

# MONTANA ASSOCIATION OF REALTORS® PROPERTY DISCLOSURE STATEMENT (LAND)



1 Date: 07/19/2024

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3 Property: TBD Lincoln Street Kalispell MT 59901

4 Seller(s): Bayliner, LLC

5 Seller Agent: Jeff H Wilson

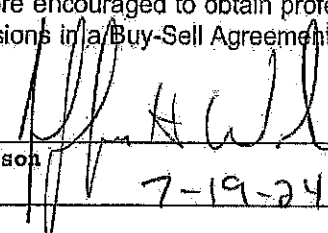
6  
7 Concerning adverse material facts, Montana law provides that a seller agent is obligated to:

- 8
- 9 • disclose to a buyer or the buyer agent any adverse material facts that concern the property and that are
- 10 known to the seller agent, except that the seller agent is not required to inspect the property or verify any
- 11 statements made by the seller; and
- 12 • disclose to a buyer or the buyer agent when the seller agent has no personal knowledge of the veracity of
- 13 information regarding adverse material facts that concern the property.
- 14

15 The Seller Agent identified above is providing the attached Owner's Property Disclosure Statement that has been  
16 completed and signed by the Seller(s), if one has been made available to the Seller Agent by the Seller(s).  
17 Regardless of whether Seller(s) has/have provided Seller Agent with an Owner's Property Disclosure Statement,  
18 **except as set forth below**, the Seller Agent has no personal knowledge:

- 19 (i) about adverse material facts that concern the Property or
- 20 (ii) regarding the veracity (accuracy) of any information regarding adverse material facts that concern
- 21 the Property
- 22
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29 Information regarding adverse material facts that concern the Property and that are known to the Seller Agent, if any,  
30 is set forth above. However, the Seller Agent is not required to inspect the Property or verify any statements made by  
31 the Seller(s). Buyer(s) is/are therefore encouraged to obtain professional advice, inspections or both of the Property  
32 and to provide for appropriate provisions in a Buy-Sell Agreement between the Buyer(s) and Seller(s) with respect to  
33 any advice, inspections or defects.

34  
35 Seller Agent Signature:   
36 Jeff H Wilson

37 Dated: 7-19-24

38  
39 Buyer and Buyer Agent acknowledge receipt of this Property Disclosure Statement.

40  
41 Buyer Agent: \_\_\_\_\_

42  
43 Buyer Agent Signature: \_\_\_\_\_

44  
45 Dated: \_\_\_\_\_

46  
47 Buyer Signature: \_\_\_\_\_

48  
49 Dated: \_\_\_\_\_

# OWNER'S PROPERTY DISCLOSURE STATEMENT (LAND) MONTANA ASSOCIATION OF REALTORS® STANDARD FORM



1 Date: 07/19/2024

2  
3 The undersigned Owner is the owner of certain real property located at  
4 TBD Lincoln Street, in the City of Kalispell,  
5 County of Flathead, Montana, which real property is legally described as:  
6 Kalispell North Town Center Ph2, S30, T29N, R21W, Block 2, Lot 2  
7  
8  
9

10 (hereafter the "Property"). Owner executes this Disclosure Statement to disclose to prospective buyers all adverse  
11 material facts which concern the Property. Montana law defines an adverse material fact as a fact that should be  
12 recognized as being of enough significance as to affect a person's decision to enter into a contract to buy or sell real  
13 property and may be a fact that materially affects the value of the Property, that affects the structural integrity of the  
14 Property, or that presents a documented health risk to occupants of the Property.  
15

### OWNER'S DISCLOSURE

- 16  
17  
18  Owner has never been to the Property.  
19  Owner has not been to the Property since \_\_\_\_\_ (date).  
20

21 The Owner declares that the Owner has prepared this Disclosure Statement and any attachments thereto based on  
22 any adverse material facts known to the Owner. Owner hereby authorizes providing a copy of this Statement to any  
23 person or entity in connection with any actual or anticipated sale of the Property. Owner further agrees to indemnify  
24 and hold any and all real estate agents involved, directly or indirectly, in the purchase and sale of the Property,  
25 harmless from all claims for damages based upon the disclosures made in this Disclosure Statement along with the  
26 failure of the Owner to disclose any adverse material facts known to the Owner.  
27

28 This information is a disclosure by the Owner of known adverse material facts concerning the Property as of the  
29 above date. **It is not a warranty or representation of any kind by the Owner and it is not a contract between  
30 Owner and buyer. This disclosure statement is not a substitute for any inspections the buyer may wish to  
31 obtain.**  
32

33 Please describe any adverse material facts concerning the items listed, or other components, fixtures or matters.  
34

35 Easements (written or unwritten):  
36 Refer to Plat  
37  
38


39 Boundaries or property lines:  
40 Refer to Plat  
41  
42

43 Encroachments or similar matters that may affect your interest in the subject Property including but not  
44 limited to buildings, fences, etc.:  
45 None known  
46  
47

48 Access to the Property:  
49 Exceptional  
50

\_\_\_\_\_  
Buyer's or Lessee's Initials

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Owner's Property Disclosure Statement (Land), October 2021

CM |   
Owner's Initials

51 Settling, slippage, sliding or other soil problems:

52 NONE KNOWN

53

54

55 Flooding, drainage or grading problems:

56 NONE KNOWN

57

58

59 Location of the Property in a flood plain, shoreline master plan, wetland or other environmentally sensitive area or  
60 work conducted by Seller in or around any natural bodies of water:

61 NO ISSUES KNOWN

62

63

64 a. Water rights and private wells:

65 NONE KNOWN

66

67

68 b. Public or Community water systems:

69 KALISPELL CITY

70

71

72 Restrictive Covenants and Deed restrictions:

73 REFER TO KALISPELL NORTH TOWNCENTER COVENANTS

74

75

76 Septic system approval or existing septic system:

77 NONE KNOWN

78

79

80 Major damage to the Property from fire, earthquakes, floods, slides, etc.:

81 NONE KNOWN

82

83

84 Zoning or Historic District violations, non-conforming uses:

85 NONE KNOWN

86

87

88 Neighborhood noise problems or other nuisances:

89 NONE KNOWN

90

91

92 Property Owner's association obligations (dues, lawsuits, transfer fees, initiation fees, etc.):

93 YES

94

95

96 Notice of abatement or citations against the Property:

97 NONE KNOWN

98

99

100 Lawsuits or legal proceedings (including foreclosures and bankruptcies) affecting or threatening the Property:

101 NONE KNOWN

102

103

104 Waste dump or disposal or landfill or gravel pit or commercial use in the vicinity of the Property, existing or proposed,  
105 which may cause smoke, smell, noise or other nuisance, annoyance or pollution:

106 NONE KNOWN

\_\_\_\_\_/\_\_\_\_\_  
Buyer's or Lessee's Initials

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Owner's Property Disclosure Statement (Land), October 2021  
Page 2 of 5

\_\_\_\_\_/\_\_\_\_\_  
Owner's Initials



107 Street or utility improvement planned that may affect or be assessed against the Property:  
 108 See & Refer to Plat  
 109 \_\_\_\_\_  
 110 \_\_\_\_\_  
 111 Zoning or land use change planned or being considered by the city or county:  
 112 Refer to zoning & PUD  
 113 \_\_\_\_\_  
 114 \_\_\_\_\_  
 115 Proposed increase in tax assessment value or property owner's association dues for the Property:  
 116 NONE KNOWN  
 117 \_\_\_\_\_  
 118 \_\_\_\_\_  
 119 Underground storage tanks or class II injection wells:  
 120 NONE KNOWN  
 121 \_\_\_\_\_  
 122 \_\_\_\_\_  
 123 Property leases including post-closing short-term rental obligations, crop share agreements, mineral leases or  
 124 reservations:  
 125 NONE KNOWN  
 126 \_\_\_\_\_  
 127 \_\_\_\_\_  
 128 Conservation Easements (existing or proposed):  
 129 NONE KNOWN  
 130 \_\_\_\_\_  
 131 \_\_\_\_\_  
 132 Landfill (compacted or otherwise) on the Property or any portion thereof:  
 133 NONE  
 134 \_\_\_\_\_  
 135 \_\_\_\_\_  
 136 Environmental issues affecting the Property:  
 137 NONE KNOWN  
 138 \_\_\_\_\_  
 139 \_\_\_\_\_  
 140 Pests, rodents:  
 141 NONE KNOWN  
 142 \_\_\_\_\_  
 143 \_\_\_\_\_  
 144 Noxious Weeds:  
 145 Yes  
 146 \_\_\_\_\_  
 147 \_\_\_\_\_  
 148 Airport affected area:  
 149 In Flight path to CIA  
 150 \_\_\_\_\_  
 151 \_\_\_\_\_  
 152 Other matters as set forth below.  
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Buyer's or Lessee's Initials

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Owner's Initials 

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199 Owner certifies that the information herein is true, correct and complete to the best of the Owner's knowledge and  
200 belief as of the date signed by Owner.

201  
 202 Owner  Caleb Wilson Date 7-19-24  
 203  
 204 Owner Jason Mann Date 07/22/24

\_\_\_\_\_/\_\_\_\_\_  
Buyer's or Lessee's Initials

*Handwritten mark*



BUYER'S ACKNOWLEDGEMENT

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Subject Property Address: TBD Lincoln Street Kalispell MT 59901  
Kalispell North Town Center Ph2, S30, T29N, R21W, Block 2, lot 2

Buyer(s) understand that the foregoing disclosure statement sets forth any adverse material facts concerning the Property that are known to the Owner. The disclosure statement does not provide any representations or warranties concerning the Property, nor does the fact this disclosure statement fails to note an adverse material fact concerning a particular feature, fixture or element imply that the same is free of defects.

Buyer(s) is/are encouraged to obtain professional advice, inspections or both of the Property and to provide for appropriate provisions in a contract between buyer(s) and owner(s) with respect to any advice, inspections or defects. Buyer(s) are not relying upon this property disclosure statement for buyer(s)' determination of the overall condition of the Property in lieu of other inspections, reports or advice.

I/WE ACKNOWLEDGE RECEIPT OF A COPY OF THIS STATEMENT.

\_\_\_\_\_  
Buyer's/Lessee's Signature Date

\_\_\_\_\_  
Buyer's/Lessee's Signature Date

**NOTE:** Unless otherwise expressly stated the term "days" means calendar days and not business days. Business days are defined as all days except Sundays and Montana or federal holidays.

