

Seller's Property Condition Disclosure Statement

(This disclosure shall be completed by the seller. This is a disclosure required by law. If you do not understand this form, seek legal advice.)

Seller James + Regine Laguzza Property Address 125 Crest Lane

This disclosure statement concerns the real property identified above situated in the City of Yankton

County of Yankton State of South Dakota.

THIS STATEMENT IS A DISCLOSURE OF THE CONDITION OF THE ABOVE DESCRIBED PROPERTY IN COMPLIANCE WITH SDCL 43-4-38. IT IS NOT A WARRANTY OF ANY KIND BY THE SELLER OR ANY AGENT REPRESENTING ANY PARTY IN THIS TRANSACTION AND IS NOT A SUBSTITUTE FOR ANY INSPECTIONS OR WARRANTIES THE PARTIES 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 ANY MATERIAL FACT CHANGES BEFORE CONVEYANCE OF TITLE TO THIS PROPERTY, THE SELLER MUST DISCLOSE SUCH MATERIAL FACT WITH A WRITTEN AMENDMENT TO THIS DISCLOSURE STATEMENT.

I. LOT OR TITLE INFORMATION

1. When did you purchase or build the home? Nov, 2002

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

- | Yes | No | Unkn | |
|-------------------------------------|-------------------------------------|--------------------------|--|
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | 2. Were there any title problems when you purchased the property? |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | 3. Are there any recorded liens or financial instruments against the property, other than a first mortgage? |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | 4. Are there any unrecorded liens or financial instruments against the property, other than a first mortgage? |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | 5. 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)? |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | 6. Are there any problems related to establishing the lot lines/boundaries? |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | 7. Do you have a location survey in your possession or a copy of the recorded plat? If yes, attach a copy. |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | 8. Are you aware of any encroachments or shared features, from or on adjoining property (i.e. fences, driveways, sheds, outbuildings or other improvements)? |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | 9. Are you aware of any covenants or restrictions affecting the use of the property in accordance with local law? If yes, attach a copy of the covenants and restrictions. |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | 10. 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? |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | 11. Is the property currently occupied by the owner? <u>(second home)</u> |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | 12. Does the property currently receive the owner occupied tax reduction as per SDCL 32-3-1? |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | 13. Is the property currently part of a property tax freeze for any reason? |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | 14. Is the property leased? <u>(short term)</u> |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | 15. If leased, does the property use comply with local zoning laws? |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | 16. Does this property or any portion of this property receive rent? If yes, how much \$ <u>149-300 per night</u> and how often? _____ |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | 17. Do you pay any mandatory fees or special assessments to a home-owners' or condominium association?
If yes, what are the fees or assessments? \$ _____ per _____ (i.e. annually, semi-annually, monthly).
Payable to whom: _____
For what purpose? _____ |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | 18. Are you aware if the property has ever had standing water in either the front, rear or side yard more than forty-eight hours after heavy rain? |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | 19. Is the property located in or near a flood plain? |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | 20. Are wetlands located upon any part of the property? |

II. STRUCTURAL INFORMATION

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

- | Yes | No | |
|-------------------------------------|-------------------------------------|--|
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | 1. Are you aware of any water penetration problems in the walls, windows, doors, basement, or crawl space? |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | 2. What water damage related repairs, if any, have been made? _____
_____ If any, when? _____ |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | 3. Are you aware if drain tile is installed on the property? |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | 4. Are you aware of any interior cracked walls or floors, or cracks or defects in exterior driveways, sidewalks, patios or other hard surface areas? What related repairs, if any, have been made? _____ |



