



Farm or Vacant Land or Lot Disclosure Statement

This document has legal consequences. If you do not understand it, consult your attorney.

1 The following is a disclosure statement made by Seller concerning the following property (the "Property"):

2 Sterling Oaks Branson West MO 65737 MO
 3 **Street Address** **City** **Zip Code** **County**

4 36-23-23 & 31-23-22 Three Parcels 132.3 per deed desc
 5 **Section Township Range** **Parcel No(s)** **Farm No(s)** **# of Acres (more or less)**

6 **This Disclosure Statement may assist a Buyer in evaluating the Property, but it is not a warranty of any**
 7 **kind by Seller or any real estate licensee involved in this transaction, and is not a substitute for any**
 8 **inspection or warranty a Buyer may wish to obtain. Real estate licensees involved in this transaction do**
 9 **not inspect the Property for defects or guarantee the accuracy of any information provided herein.**

10 **SELLER:** Please complete the following form, including past history and known problems. Do not leave any spaces
 11 blank. If the condition is not applicable to your Property (or unknown), mark "N/A" (or "Unknown") in the blank. The
 12 following statements are made by Seller and NOT by any real estate licensee. Complete and truthful disclosure of
 13 the history and condition of the Property gives you the best protection against potential charges that you violated a
 14 legal disclosure obligation to a Buyer. Your answers (or the answers you fail to provide, either way) may have legal
 15 consequences, even after closing a transaction. This form should help you meet your disclosure obligations, but it
 16 may not cover all aspects of the Property. If you know of or suspect some condition which may negatively affect
 17 the value of the Property or impair the health or safety of future occupants (e.g., environmental hazards, physical
 18 condition or material defects in the Property or title thereto), then you should describe that condition and attach
 19 additional pages if more space is required.

20 **BUYER:** Since these disclosures are based on Seller's actual knowledge, you cannot be sure that there are, in
 21 fact, no problems with the Property simply because Seller is not aware of them. The statements made by Seller
 22 are limited to the Property and are not warranties of its condition. You should condition your offer on a professional
 23 inspection(s) of the Property or any off-site conditions as you deem necessary. Conditions of the Property that you
 24 can see on a reasonable inspection and/or that are disclosed herein should either be taken into account in setting
 25 the purchase price, or you should make correction of these conditions by Seller a requirement of the sale contract.
 26 **IF YOU SIGN A SALE CONTRACT TO PURCHASE THE PROPERTY, THAT CONTRACT, AND NOT THIS**
 27 **DISCLOSURE STATEMENT, WILL PROVIDE FOR WHAT IS TO BE INCLUDED IN THE SALE. IF YOU EXPECT**
 28 **CERTAIN ITEMS OR EQUIPMENT TO BE INCLUDED THEY MUST BE SPECIFIED AS INCLUDED IN THE**
 29 **SALE CONTRACT.**

30 **1. SURVEY, EASEMENTS, FLOODING.** To the best of your knowledge:

- 31 A. When did you purchase the Property? 1958
- 32 B. Has the Property been surveyed? Yes No
 33 Year surveyed 1992
- 34 C. What company or person performed the survey?
 35 Name United Surveyors & Engineers Phone _____
- 36 D. If this is platted land, has a certificate of survey been completed?..... Yes No
 37 If "Yes," by whom? Donald J. Turner When? 3/18/1992
- 38 E. Has the plat been recorded in the land records? Yes No
 39 If "Yes," Plat Book # 17 Page # 60
- 40 F. Are there any encroachments or boundary line disputes? Yes No
- 41 G. Are there any easements other than utility or drainage easements? Yes No
- 42 H. Is the Property in a designated flood plain or floodway of any kind? Yes No
- 43 I. Do you have a Flood Certificate regarding the Property? Yes No
- 44 J. Has there ever been a flood at the Property? Yes No
- 45 K. Have there ever been drainage problems affecting the Property? Yes No
- 46 L. Have you ever purchased flood insurance? Yes No
- 47 M. If any of questions 1.F through 1.L are answered "Yes," briefly describe the details.
 48 (check box if additional pages are attached) _____
 49 _____
 50 _____
 51 _____

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2. USE RIGHTS AND OTHER RESTRICTIONS. To the best of your knowledge:

- A. Do any of the following exist regarding the Property:
 - (1) Subdivision or other recorded indentures, covenants, conditions or restrictions?.....Yes No
 - (2) A right of first refusal to purchase?.....Yes No
 - (3) Variances, special use permits or other zoning restrictions specific to this Property?.....Yes No
 - (4) Have any mineral rights been severed or transferred?.....Yes No
- B. Have you ever received notice from any person or authority of a breach of any of the above? Yes No
- C. Are there any farming or crop-share agreement rights in the Property?.....Yes No
- D. Are there any animal feeding operations ("AFO") or concentrated animal feeding operations ("CAFO") at the Property? (if "Yes", please identify Class size and any permits issued below).....Yes No
- E. Are there any gas & oil leases or other severed or transferred mineral rights (clay, etc.)?.....Yes No
- F. Are there any leasehold interests or tenant rights in the Property?Yes No
- G. If any of the above questions are answered "Yes," briefly describe the details.
 (check box if additional pages are attached) _____

3. CONDITION OF THE PROPERTY. To the best of your knowledge:

- A. Are there any structures, improvements or personal property available for sale?Yes No
Are there any problems or defects with any of these items?Yes No
- B. Are there any operating or abandoned oil wells or buried storage tanks on the Property?.....Yes No
- C. Is there any hazardous or toxic substance in or on the Property?
(including but not limited to lead in the soils)?Yes No
- D. Are there any Phase I or other environmental reports regarding the Property?.....Yes No
- E. Is there a solid waste disposal site or demolition landfill on the Property(whether permitted or unpermitted)?Yes No
Note: if "Yes", §260.213 RSMo requires Seller to disclose the location of the site, and Buyer should be aware that Buyer may be held liable to the State for remedial action.....
- F. Have any soil tests been performed?.....Yes No
- G. Does the Property have any fill?.....Yes No
- H. Are there any settling or soil movement problems on this Property?.....Yes No
- I. Is there any infestation, rot or disease in the trees on the Property?.....Yes No
- J. Is any part of the Property located in a "wetlands area" designated by the Natural Resources Conservation Service ("NRCS") or Farm Service Authority ("FSA")?.....Yes No
- K. If any of the above questions are answered "Yes," briefly describe the details.
 (check box if additional pages are attached) _____

4. UTILITIES. To the best of your knowledge:

- A. Have any soil analysis tests for sanitary systems been performed?Yes No
If "Yes," When? _____ By Whom? _____
Results: _____
- B. Do any of the following exist within the Property?

(1) Connection to public water? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	(5) Connection to shared sewer?..... <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
(2) Connection to public sewer? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	(6) Private Sewer/Septic tank/Lagoon?..... <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
(3) Connection to private water system off Property?..... <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	(7) Connection to electric utility?..... <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
(4) Connection to shared water? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	(8) Connection to natural gas service?..... <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
	(9) A water well?..... <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
- C. Are any of the following existing at the boundary of the Property?

(1) Public water system access? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	(5) Electric Service Access?..... <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
(2) Public sewer system access? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	(6) Natural gas access?..... <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
(3) Shared water system access <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	(7) Telephone system access?..... <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
(4) Shared sewer system access <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	(8) Other: _____
- D. Have any utility access charges been paid?Yes No
If "Yes," which charges have been paid? _____

111 **5. FEDERAL/STATE/LOCAL FARM PROGRAMS.** To the best of your knowledge:
 112 **A.** Is Property enrolled in CRP (Conservation Reserve Program)?Yes No
 113 *If "Yes," complete the following:*
 114 _____ total acres put in CRP _____ last year of participation
 115 _____ per acre bid in _____ enrollment year _____ annual payment
 116 **B.** Is Property enrolled in WRP (Wetlands Reserve Program)?Yes No
 117 *If "Yes," complete the following:*
 118 _____ total acres put in WRP _____ last year of participation
 119 _____ per acre bid in _____ enrollment year _____ annual payment
 120 **C.** Other Programs (*identify any other federal, state or local farm loan, price support or subsidy programs in*
 121 *which the Property currently participates*): _____
 122 _____
 123 _____

124 **6. OTHER MATTERS.** To the best of your knowledge:
 125 **A.** Is or was the Property used as a site for methamphetamine production or the place of residence of a
 126 person convicted of a crime involving any controlled substance related thereto? Yes No
 127 *If "Yes," [§441.236 RSMo](#) requires disclosure to potential lessees and [§442.606 RSMo](#) requires*
 128 *disclosure to purchasers of real estate. MR Form DSC-5000 ("Disclosure of Information Regarding*
 129 *Methamphetamine/Controlled Substances") may be filled out in conjunction with these matters.*
 130 **B.** Is there anything else that may materially and adversely affect the Property (e.g., pending claims, litigation,
 131 notice from a governmental authority of violation of a law or regulation, proposed zoning changes, street
 132 changes, threat of condemnation, neighborhood noise or nuisance)?Yes No
 133 *If "Yes," briefly describe the details. (check box if additional pages are attached) _____*
 134 [FYI, there is a small cave on the property. Missouri State University students mapped it and took a few](#)
 135 [pictures years ago as a class project.](#)
 136 _____

137 **SELLER'S ACKNOWLEDGMENT**

138 Seller represents that the information set forth in this Disclosure Statement is accurate and complete to the best of
 139 Seller's knowledge as of the date of Seller's signature below. Seller does not intend this Disclosure Statement to
 140 be a warranty or guarantee of any kind. Seller authorizes the listing broker to provide this information to prospective
 141 buyers of the Property and to real estate licensees representing such buyers.

DocuSigned by:
 142 Janet Swenty, Trustee 7/9/2021 | 19:08 PDT
 143 **Seller** _____ **Date** _____ **Seller** _____ **Date** _____
 144 Print Name: Janet C. Swenty, Trustee Print Name: _____

145 **BUYER'S ACKNOWLEDGEMENT**

- 146 1. I understand and agree that the information in this form is limited to information of which Seller has actual
 147 knowledge and that Seller can only make an honest effort at fully revealing the information requested.
- 148 2. This Property is being sold to me without warranties or guaranties of any kind by Seller or any real estate
 149 licensee concerning the Property.
- 150 3. I understand I have the right to independently investigate the Property. I have been specifically advised to
 151 have the Property and any other conditions examined by professional inspectors as I deem fit.
- 152 4. I acknowledge that neither Seller nor any real estate licensee is an expert at detecting or repairing physical
 153 defects in the Property.
- 154 5. I acknowledge that there are no representations concerning the Property made by Seller or any real estate
 155 licensee on which I am relying except as may be fully set forth in writing and signed by them.

156 _____ **Buyer** _____ **Date** _____ **Buyer** _____ **Date** _____
 157 Print Name: _____ Print Name: _____
 158 _____

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