



VACANT LAND DISCLOSURE

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1 NOTICE FOR NORTH DAKOTA PROPERTY:

This form is designed to guide Seller(s) in making the legally required disclosures and to assist Seller(s) to avoid inadvertent nondisclosures of material facts as required by statute. Seller(s) must disclose all material facts Seller(s) is aware could adversely and significantly affect an ordinary buyer's use and enjoyment of the Property or any intended use of the Property of which Seller(s) is aware, even if not specifically asked in this form. Additional space for disclosure is provided on the last page of this form, and Seller(s) may attach any additional information as necessary.

8 Refer to North Dakota Century Code 47-10-02.1 for more details on the requirements of the statute.

| State: | Zip Code: | County: |
|--------|-----------|------------------|
| | | |
| | | |
| | | |
| | State: | State: Zip Code: |

18 THIS IS NOT A WARRANTY:

19 This disclosure is not a warranty or guarantee of any kind by Seller(s) or Broker(s) or Agent(s) representing 20 or assisting any party in the transaction, and it is not a substitute for inspections or warranties in which the 21 parties may wish to obtain. Seller(s) is only providing information of which Seller(s) is aware. 22 Broker(s)/Agent(s) is not a property inspector and has little or no information regarding the condition of this 23 Property.

Seller(s) authorizes Broker(s) and Agent(s) to provide the following information to prospective Buyer(s).
Information presented in this form is not intended to be part of any PURCHASE AGREEMENT between
Buyer(s) and Seller(s).

27 SELLER(s):

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- Seller(s) is to personally complete this form. Please include the Property address on every page.
- Answer all line items, even if your answer is "Unknown".
- If more space is needed, place additional disclosures on Page 9 and include the line number(s) being
 referenced.
- Seller(s) is obligated to continue to notify Buyer(s) in writing of any facts that differ from the facts disclosed here (new or changed) of which Seller(s) is aware that occur up to the time of closing.
 Seller(s) must disclose new or changed facts in writing.

35 BUYER(s):

- Buyer(s) is encouraged to inspect the Property thoroughly personally or have it inspected by a third
 party and to inquire about any specific areas of concern.
- NOTE: If Seller(s) answers "Unknown" to any of the questions listed below, it does not necessarily
 mean that it does not exist on the Property. "Unknown" may mean Seller(s) is unaware that it exists
 on the Property.





| | Buyer(s) is responsible for reviewing any zoning or regulatory use restrict including but not limited to mineral rights, airport zoning regulations, Property near airport safety zones is subject to specific zoning regulation the county recorder in the relevant county. Contact the county recorder regulations impact the Property. | and muni ons, whic | cipalit h are r | y ordina recorded | inces with |
|----------------|--|-----------------------|--------------------|----------------------|---------------|
| SELL | ER(s) & BUYER(s): | | | | |
| • • • | THE INFORMATION DISCLOSED IS GIVEN TO THE BEST OF SELI The following information applies to the Property and all structures. Initial by any changed answers or mistakes made on this form. | LER'S KN | OWLE | EDGE. | |
| GENE | CRAL INFORMATION: | | | | |
| 1 | When did you purchase the Property? | | | | |
| 2 | Type of title evidence. Abstract Owner's Title Insurance |] Unkno | wn | | |
| | | | Not M | aintain | ed |
| 3 | Is the Property on a public or private road? Public Private I If Private or Public Not Maintained , Explain: | Public – 1 | | | |
| | | YES | NO □ | UNK | NA |
| GENE | If Private or Public Not Maintained , Explain: CRAL CONDITIONS: (UNK = Unknown, NA = Not Applicable) Are there any private or non-dedicated roadways that you are responsible for? | YES | | | |
| GENE | If Private or Public Not Maintained , Explain: ERAL CONDITIONS: (UNK = Unknown, NA = Not Applicable) Are there any private or non-dedicated roadways that you are responsible for? If Yes, Explain. Are you in possession or aware of any prior vacant land disclosure statement(s)? | YES | NO | | |
| GENE 1 2 | If Private or Public Not Maintained , Explain: ERAL CONDITIONS: (UNK = Unknown, NA = Not Applicable) Are there any private or non-dedicated roadways that you are responsible for? If Yes, Explain. Are you in possession or aware of any prior vacant land disclosure statement(s)? If Yes, Explain or attach if in your possession. Has the Property been surveyed? | | NO | | |
| GENE 1 2 3 | If Private or Public Not Maintained , Explain: ERAL CONDITIONS: (UNK = Unknown, NA = Not Applicable) Are there any private or non-dedicated roadways that you are responsible for? If Yes, Explain. Are you in possession or aware of any prior vacant land disclosure statement(s)? If Yes, Explain or attach if in your possession. Has the Property been surveyed? Year Surveyed: | | | | |

Buyer(s) Initials _____



| Address: | |
|----------|--|
| muuress. | |



| | | YES | NO | UNK | NA |
|----|---|-----|----|-----|----|
| 5 | Is this Property platted? | | | | |
| 6 | Has the plat been recorded? | | | | |
| 7 | Are there any property markers on the Property? If Yes, Explain: | | | | |
| 8 | Are there any rivers, lakes, ponds, streams or springs running through the Property or along the boundary line? | | | | |
| 9 | Is the Property located within a government designated evacuation zone? | | | | |
| 10 | Are there any structures or improvements on the Property? If Yes, List all items: | | | | |
| 11 | Were there any previous structures on the Property? If Yes, Explain: | | | | |
| 12 | Are there any abandoned or junk motor vehicles, equipment of any kind or debris on the Property? If Yes, List all items and location: | | | | |
| 13 | Are there any settling, erosion, or soil movement problems on or affecting the Property? If Yes, Explain: | | | | |
| 14 | Are you aware of any adverse soil conditions that would have an effect on the Property? If Yes, Explain: | | | | |
| 15 | Are there any gravel pits, caves, sink holes or mineshafts on or affecting the Property? If Yes, Explain: | | | | |





| 10 | | YES | S NO | UN | K 1 |
|--------------------------|---|--------------------------|-------------|------------|----------|
| 16 | Has there been any damage by wind, fire, flood, hail, or other cause(s)? If Yes, Explain: | | | | |
| SUBS | URFACE SEWAGE TREATMENT SYSTEM DISCLOSURE: (UNK = Unk | | | | |
| 1 | Are there any subsurface sewage treatment systems located on or serving | $\underline{\text{YES}}$ | <u>3 NO</u> | \cup UNF | <u> </u> |
| Ţ | the above-described Property? If Yes, See PRIVATE SEWAGE TREATMENT SYSTEM. | | | | ľ |
| 2 | Are there any abandoned subsurface sewage treatment systems on the | | | | |
| | Property? If Yes, See PRIVATE SEWAGE TREATMENT SYSTEM. | | | | |
| WELI | L DISCLOSURE: (UNK = Unknown, NA = Not Applicable) | | | | |
| 1 | And these mells been done the shear described Duer sute? | YES | NO | UNK | NA |
| 1 | Are there wells located on the above-described Property? If Yes, See WELL DISCLOSURE. | | | Ш | |
| 2 | Are there wells serving the Property that are not located on the | | | | |
| | Property? | | | | |
| | If Yes, See WELL DISCLOSURE. | | | | |
| | | | | | |
| 3 | Are there any maintenance agreements for the shared well(s)? | | | | |
| 3 | Are there any maintenance agreements for the shared well(s)? If Yes, See WELL DISCLOSURE. | | | | |
| | If Yes, See WELL DISCLOSURE. | | | | |
| | If Yes, See WELL DISCLOSURE. ITY INFORMATION: (UNK = Unknown, NA = Not Applicable) | | | | |
| | If Yes, See WELL DISCLOSURE. ITY INFORMATION: (UNK = Unknown, NA = Not Applicable) Check if any of the following exist within the Property | YES | | | |
| UTIL | If Yes, See WELL DISCLOSURE. ITY INFORMATION: (UNK = Unknown, NA = Not Applicable) | | | | |
| UTIL 1 | If Yes, See WELL DISCLOSURE. ITY INFORMATION: (UNK = Unknown, NA = Not Applicable) Check if any of the following exist within the Property Connection to public water? If Yes, Who is the current provider? | YES | NO | | |
| UTIL | If Yes, See WELL DISCLOSURE. ITY INFORMATION: (UNK = Unknown, NA = Not Applicable) Check if any of the following exist within the Property Connection to public water? | | | | |
| UTIL 1 2 | If Yes, See WELL DISCLOSURE. ITY INFORMATION: (UNK = Unknown, NA = Not Applicable) Check if any of the following exist within the Property Connection to public water? If Yes, Who is the current provider? Connection to public sewer? If Yes, Explain: | YES | NO | | |
| UTIL 1 | If Yes, See WELL DISCLOSURE. ITY INFORMATION: (UNK = Unknown, NA = Not Applicable) Check if any of the following exist within the Property Connection to public water? If Yes, Who is the current provider? Connection to public sewer? | YES | NO | | |
| UTIL 1 2 3 | If Yes, See WELL DISCLOSURE. ITY INFORMATION: (UNK = Unknown, NA = Not Applicable) Check if any of the following exist within the Property Connection to public water? If Yes, Who is the current provider? Connection to public sewer? If Yes, Explain: Connection to a private water system off-property? If Yes, Explain: | | | | |
| UTIL 1 2 | If Yes, See WELL DISCLOSURE. ITY INFORMATION: (UNK = Unknown, NA = Not Applicable) Check if any of the following exist within the Property Connection to public water? If Yes, Who is the current provider? Connection to public sewer? If Yes, Explain: Connection to a private water system off-property? | YES | NO | | |
| UTIL 1 2 3 4 | If Yes, See WELL DISCLOSURE. ITY INFORMATION: (UNK = Unknown, NA = Not Applicable) Check if any of the following exist within the Property Connection to public water? If Yes, Who is the current provider? Connection to public sewer? If Yes, Explain: Connection to a private water system off-property? If Yes, Explain: Connection to electric utility? If Yes, Who is the current provider? | | | | |
| UTIL 1 2 3 | If Yes, See WELL DISCLOSURE. ITY INFORMATION: (UNK = Unknown, NA = Not Applicable) Check if any of the following exist within the Property Connection to public water? If Yes, Who is the current provider? Connection to public sewer? If Yes, Explain: Connection to a private water system off-property? If Yes, Explain: Connection to electric utility? | | | | |
| UTIL 1 2 3 4 5 | If Yes, See WELL DISCLOSURE. ITY INFORMATION: (UNK = Unknown, NA = Not Applicable) Check if any of the following exist within the Property Connection to public water? If Yes, Who is the current provider? Connection to public sewer? If Yes, Explain: Connection to a private water system off-property? If Yes, Explain: Connection to electric utility? If Yes, Who is the current provider? Connection to pipelines (natural gas, petroleum, other)? If Yes, Explain: | | | | |
| UTIL 1 2 3 4 | If Yes, See WELL DISCLOSURE. ITY INFORMATION: (UNK = Unknown, NA = Not Applicable) Check if any of the following exist within the Property Connection to public water? If Yes, Who is the current provider? Connection to public sewer? If Yes, Explain: Connection to a private water system off-property? If Yes, Explain: Connection to electric utility? If Yes, Who is the current provider? Connection to pipelines (natural gas, petroleum, other)? | | | | |
| UTIL 1 2 3 4 5 | If Yes, See WELL DISCLOSURE. ITY INFORMATION: (UNK = Unknown, NA = Not Applicable) Check if any of the following exist within the Property Connection to public water? If Yes, Who is the current provider? Connection to public sewer? If Yes, Explain: Connection to a private water system off-property? If Yes, Explain: Connection to electric utility? If Yes, Who is the current provider? Connection to pipelines (natural gas, petroleum, other)? If Yes, Explain: Connection to communication, power or utility lines? | | | | |



55

Address: _____



| | Check if any of the following exist at the Boundary of the Property: | YES | NO | UNK | NA |
|-----|--|--------------------------|---------|---------------------------|-----------|
| 1 | Access to public water system? | | | | |
| 2 | Access to private water system? | | | | |
| 3 | Access to Co-op water system? | | | | |
| 4 | Access to shared water system? | | | | |
| 5 | Access to electric utility service? | | | | |
| 6 | Access to pipeline (natural gas, petroleum, other)? | | | | |
| 7 | Access to communication, power or utility lines? | | | | |
| 8 | Access to telephone/fiber optic or cable? | | | | |
| USE | RESTRICTIONS: (UNK = Unknown, NA = Not Applicable) | | | | |
| 1 | Are there covenants, deed restrictions, or reservations of rights of use? | $\underline{\text{YES}}$ | NO D | $\frac{\text{UNK}}{\Box}$ | \square |
| | If Yes, Explain: | | | | |
| 2 | Are there utility or drainage easements or rights of way easements? If Yes, Explain: | | | | |
| 3 | Are there railroad or other transportation easements or rights of way easements? If Yes, Explain: | | | | |
| 4 | Is there a right of first refusal to purchase? If Yes, Explain: | | | | |
| 5 | Are there ongoing financial maintenance or other obligations related to the Property that the Buyer(s) will be responsible for? If Yes, Explain: | | | | |
| 6 | Are there any crops on the Property? | | | | |
| 7 | Are there historical registry restrictions? If Yes, Explain: | | | | |
| | | | | | |

Buyer(s) Initials _____







| 8 | Is there life estate, trust/shared estates? | $\underline{\text{YES}}$ | NO | UNK | NA |
|----|---|--------------------------|--------|-------|------|
| | If Yes, Explain: | | | | |
| 9 | Are there any existing subsurface or surface leases and/or third-party interests? If Yes, Explain/Provide a copy of the lease: | | | | |
| | | | | | |
| 10 | Does a Homeowner's Association have authority over the Property? If Yes, See HOA INFORMATION. | Ш | Ш | Ш | |
| 11 | Are there shared features with adjoining properties (e.g. retaining walls, fences, driveways, or other)? If Yes, Explain: | | | | |
| 12 | Is there Notice from any accessing authority of a new improvement project in which the cost may be assessed against the Property? If Yes, Explain: | | | | |
| 13 | Is the Property enrolled in a federal, state or local government program (e.g., conservation programs, CREP, CRP, EQIP, Green Acres, Managed Forest Land, RIM, riparian buffers, Rural Preserve, SFIA, WRP/RIM- WRP etc.)? If Yes, Explain: | | | | |
| 14 | Is the Property within the boundaries of a Native American Reservation? If Yes, Explain: | | | | |
| 15 | Are there any USDA Wetlands determinations? If Yes, Explain: | | | | |
| 17 | Are there zoning infractions, non-conforming uses, or violations or unusual restrictions on the Property that would affect future construction? | | | | |
| 18 | Is the Property within an airport safety zone and subject to zoning regulations? | | | | |
| | IRONMENTAL CONCERNS: Do they currently exist or have they ex = Unknown, NA = Not Applicable) | isted o | on the | Prope | rty? |
| | | YES | NO | UNK | NA |
| 1 | Fill dirt? If Yes, Explain: | | | | |
| | | | | | |

 $\begin{array}{c} 56 \\ 57 \end{array}$





| | | YES | NO | UNK | NA |
|----|---|-----|----|-----|----|
| 2 | Asbestos? If Yes, Explain: | | | | |
| 3 | Hazardous waste/substances or underground storage tanks? If Yes, Explain: | | | | |
| 4 | Have any soil tests been performed? If Yes, When and by whom? | | | | |
| 5 | Diseased/dead or dying trees or shrubs? If Yes, Explain: | | | | |
| 6 | Methamphetamine or any illicit drug production/sales/usage? If Yes, Explain: | | | | |
| 7 | Human or animal burial ground/pits? If Yes, Explain: | | | | |
| 8 | Landfill or waste disposal site? If Yes, Explain: | | | | |
| 9 | Are there any landfills or waste disposal sites within two (2) miles of the Property? If Yes, Explain: | | | | |
| 10 | Is the Property located in or near an agricultural area? If Yes, the Property may be subject to normal and accepted agricultural practices and operations. Operations may include but are not limited to noise, dust, day and night operation of farm machinery, raising of livestock, storage and application of manure, fertilizers, soil amendments, herbicides and pesticides associated with normal agricultural practices. | | | | |
| 11 | Are there any current or past Phase I, Phase II or Phase III Environmental Site Assessment(s)? If Yes, Attach if in your possession. | | | | |
| 12 | Government sponsored cleanup or issues ordering the remediation of a public health nuisance on the Property? If Yes, Explain: | | | | |
| 14 | Is the Property drain tiled? If Yes, Explain: | | | | |

Address: _____





| | | YES | NO | UNK | NA | |
|----|--|-----|----|-----|----|--|
| 15 | Is the Property affected by chronic wasting disease? | | | | | |
| | If Yes. Explain: | | | | | |

58 **RADON DISCLOSURE:**

59 Every Buyer(s) of any interest in real property is notified that the Property may present exposure to dangerous

60 levels of radon gas that may place the occupants at risk of developing radon-induced lung cancer. Radon, a 61 Class A human carcinogen, is the leading cause of lung cancer in non-smokers and the second leading cause

62 overall.

63 FLOOD DISCLOSURE – INCLUDING OVERLAND AND RIVER FLOODING

64 This is intended to provide information to prospective Buyer(s) concerning high-water elevation flood events 65 including overland and river flooding that may impact the Property.

66 Note: Whether or not Seller(s) currently carries flood insurance, it may be required in the future. Flood 67 insurance premiums are increasing and, in some cases, will rise substantially over the premiums previously 68 charged for flood insurance for the Property. As a result, the Buyer(s) should rely on something other than the 69 premiums paid for flood insurance on this Property previously as an indication of the premiums that will apply 70 after the Buyer(s) completes their purchase.

| | YES | NO | UNK | NA |
|---|---|--|--|---|
| Is the Property in a designated 100-year floodplain? | | | | |
| If Yes, See FLOOD DISCLOSURE. | | | | |
| Has the Property been impacted by high water elevation flood events | | | | |
| including overland and river flooding? | | | | |
| If Yes, see FLOOD DISCLOSURE. | | | | |
| Do you carry flood insurance? | | | | |
| If Yes, Explain: | | | | |
| | | | | |
| Is the flood insurance transferrable? | | | | |
| If Yes, Explain: | | | | |
| | If Yes, See FLOOD DISCLOSURE. Has the Property been impacted by high water elevation flood events including overland and river flooding? If Yes, see FLOOD DISCLOSURE. Do you carry flood insurance? If Yes, Explain: Is the flood insurance transferrable? | Is the Property in a designated 100-year floodplain? □ If Yes, See FLOOD DISCLOSURE. □ Has the Property been impacted by high water elevation flood events including overland and river flooding? □ If Yes, see FLOOD DISCLOSURE. □ Do you carry flood insurance? □ If Yes, Explain: □ Is the flood insurance transferrable? □ | Is the Property in a designated 100-year floodplain? □ If Yes, See FLOOD DISCLOSURE. □ Has the Property been impacted by high water elevation flood events including overland and river flooding? □ If Yes, see FLOOD DISCLOSURE. □ Do you carry flood insurance? □ If Yes, Explain: □ Is the flood insurance transferrable? □ | Is the Property in a designated 100-year floodplain? Image: Control of the property been impacted by high water elevation flood events Image: Control of the property been impacted by high water elevation flood events Image: Control of the property been impacted by high water elevation flood events Image: Control of the property been impacted by high water elevation flood events Image: Control of the property been impacted by high water elevation flood events Image: Control of the property been impacted by high water elevation flood events Image: Control of the property been impacted by high water elevation flood events Image: Control of the property been impacted by high water elevation flood events Image: Control of the property been impacted by high water elevation flood events Image: Control of the property been impacted by high water elevation flood events Image: Control of the property been impacted by high water elevation flood events Image: Control of the property been impacted by high water elevation flood events Image: Control of the property been impacted by high water elevation flood events Image: Control of the property been impacted by high water elevation flood events Image: Control of the property been impacted by high water elevation flood events Image: Control of the property been impacted by high water elevation flood events Image: Control of the property been impacted by high water elevation flood events Image: Control of the property been impacted by high water elevation flood events Image: Control of the property been impacted by high water elevation flood events Image: Control of the property been impacted by high water elevation flood events Image: |

71 PROPERTY TAX/PREFERENTIAL PROPERTY TAX DISCLOSURE:

72 Check the appropriate box:

73 **D** Yes **D** No Is there an exclusion from market value for home improvements on this Property. Any valuation 74 exclusion shall terminate upon sale of the Property, and the Property's estimated market value for property 75 tax purposes shall increase? If a valuation exclusion exists, Buyer(s) is encouraged to look into the resulting 76 tax consequences.

77 D Yes D No Is the Property subject to any preferential property tax status or any other credits affecting the
78 Property (e.g. Disability, Green Acres, CRP, RIM, Rural Preserve, etc.)?

79 If Yes, Explain:

80 81

82 83

Buyer(s) Initials _____



Address: _____



| 84 | If Yes, would these t | erminate upon | the sale of the | Property? Yes No |
|----|-----------------------|---------------|-----------------|-------------------------|
|----|-----------------------|---------------|-----------------|-------------------------|

| If Yes, Explain: | | | |
|------------------|------|-------|--|
| | | | |
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92 FOREIGN INVESTMENT IN REAL PROPERTY TAX ACT ("FIRPTA"):

93 As a general rule, 26 U.S. Code 1445 (hereinafter "FIRPTA") requires a transferee (Buyer(s)) of a United States 94real property interest to withhold a tax from the proceeds of any disposition of the real property interest if the 95 transferor (Seller(s)) is a foreign person (any person other than a United States person), unless an exception 96 to the FIRPTA withholding requirements applies. Exemptions from the general rule are set forth in the 97 FIRPTA. Due to the complexity of the FIRPTA, both the Buyer(s) and the Seller(s) are advised to seek 98 appropriate legal and tax advice regarding FIRPTA compliance, since failure to adhere to the FIRPTA 99withholding rules could result in legal liability to both the Buyer(s) and Seller(s) and their Broker(s)/Agent(s) 100 or qualified substitutes.

101 Seller(s) hereby represents and warrants that Seller(s) **I** IS **I** IS NOT a foreign person, as defined by the

102 FIRPTA. This representation of the Seller(s) shall survive closing. Seller's Broker(s)/Agent(s) and Buyer's

Broker(s)/Agent(s), and any qualified substitute, as those terms are defined by the FIRPTA, may rely upon
 this representation.

105If the Seller(s) represents that it is a foreign person, the Buyer(s) may be subject to income tax withholding 106requirements, and the Buyer(s) could be personally liable for failing to withhold a tax from the proceeds of the 107 real estate disposition, if none of the enumerated exemptions to the FIRPTA apply to the transaction. If the 108 Seller(s) represents that it is a foreign person, but that one of the exemptions to the FIRPTA apply, Buyer(s) 109may require Seller(s) to provide specific documentation as prescribed by the FIRPTA to verify, under penalty 110 of perjury, that one of the exemptions to the FIRPTA withholding requirements applies to the transaction. If 111 the Seller(s) represents that it is not a foreign person, the Buyer(s), or its Broker(s)/Agent(s) or qualified substitutes, may require the Seller(s) to provide specific documentation as prescribed by the FIRPTA to verify, 112113under penalty of perjury, that the Seller(s) is not a foreign person. On or before closing, the Buyer(s) and 114 Seller(s) agree to complete, execute, and deliver any affidavit, instrument, or statement which may reasonably 115be required to comply with FIRPTA requirements.

116 SELLER'S STATEMENT: (TO BE SIGNED AT TIME OF LISTING)

117 Seller(s) hereby states the condition of the Property to be as stated above and authorizes any Broker(s) or 118 Agent(s) representing any parties in this transaction to provide a copy of this Statement to any person or 119 entity in connection with any actual or anticipated sale of the Property. Seller(s) hereby acknowledges that 120 the information provided in this document is true and accurate to the best of Seller's knowledge as of the date 121 listed below. Seller(s) is obligated to continue to notify Buyer(s) in writing of any facts that differ from the 122 facts disclosed here (new or changed) of which Seller(s) is aware that occur up to the time of closing. See 123 VACANT LAND DISCLOSURE AMENDMENT/ADDENDUM as applicable.

124

125 Seller Signature

Date

Seller Signature

Date

126 BUYER'S ACKNOWLEDGEMENT: (TO BE SIGNED AT THE TIME OF PURCHASE AGREEMENT)

Buyer(s) acknowledges receipt of this Vacant Land Disclosure. Buyer(s) acknowledges that Broker(s) and
Agent(s) representing the sale of this Property have not made statements concerning the condition of the
Property other than those listed in this Vacant Land Disclosure. Buyer(s) acknowledges that Buyer(s) has
been advised to verify the information listed in this Statement independently.

Buyer(s) acknowledges and understands that this document is not intended to be a warranty of any kind or a substitute for any inspection of the Property Buyer(s) may wish to obtain.

133

134 Buyer Signature

Date

Buyer Signature

Date