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## Mount Rushmore Area Association of REALTORS dba Mount Rushmore Area MLS, Inc.



## SELLER'S PROPERTY CONDITION DISCLOSURE STATEMENT

RESIDENTIAL – SDCL 43-4-44

3	Seller(s) Kent E. Wyatt											
4	Property Address 115-S Rainbow Rd., Spearfish,											
5 6 7	be completed by sellers of real property and given	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.										
8 9 0	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.											
1 2 3	This statement is a DISCLOSURE OF THE CO South Dakota law § 43-4-38. It is NOT A WAR transaction. It is NOT A SUBSTITUTE FOR ANY	RANT	Y of A	NY KINI	D by th	e Seller or anyone representing any party in a						
4 5	Seller hereby authorizes any agent representing an entity in connection with any actual or anticipated s				on to pi	rovide a copy of this statement to any person or						
6 7	If the answer to any of the following requires more separate sheet.	space f	or expl	anation, p	lease fu	ally explain in comments or on an attached						
8	I. LOT	OR T	TTLE	INFO	RMAT	TION						
9	1. When did you purchase or build the home?	JUN	£	1200	22							
0		Mont	h	Yea	ır							
	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?	[_]	[X]	[_]	[_]							
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?	[_]	[X]	[_]								
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)?	[_]	[_X]									
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)?	[_]	[X:]	[_]								
8.	Are you aware of any covenants or restrictions affecting the use of the property in accordance with local law?	[_]	[X]	[_]	[_]	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?	[]	[ <b>X</b> ]									
10.	Is the property currently occupied by the owner?	[_]	[X]	[_]								
11.	Does the property currently receive the owner-occupied tax reduction pursuant to SDCL 10-13-39?	[_]	X	[_]	[_]							
	Seller/ Seller			0.5	В	uyer/ Buyer						

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Property Address 115 S Rainbow Rd., Sp lish, SD 57783 LOT OR TITLE INFORMATION Do Not Yes No N/A Comments Know 12. Is the property currently part of a property tax freeze for any reason? Is the property leased? 13. If leased, does the property use comply with applicable local ordinances? 15. Does this property or any portion of this property receive If yes, how much S and how often If yes, what are the fees or assessments? 16. Do you pay any mandatory fees or special assessments to a homeowners' or condominium association? per (i.e. annually, semi-annually, monthly) Payable to whom: For what purpose: 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 If yes, what are the fees or charges? defined pursuant to § 43-4-48, that would require a buyer (i.e. annually, semi-annually, monthly) 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?

21	Additional Comments					
22						
23						
24						
25	II. STRU	JCTU	RAL	INFOR	MAT	ION
	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?	[_]	[X]		[_]	
2.	Have any water damage related repairs been made?	[_]	[_]	X	[_]	
3.	Are there any unrepaired water-related damages that remain?	[_]		[ <u>X</u> ]	[_]	
4.	Are you aware if drain tile is installed on the property?	[_]		[_]	[_]	
5.	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?		K			
6.	Type of roof covering: ASTHALT SHINGLES	[]	[ ]	[]	[ ]	
7.	Age of roof covering, if known:				[_]	
8.	Are you aware of any roof leakage, past or present?	[_]	[_]	[X]	[_]	
9.	Have any roof repairs been made, when and by whom?	[_]	[_]	X	[_]	
10.	Is there any existing unrepaired damage to the roof?	[_]	[_]	[X]	[_]	
11.	Are you aware of insulation in ceiling/attic?	[_]	[_]	[X]	[_]	
12.	Are you aware of insulation in walls?	[_]	[_]	[X]	[_]	
13.	Are you aware of insulation in the floors?	[_]	[_]		[_]	
14.	Are you aware of any pest infestation or damage, either past or present?	[_]	[_]	[X]	[_]	
15.	Are you aware of the property having been treated or repaired for any pest infestation or damage?	[_]	[_]	[X]	[_]	If yes, who treated it and when?
16.	Are you aware of any work upon the property which required a building, plumbing, electrical, or any other permit?		K)			
	Seller KW / Seller				Bu	yer / Buyer

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- 1	STRUCTURAL INFORMATION		Yes	No	•	Do Not Know	N/	A	Comments
	as a permit obtained for work performed upon the operty?		[_]	以		[_]	[_	_]	
	as the work approved by an inspector as required by cal or state ordinance?		[_]	[_	]	[X]	[_	_]	
Ar	re you aware of any past or present damage to the operty (i.e. fire, smoke, wind, floods, hail, or snow)?		[_]	[]		[_]	[_	_]	
На	ave any insurance claims been made for damage to the operty?		[_]	[_	]	[大]	[_	_]	
	as an insurance payment received for damage to the operty?		[_]	[X		[_]	[_	_]	
	as the damage to the property been repaired?		[ ]	Γ	1	[X]	1	1	\$ 1.4.
	re there any unrepaired damages to the property from the surance claim?	e		[_	]		[_	_]	
	re you aware of any problems with sewer blockage or ickup, past or present?		[]	X	]	[_]	[_	_]	
. Ar	re you aware of any drainage, leakage, or runoff from by sewer, septic tank, storage tank, or drain on the operty into any adjoining lake, stream, or waterway?		[_]	K	]	[_]	[_	_]	
Add	ditional Comments								
	III. SYST	ГЕМ	S/U7	ΓILI	TI	ES IN	FOI	RMAT	TION
1	SYSTEMS/UTILITIES INFORMATION		rking	N	ot	None	e	Not	Comments
				Wor	king			Included	
- 1	r conditioning System	X		[_]				[_]	Age of System, if known:
	r Exchanger	[_	]	[]		[X]		[]	
Ai	r Purifier	[_	]		]	X		[_]	
At	tic Fan	1		[	]	[X]		[ ]	
Ba	athroom Whirlpool and Controls	[	1	[	1	X		[ ]	
Bu	ırglar Alarm & Security System	1	1	ſ	1	IX		[ ]	
					,				
1	eiling Fan	Γ	1	[		[ <b>X</b> ]	2 0	[ ]	
Ce	oiling Fan entral Air - Electric	]	]	[]	]	[X] [X]		[] [ ]	
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	SYSTEMS/UTILITIES INFORMATION	N W	Working		None		ot uded	Comments
	Sauna	Г	7	Working		Г	1	
	Septic/Leaching Field	L_	<u>_</u>	[ LJ		L	]	
	Sewer Systems/Drains	X	<u>_</u> ] <b>y</b> 1	LJ	J	L	]	
_	Smart Home System					L	]	C . H . C L .
	Smoke/Fire Alarm	- M		[]		L	]	Smart Home System includes:
	Solar House - Heating			[ ]	[X]	L	]	
_	Sump Pump(s)	L		[J		L	]	
_	Switches and Outlets	L_	<u> </u>		1.4	L	]	
-	Underground Sprinkler and Heads		X			<u> </u>	]	
-	Vent Fan - Kitchen		<u></u>	[]	I L	L	]	
-	Vent Fan - Bathroom		1	[]		L	]	
_	Water Heater, Select One: [ ] Electric [ ] Gas			[]	LJ	L	]	Age of System, if known:
	Water Purifier, Select One: [ ] Leased [ ] Own	ad [	(	[]		<u> </u>	]	Age of System, it known.
_	Water Softener, Select One: Leased Water Softener, Select One: Leased Water Softener	L	]			L	]	
	Well and Pump	ned [_				<u> </u>	]	
_	Wood Burning Stove	L_				L	]	
	wood Burning Stove				II	L		
	Additional Comments							
	If the answer is yes to any of the questi	ons below,	please	explain	in additi	ional co		ents or on an attached separate sh
		ons below,  Existing	please Conditi	e explain	in additi	med co		
	If the answer is yes to any of the question HAZARDOUS CONDITIONS	ons below,	please	e explain	in additi	ional co		
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N	If the answer is yes to any of the question HAZARDOUS CONDITIONS  Iethane Gas ead Paint	ons below,  Existing	please Conditi	e explain	in additi	med co		ents or on an attached separate sh
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Produced with Lone Wolf Transactions (zipForm Edition) 717 N Harwood St, Suite 2200, Dallas, TX 75201 www.lwolf.com

Seller KW

Seller

Wyatt-Rainbow

\_/ Buyer

Buyer\_

4.	MISCELLANEOUS INFORMATION	Yes	No	Do Not Know	N/A	
	Since you have owned the property, are you aware of a human death by homicide or suicide occurring on the property?		[X]			
	Is the water source (select one)  [X] public or [_] private		[_]		[_]	If private, what is the date and result of the last water test?
	Is the sewer system (select one)  [] public or [] private		[_]		[_]	If private, what is the date of the last time septic tank was pumped?
	Are there broken window panes or seals?	[ ]	[ ]		[]	
	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.?		IX)			If yes, please list:
	Are you aware of any other material facts which have not been disclosed on this form?	[_]	[_]	[X]	[_]	If yes, please explain:
	VI. ADDITIONAL COMMENTS					Triggs if Needson in the
		CLOS	ING	SECTIO	ON	
	The Seller hereby certifies that the information c knowledge, and belief as of the date of the Seller's s this property, the change will be disclosed in a written	ontaine ignature en amen	d here e below idment	in is true v. If any o to this dis	and con	nditions change before conveyance of tit
	The Seller hereby certifies that the information c knowledge, and belief as of the date of the Seller's s this property, the change will be disclosed in a written	ontaine ignature	d here e below idment	in is true v. If any o to this dis	and con	nditions change before conveyance of tit
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