

MONTANA ASSOCIATION OF REALTORS®  
PROPERTY DISCLOSURE STATEMENT (COMMERCIAL)

1 Date: 04/01/2025

2  
3 Property: 195 Commons Loop Kalispell MT 59901

4 Seller(s): Ronald B Potthoff

5 Seller Agent: David G Stone

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 known  
10 to the seller agent, except that the seller agent is not required to inspect the property or verify any statements  
11 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 (Commercial) that  
16 has been 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 (Commercial), **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: David G Stone

36 David G Stone

37 Dated: 4.14.2025

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

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

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

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

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

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

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



1 Date: 04/01/2025

2  
3 The undersigned Owner is the owner of certain real property located at \_\_\_\_\_  
4 195 Commons Loop, in the City of Kalispell,  
5 County of Flathead, Montana, which real property is legally described as:  
6 **BUFFALO COMMONS PT PH 3&4, S06, T28 N, R21 W, BLOCK 003, Lot 002, BUFFALO**  
7 **COMMONS PORTION OF PH3 & PH4 LOT 2 BLK3**  
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  
16 **OWNER'S DISCLOSURE**

- 17  
18 ☐ Owner has never occupied the Property.  
19 ☐ Owner has not occupied 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 and  
24 hold any and all real estate agents involved, directly or indirectly, in the purchase and sale of the Property, harmless  
25 from all claims for damages based upon the disclosures made in this Disclosure Statement along with the failure of the  
26 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 above  
29 date. **It is not a warranty or representation of any kind by the Owner and it is not a contract between Owner and**  
30 **buyer. This disclosure statement is not a substitute for any inspections the buyer may wish to obtain.**

31  
32 Please describe any adverse material facts concerning the items listed, or other components, fixtures or matters.

- 33  
34 1. APPLIANCES: (Refrigerators, Microwave, Range, Dishwasher, Garbage Disposal, Oven, Trash Compactor,  
35 Freezer, Washer, Dryer)

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39 2. COMPONENTS and BUILT-IN SYSTEMS: (Water Softener, Water Conditioners, Exhaust Fans, Water Heater,  
40 Washer/Dryer Hookups, Ceiling Fan, Intercoms, Remote Controls, T.V. Antenna, Satellite Dish, Central sound  
41 systems, Wiring for phone, cable and internet, Security Alarms, Fire Alarms, Smoke Detectors, Garage Door  
42 Openers, and Security Gates)

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- 45 3. ELECTRICAL SYSTEM/UTILITY CONNECTIONS: (Wiring, Outlets, Switches, Services, Shorts, Alterations, and  
46 Overloads, or known information concerning utility connections)  
47  
48  
49
- 50 4. PLUMBING: (including Pipes, Drains, Faucets, Fixtures, Sump Pumps and Toilets)  
51 a. Faucets, fixtures, etc.  
52  
53  
54  
55 b. Private Septic Systems (Adherence to Health Codes, Clogging, Backing Up, Drain Field, Septic Tanks, Holding  
56 Tanks, Grease Traps, Oil/Water Separators and Cesspools) n/a  
57  
58  
59  
60 c. Septic Systems permit in compliance with existing use of Property n/a  
61  
62  
63  
64 Date Septic System was last pumped?  
65  
66 d. Public Sewer Systems (Clogging and Backing Up) n/a  
67  
68  
69
- 70 5. HEATING, VENTILATION AND AIR-CONDITIONING SYSTEMS: (Central Heating including furnaces, Central Air  
71 Conditioning including compressors, Heat pumps, Electric heating systems, Solar systems, Gas Leaks,  
72 Thermostats, Wall/Window AC, Evaporator Coolers, Humidifiers, Propane tanks)  
73  
74  
75
- 76 6. ADDITIONAL HEAT SOURCES: (Gas, Pellet, Wood Stoves or Fireplaces) (Compliance with Air Quality Laws,  
77 Chimney Cleanliness, Chimney Fires and Adherence to Codes in Installation)  
78  
79  
80
- 81 7. INSULATION: (Walls, Ceiling, Utility Bills, Vapor Barrier and Formaldehyde or Asbestos Insulation)  
82  
83  
84
- 85 8. OTHER BASIC COMPONENTS: (Interior Walls, Ceilings, Floors, Exterior Walls, Windows, Doors, Window  
86 Screens, Slabs, Driveways, Sidewalks, Fences)  
87  
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- 94 9. BASEMENT: (Leakage, Flooding, Moisture or Evidence of Water, and Fuel Tanks)  
95  
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- 98 10. FOUNDATION: (Depth, Footings, Reinforcement, and Cracking)  
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101 11. ROOF: (Rain Gutters, Leakage, Deterioration, Ice build ups and Structural Condition)  
102 \_\_\_\_\_  
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104 \_\_\_\_\_  
105 \_\_\_\_\_  
106 \_\_\_\_\_  
107 12. WATER: (Well Production, Water Quality and Quantity, Water Rights and Abandoned Wells)  
108 \_\_\_\_\_  
109 \_\_\_\_\_  
110 \_\_\_\_\_  
111 a. Private well  
112 \_\_\_\_\_  
113 \_\_\_\_\_  
114 \_\_\_\_\_  
115 b. Public or community water systems  
116 \_\_\_\_\_  
117 \_\_\_\_\_  
118 \_\_\_\_\_  
119 13. ANCILLARY BUILDINGS: (Window Screens, Underground Sprinklers systems and controls, Partially landscaped  
120 or un-landscaped yard)  
121 \_\_\_\_\_  
122 \_\_\_\_\_  
123 \_\_\_\_\_  
124 14. NUISANCE/HAZARDOUS MATERIALS: Waste dump or disposal or landfill or gravel pit or commercial use in the  
125 vicinity of the Property, existing or proposed, which may cause smoke, smell, noise or other nuisance, annoyance  
126 or pollution, any hazardous materials or pest infestations located on the Property or in the immediate area:  
127 \_\_\_\_\_  
128 \_\_\_\_\_  
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130 15. ALTERATIONS: (whether any substantial additions or alterations have been made to the Property without any  
131 required permit)  
132 \_\_\_\_\_  
133 \_\_\_\_\_  
134 \_\_\_\_\_  
135 16. ACCESS/OWNERSHIP: (If the Property is not on a public street note any Driveway Agreements, Private Easements  
136 and Legal Disputes Concerning Access; matters affecting legal ownership or title to the Property or the Seller's  
137 ability to transfer the Property)  
138 n/a  
139 \_\_\_\_\_  
140 \_\_\_\_\_  
141 17. SOILS: Whether there are any problems with settling, soil, standing water, or drainage on the Property or in the  
142 immediate area:  
143 \_\_\_\_\_  
144 \_\_\_\_\_  
145 \_\_\_\_\_  
146 18. HAZARD INSURANCE/DAMAGES/CLAIMS (past and present):  
147 \_\_\_\_\_  
148 \_\_\_\_\_

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
19. METHAMPHETAMINE: If the Property is inhabitable real property, the Owner represents to the best of Owner's knowledge that the Property ☐ **has** ☐ **has not** been used as a clandestine Methamphetamine drug lab and ☐ **has** ☐ **has not** been contaminated from smoke from the use of Methamphetamine. If the Property has been used as a clandestine Methamphetamine drug lab or contaminated from smoke from the use of Methamphetamine, Owner agrees to execute the Montana Association of REALTORS® "Methamphetamine Disclosure Notice" and provide any documents or other information that may be required under Montana law concerning the use of the Property as a clandestine Methamphetamine drug lab or the contamination of the Property from smoke from the use of Methamphetamine.
20. RADON: If the Property is inhabitable real property as defined in the Montana Radon Control Act, Owner represents that to the best of Owner's knowledge the Property ☐ **has** ☐ **has not** been tested for radon gas and/or radon progeny and the Property ☐ **has** ☐ **has not** received mitigation or treatment for the same. If the Property has been tested for radon gas and/or radon progeny, attached are any test results along with any evidence of mitigation or treatment.
21. LEAD-BASED PAINT: If a residential dwelling exists on the Property and was built before the year 1978, Owner ☐ **has** ☐ **has no** knowledge of lead-based paint and/or lead-based paint hazards on the Property. If Owner has knowledge of lead-based paint and/or lead-based paint hazards on the Property, attached are all pertinent reports and records concerning that knowledge.
22. MOLD: If the Property is inhabitable real property as defined in the Montana Mold Disclosure Act, the Owner represents to the best of Owner's knowledge that the Property ☐ **has** ☐ **has not** been tested for mold and that the Property ☐ **has** ☐ **has not** received mitigation or treatment for mold. If the Property has been tested for mold or has received mitigation or treatment for mold, attached are any documents or other information that may be required under Montana law concerning such testing, treatment or mitigation.
23. OTHER TESTING OR TREATMENTS: Has the Property been tested or treated for the presence of fuel or chemical storage tanks, asbestos, or contaminated soil or water:
- 
- 

**If any of the following items or conditions exist relative to the Property, please check the box and provide details below.**

1. ☐ Asbestos.
2. ☐ Noxious weeds.
3. ☐ Pests, rodents.
4. ☐ Destructive insects such as termites, pine beetles or carpenter ants. (If the Property has been tested or treated, attach documentation.)
5. ☐ Common walls, fences and driveways that may have any effect on the Property.
6. ☐ Encroachments, easements, or similar matters that may affect your interest in the Property.
7. ☐ Building additions, structural modifications, or other alterations or repairs made without necessary permits or association and architectural committee permission.
8. ☐ Building additions, structural modifications, or other alterations or repairs not in compliance with building codes.
9. ☐ Health department or other governmental licensing, compliance or issues.
10. ☐ Landfill (compacted or otherwise) on the Property or any portion thereof.
11. ☐ Location in the floodplain, shoreline master plan, wetland or other environmentally sensitive area or work conducted by Seller in or around any natural bodies of water.
12. ☐ Settling, slippage, sliding or other soil problems.
13. ☐ Flooding, draining, grading problems, or French drains.
14. ☐ Major damage to the Property or any of the structures from fire, earthquakes, floods, slides, etc.
15. ☐ Waste dump or disposal or landfill or commercial use in the vicinity of the Property which causes smoke, smell, noise or other pollution.
16. ☐ Hazardous or Environmental Waste: Underground storage tanks or sump pits.
17. ☐ Neighborhood noise problems or other nuisances.
18. ☐ Violations of deed restrictions, restrictive covenants or other such obligations.
19. ☐ Zoning or Historic District violations, non-conforming uses, violations of "setback" requirements, etc.

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- 205 20. ☐ Zoning, Historic District or land use change planned or being considered by the city or county.  
206 21. ☐ Street or utility improvement planned that may affect or be assessed against the Property.  
207 22. ☐ Property Owner's Association obligations (dues, lawsuits, transfer fees, initiation fees, etc.).  
208 23. ☐ Proposed increase in the tax assessment value or homeowner's association dues for the Property.  
209 24. ☐ "Common area" problems.  
210 25. ☐ Tenant problems, defaults or other tenant issues.  
211 26. ☐ Notices of abatement or citations against the Property.  
212 27. ☐ Lawsuits or legal proceedings (including foreclosures and bankruptcies) affecting or threatening the Property.  
213 28. ☐ Airport affected area.  
214 29. ☐ Animal damage.  
215 30. ☐ Property leases including post-closing short-term rental obligations, crop share agreements, mineral leases  
216 or reservations.  
217 31. ☐ Environmental Phase I, II or III and any environmental reports or remediation records or known  
218 Environmental conditions  
219 32. ☐ Railroad leases affecting the Property .  
220 33. ☐ Other matters as set forth below including environmental issues, structural system issues, mechanical  
221 issues, legal issues, physical issues, or others not listed above of which the Seller has actual knowledge  
222 concerning the Property.  
223

224 Additional details:

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

  
Owner's Signature **Ronald B Potthoff** 04/01/25  
Date

Owner's Signature \_\_\_\_\_ Date \_\_\_\_\_

**BUYER'S/LESSEE'S ACKNOWLEDGEMENT**

Subject Property Address: 195 Commons Loop Kalispell MT 59901  
BUFFALO COMMONS PT PH 3&4, S06, T28 N, R21 W, BLOCK 003, Lot 002, BUFFALO  
COMMONS PORTION OF PH3 & PH4 LOT 2 BLK3

Buyer(s)/Lessee(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)/Lessee(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.