

Sale Agreement # \_\_\_\_\_

**3.3 SELLER VACANT LAND DISCLOSURE**

1 If not waived in the Seller’s Vacant Land Real Estate Purchase and Sale Agreement (“Agreement”), a Seller shall deliver the following  
 2 Seller’s Vacant Land Disclosure (“SVLD”) to the Buyer who enters into a valid Agreement to purchase property that contains no dwelling  
 3 structures and no agricultural, commercial, or industrial uses.

**4 INSTRUCTIONS TO THE SELLER**

5 Please complete the following form. Do not leave any spaces blank. Please refer to the line number(s) of the question(s) when you  
 6 provide your explanation(s).

7 Each Seller of vacant land shall deliver this form to each Buyer who enter into an Agreement to purchase vacant property, Seller shall  
 8 provide Buyer with this form within **5 Business Days** after Mutual Acceptance, unless waived by Buyer in a **Form 2.14 Waiver of**  
 9 **Contingencies Addendum**. After delivery of the SVLD, Buyer has **5 Business Days** (“SVLD Period”) to unconditionally terminate the  
 10 Sale Agreement by providing Seller with **Form 5.3 Buyer’s Notice of Termination** explaining Buyer’s disapproval of information  
 11 contained in this SVLD and terminating the Agreement. Earnest Money shall be refunded to Buyer if Notice of Termination is delivered  
 12 within the SVLD Period.

13 Questions regarding the legal consequences of the Seller’s choice on the below disclosures should be directed to a qualified attorney.

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**SECTION 1. SELLER VACANT LAND DISCLOSURE**

(IF BUYER DID NOT WAIVE THE SVLD, YOU MUST FILL OUT THIS SECTION.)

**NOT A WARRANTY**

NOTICE TO THE BUYER: THE FOLLOWING REPRESENTATIONS ARE MADE BY THE SELLER(S) CONCERNING THE CONDITION OF THE  
 PROPERTY LOCATED AT 09S4009A TL#600 (“THE PROPERTY”).

DISCLOSURES CONTAINED IN THIS FORM ARE PROVIDED BY THE SELLER ON THE BASIS OF SELLER’S ACTUAL KNOWLEDGE OF THE  
 PROPERTY AT THE TIME OF DISCLOSURE. BUYER HAS **FIVE BUSINESS DAYS** FROM THE SELLER’S DELIVERY OF THIS SVLD TO TERMINATE  
 THE AGREEMENT BY DELIVERING **FORM 5.3 BUYER’S NOTICE OF TERMINATION** TO THE SELLER DISAPPROVING OF INFORMAITON IN  
 THE SVLD, UNLESS BUYER WAIVES THIS RIGHT AT OR PRIOR TO ENTERING INTO THE AGREEMENT WITH A **FORM 2.14 WAIVER OF**  
**CONTINGENCIES ADDENDUM**.

FOR A MORE COMPREHENSIVE EXAMINATION OF THE SPECIFIC CONDITION OF THIS PROPERTY, BUYER IS ADVISED TO OBTAIN AND  
 PAY FOR THE SERVICES OF A QUALIFIED SPECIALIST TO INSPECT THE PROPERTY ON BUYER’S BEHALF INCLUDING, FOR EXAMPLE, ONE  
 OR MORE OF THE FOLLOWING: ARCHITECTS, GENERAL CONTRACTORS, ENGINEERS, PLUMBERS, ELECTRICIANS, OR ENVIRONMENTAL  
 INSPECTORS.

**I. SELLER REPRESENTATIONS**

The following are representations made by the Seller and are not the representations of any financial institution that may have made  
 or may make a loan pertaining to the Property, or that may have or take a security interest in the Property, or any real estate licensee  
 engaged by the Seller or the Buyer.

**DO NOT LEAVE ANY SPACES BLANK**

If you mark “yes” on items with \*, attach a copy of item’s document or explain yes answer on an attached sheet.

**1. LAND USAGE**

- A. Has the Property been surveyed?  Yes\*  No  Unknown
- B. Has the Property been platted?  Yes\*  No  Unknown
- C. Are you aware of any prior property divisions, partitions, or subdivisions involving this Property?  
 Yes\*  No  Unknown

Buyer Initials

Seller Initials

**SELLER VACANT LAND DISCLOSURE**



- 40 D. Are you aware of any encroachments or boundary line disputes?  Yes  No  Unknown
- 41 E. Are you aware of any easements other than utility/drainage easements? *Dice*  Yes  No  Unknown
- 42 F. Are you aware of any condition or proposed change in the vicinity of the Property that does or will materially affect the
- 43 value of the Property, such as, but not limited to, proposed development or proposed roadways?  Yes\*  No  Unknown
- 44
- 45 G. Zoning Classification of Property if Known: Commercial
- 46 H. Have any development-related permit applications been submitted to any government agencies.  Yes\*  No  Unknown
- 47
- 48 I. Is Seller aware of any mineral, subsurface, natural gas, or oil rights or leases in the Property held by another person or
- 49 entity other than Seller?  Yes\*  No  Unknown
- 50 J. Are the boundary lines of the Property marked in any way?  Yes  No  Unknown *Pairs*
- 51 *If yes, please describe boundary lines, boundary landmarks, and boundary distances on an attached document.*

**2. FLORA AND FAUNA**

- 53 A. Does the Property have any plants or wildlife that are designated as species of concern, or listed as threatened or endangered
- 54 by the government?  Yes  No  Unknown
- 55 B. Are there any migratory animal paths or migration routes that commonly pass through the Property?  Yes  No  Unknown
- 56
- 57 C. Are you aware of any dead or diseased trees on the Property?  Yes\*  No  Unknown
- 58 D. Is the Property classified or designated as forest land or open space?  Yes  No  Unknown
- 59 E. Do you have a forest management plan or contracted forest management services?  Yes\*  No  Unknown
- 60 F. Is the Property classified as part of the Oregon Coastal Management Program?  Yes  No  Unknown
- 61 G. Is the Property currently designated as farm deferral or forestland deferral by the county tax assessor?  Yes  No  Unknown
- 62
- 63 H. Is the Property subject to any farm deferral or forestland deferral taxes?  Yes  No  Unknown
- 64 I. Has Seller received notice of any environmental regulation or environmental condition (such as a Wetland Determination)
- 65 which would prohibit or restrict use of the Property?  Yes\*  No  Unknown

**3. SOIL AND WATER**

- 67 A. Have any soil tests been performed?  Yes\*  No  Unknown
- 68 B. Is any portion of the Property been classified as "High Value Farm Land"?  Yes  No  Unknown
- 69 C. Is there any soil or groundwater contamination?  Yes  No  Unknown
- 70 D. Does the Property have any water rights or water permits?  Yes  No  Unknown
- 71 (1) If yes, are they Groundwater rights?  N/A  Yes\*  No  Unknown
- 72 (2) If yes, are they Surface water rights?  N/A  Yes\*  No  Unknown
- 73 (3) If yes, are there any water storage rights?  N/A  Yes\*  No  Unknown
- 74 (4) If yes, have all or any portion of the water right not been used for five or more successive years?  N/A  Yes\*  No  Unknown
- 75
- 76 E. Is there a dam on the Property?  Yes  No  Unknown
- 77 If yes, is the dam permitted?  N/A  Yes  No  Unknown
- 78 F. Does the Property have potable water supply?  Yes  No  Unknown
- 79 G. Are any of the following presently existing within the Property?
- 80 (1) Connection to public water  Yes  No  Unknown
- 81 (2) Connection to private water system off property  Yes  No  Unknown
- 82 (3) A water tank  Yes  No  Unknown
- 83 (4) Well with an assigned Well ID number  Yes\*  No  Unknown
- 84 (5) Well with no Well ID number  Yes  No  Unknown
- 85 H. Are any of the following presently existing at the boundary of the Property?
- 86 (1) Public water system access  Yes  No  Unknown
- 87 (2) Private water system access  Yes  No  Unknown

Buyer Initials

Seller Initials LCD

SELLER VACANT LAND DISCLOSURE



- 88 (3) Connection to private water system off property
89 (4) A water tank
90 I. Is there a connection or hook-up charge payable before the Property can be connected to the water main?
91
92 J. Is there an easement for access to and/or maintenance of the water source?
93 K. Are there any defects in the operation of the water systems (e.g. pipes, tank, pump, etc.)?
94
95 L. Is there an outdoor sprinkler system for the Property?
96 (1) If yes to outdoor sprinkler system, are there any defects in the system?
97 (2) If yes to outdoor sprinkler system, is the sprinkler system connected to irrigation water?
98
99 M. Are there any abandoned wells, buried storage tanks, buried debris, or waste on the Property?
00

01 4. SEWAGE SYSTEMS

- 02 A. Is the property connected to a Public Sewer System?
03 B. If not connected to Public Sewer, is Public Sewer available or able to be attached to the Property?
04
05 C. Is the Property subject to any sewage system fees or charges in addition to those covered in your regularly billed sewer or
06 on-site sewage system maintenance service?
07 D. Is the on-site sewage system, including the drain field, located entirely within the boundaries of the Property?
08
09 If no and sewage system is located outside the boundaries of the Property, explain where sewage system is located.\*
10 E. Have percolation tests been performed?

11 5. POWER AND HEATING

- 12 A. Are any of the following presently existing at the boundary of the Property?
13 (1) Electric service access
14 (2) Natural gas access
15 B. Have any utility access charges been paid?
16 If yes, on separate attachment, explain which ones
17 C. Is there a connection charge for gas?
18 D. Is there a connection charge for electricity?
19 E. Are there any electrical problems on the Property?
20 F. Are there transmission poles or other electrical utility equipment installed, maintained, or buried on the Property that do
21 not provide utility service to the structure on the Property?
22 G. Is there a propane tank on the Property?
23 H. If yes to the above, is this propane tank owned by the Seller?

24 6. MISCELLANEOUS

- 25 A. Has the Property been used for commercial or industrial purposes?
26 B. Has the Property been used for agricultural purposes?
27 C. Are any of the following presently existing at the boundary of the Property?
28 (1) Telephone system access
29 (2) Internet access
30 D. Has the Property been used as a legal or illegal dumping site?
31 E. Has the Property been used as an illegal drug manufacturing site?
32 F. Are there any radio towers that cause interference with cellular telephone reception?
33 If the answer is Yes, on separate attachment, what is the status or outcome of those applications?

Buyer Initials [ ] [ ] [ ] [ ] Seller Initials [lew] [ ] [ ] [ ]

Sale Agreement # \_\_\_\_\_

**SELLER VACANT LAND DISCLOSURE**



- .34 G. Is the Property located within a city, county, or district or within a department of natural resources fire protection zone that
- .35 provides fire protection services?  Yes  No  Unknown
- .36 H. Are you aware of any electromagnetic fields located on the Property?  Yes  No  Unknown

**II. VERIFICATION**

.38 The foregoing answers and attached explanations (if any) are complete and correct to the best of my/our knowledge and I/we have  
.39 received a copy of this SVLD. I/we authorize my/our Agents to deliver a copy of this SVLD to Buyer or their Agents.

.40 Seller(s) signature:

.41 Seller: <u>Lillian C. Demuley</u>	Dated: <u>12/11/2023</u>
.42 Seller: _____	Dated: <u>12/10/2023</u>
.43 Seller: _____	Dated: _____
.44 Seller: _____	Dated: _____

**III. BUYER'S ACKNOWLEDGMENT**

.46 A. As Buyer(s), I/we acknowledge the duty to pay diligent attention to any material defects that are known to me/us or can be known  
.47 by me/us by utilizing diligent attention and observation.

.48 B. Buyer acknowledges and understands that the disclosures set forth in this statement and in any amendments to this statement are  
.49 made only by the Seller and are not the representations of any financial institution that may have made or may make a loan pertaining  
.50 to the Property, or that may have or take a security interest in the Property, or of any real estate licensee engaged by the Seller or  
.51 Buyer. A financial institution or real estate licensee is not bound by and has no liability with respect to any representation,  
.52 misrepresentation, omission, error or inaccuracy contained in another party's disclosure statement required by this SVLD or any  
.53 amendment to the SVLD.

.54 C. Buyer (which term includes all persons signing the "Buyer's Acknowledgment" portion of this disclosure statement below) hereby  
.55 acknowledges receipt of a copy of this SVLD (including attachments, if any) bearing Seller's signature(s).

.56 THIS NOTICE IS TO INFORM YOU THAT THE REAL PROPERTY YOU ARE CONSIDERING FOR PURCHASE MAY LIE IN CLOSE PROXIMITY TO  
.57 A FARM. THE OPERATION OF A FARM INVOLVES USUAL AND CUSTOMARY AGRICULTURAL PRACTICES, WHICH ARE PROTECTED UNDER  
.58 ORS 30.930 TO ORS 30.947.

.59 THIS NOTICE IS TO INFORM YOU THAT DISCLOSURES, IF ANY, CONTAINED IN THIS FORM ARE PROVIDED BY THE SELLER ON THE BASIS  
.60 OF SELLER'S ACTUAL KNOWLEDGE OF THE PROPERTY AT THE TIME OF DISCLOSURE. IF THE SELLER HAS FILLED OUT SECTION 1 OF THIS  
.61 FORM, YOU, THE BUYER, HAVE **FIVE BUSINESS DAYS** FROM THE SELLER'S DELIVERY OF THIS DISCLOSURE STATEMENT TO TERMINATE  
.62 THE AGREEMENT BY DELIVERING A **FORM 5.3 BUYER'S NOTICE OF TERMINATION** TO THE SELLER DISAPPROVING THE SELLER'S  
.63 DISCLOSURE, UNLESS YOU WAIVED THIS RIGHT AT OR PRIOR TO ENTERING INTO A SALE AGREEMENT.

.64 BUYER HEREBY ACKNOWLEDGES RECEIPT OF A COPY OF THIS SELLER'S VACANT LAND DISCLOSURE STATEMENT.

.65 Buyer: _____	Dated: _____
.66 Buyer: _____	Dated: _____
.67 Buyer: _____	Dated: _____
.68 Buyer: _____	Dated: _____

.69 If Agent receiving SVLD for Buyer, Agent is to sign and date:

.70 _____	Real Estate Licensee
.71 _____	Real Estate Firm

.72 Date received by Agent \_\_\_\_\_

.73

Buyer Initials

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Seller Initials

LC			
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1 **1. Property Address or Description:** 09S4009A TL#600

2 **2. Names of Parties to this Agreement:**

3 **Buyer:** \_\_\_\_\_ **Seller:** Lillian C Densley

4 **Buyer:** \_\_\_\_\_ **Seller:** \_\_\_\_\_

5 **Buyer:** \_\_\_\_\_ **Seller:** \_\_\_\_\_

6 **Buyer:** \_\_\_\_\_ **Seller:** \_\_\_\_\_

7 **3. Use and Effect of this Attachment.** The *Form 3.3 Seller Vacant Land Disclosure* states, "If you mark yes on items with \*, attach a  
8 copy of item's document or explain yes answer on an attached sheet." This Attachment form is used for those explanations. If you are  
9 attaching a copy of a document, label the top right corner of all pages that are part of the copy with an A, B, C, or 1, 2, 3, etc. and use  
10 the below space to describe the item.

11 E.g. Seller answered yes to Form 3.3(3)(A) asking whether any soil tests have been performed; Seller then attaches the soil test  
12 documents stating, "Soil Tests", writes the letter A in the top right corner of the page and writes below in Section 5: "Item Related to  
13 Question 3 A - Attached Document labeled as Exhibit A – Soil Test performed on May 1, 2022."

14 **4. Disclosure.** This Attachment is related to the above referenced Sale Agreement and *Form 3.3 Seller Vacant Land Disclosure*.

15 **5. Explanations and Attachments.** The following are explanations of various "yes" answers to disclosure items marked with \*, or  
16 descriptions of attached items related to such \* items.

17 **Item Related to Question** \_\_\_\_\_ **Attached Document labeled as Exhibit** \_\_\_\_\_  
18 **Statement of Explanation (if any):** \_\_\_\_\_  
19 \_\_\_\_\_  
20 \_\_\_\_\_  
21 \_\_\_\_\_

22 **Item Related to Question** \_\_\_\_\_ **Attached Document labeled as Exhibit** \_\_\_\_\_  
23 **Statement of Explanation (if any):** \_\_\_\_\_  
24 \_\_\_\_\_  
25 \_\_\_\_\_  
26 \_\_\_\_\_

27 **Item Related to Question** \_\_\_\_\_ **Attached Document labeled as Exhibit** \_\_\_\_\_  
28 **Statement of Explanation (if any):** \_\_\_\_\_  
29 \_\_\_\_\_  
30 \_\_\_\_\_  
31 \_\_\_\_\_

32 **Item Related to Question** \_\_\_\_\_ **Attached Document labeled as Exhibit** \_\_\_\_\_  
33 **Statement of Explanation (if any):** \_\_\_\_\_  
34 \_\_\_\_\_  
35 \_\_\_\_\_  
36 \_\_\_\_\_

37 **Item Related to Question** \_\_\_\_\_ **Attached Document labeled as Exhibit** \_\_\_\_\_  
38 **Statement of Explanation (if any):** \_\_\_\_\_  
39 \_\_\_\_\_  
40 \_\_\_\_\_  
41 \_\_\_\_\_

**Buyer Initials**

**Seller Initials**

Suzi Smith