assessment or inspection for possible lead-based paint hazards is recommended prior to purchase.

Seller's Disclosure

(a) Presence of lead-based paint and/or lead-based paint hazards (check (i) or (ii) below):

(i) _____ Known lead-based paint and/or lead-based paint hazards are present in the housing (explain).

_____

(ii) KA Seller has no knowledge of lead-based paint and/or lead-based paint hazards in the housing.

(b) Records and reports available to the seller (check (i) or (ii) below):

(i) _____ Seller has provided the purchaser with all available records and reports pertaining to lead-based paint and/or lead-based paint hazards in the housing (list documents below).

_____

(ii) KA Seller has no reports or records pertaining to lead-based paint and/or lead-based paint hazards in the housing.

Purchaser's Acknowledgment (initial)

(c) _____ Purchaser has received copies of all information listed above.

(d) _____ Purchaser has received the pamphlet *Protect Your Family from Lead in Your Home.*

(e) Purchaser has (check (i) or (ii) below):

(i) _____ received a 10-day opportunity (or mutually agreed upon period) to conduct a risk assessment or inspection for the presence of lead-based paint and/or lead-based paint hazards; or

(ii) _____ waived the opportunity to conduct a risk assessment or inspection for the presence of lead-based paint and/or lead-based paint hazards.

Agent's Acknowledgment (initial)

(f) DC Agent has informed the seller of the seller's obligations under 42 U.S.C. 4852d and is aware of his/her responsibility to ensure compliance.

Certification of Accuracy

The following parties have reviewed the information above and certify, to the best of their knowledge, that the information they have provided is true and accurate.

Kathy Hausmann	3/26/23	Donna Reulich	3/26/23
Seller	Date	Seller	Date
Purchaser	Date	Purchaser	Date
DC	5-09-23		
Agent	Date	Agent	Date

Bill of Sale/Personal Property Agreement

This agreement is attached to an offer to purchase real property. Upon the successful completion of the attached contract dated _____ this contract will become legally binding.

For good and valuable consideration, we, the seller(s), agree to sell the following items of personal property left in "AS IS" condition and without warranty:

	Included Working	Included Not Working	Not included
Refrigerator	✓		
Wall Oven			✓
Dishwasher	✓		
Microwave	✓		
Range Hood			
Range – Gas or (Electric)	✓		
Disposal			✓
Washer	✓		
Dryer	✓		
Garage Door Opener # 1	✓		
Curtains/Drapes	✓		
Blinds/Shades	✓		
Water ~~Softener~~ (Leased/Owned)	✓		
~~Heating~~ System (Owned or Leased)	✓		
~~A/C~~ System (Owned) or Leased	✓		

	Included Working	Included Not Working	Not included
Freezer	✓		
Ceiling Fans #	✓		
~~Propane~~ Tank-(leased/owned)	✓		
Smoke/Fire alarms #	✓		
Sump Pump #			✓
Fireplace Insert			✓
Water Purifier leased/owned			✓
Wood Burning Stove			✓
Hot Tub			✓
Basketball Hoop & Backboard			✓
Pool & Equipment			✓
Solar Htg Panels			✓
Well Pump			✓

Comments: Includes older frig & deep freeze in basement.

This agreement is subject to the Seller(s) and Buyer(s) closing the sale of Seller(s) Property located at:

_____

On or before _____

Seller: Kathy Hausman Date: 5/9/23 Seller: Donna Reilich Date: 5-9-23

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