

**MONTANA ASSOCIATION OF REALTORS®  
PROPERTY DISCLOSURE STATEMENT**



1 Date: March 18, 2021

3 Property: 119 Rocky Mountain Ln, Butte, MT 59701-4327

4 Seller(s): Rosemary Reagan

5 Seller Agent: Jerry Jordan

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

- 9 • disclose to a buyer or the buyer agent any adverse material facts that concern the property and that are known to the seller agent, except that the seller agent is not required to inspect the property or verify any 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 information regarding adverse material facts that concern the property.

15 The Seller Agent identified above is providing the attached Owner's Property Disclosure Statement that has been completed and signed by the Seller(s), if one has been made available to the Seller(s) Agent by the Seller(s). Regardless of whether Seller(s) has/have provided Seller Agent with an Owner's Property Disclosure Statement, **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 the Property

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

35 Seller Agent Signature: *Jerry Jordan*

**Jerry Jordan**

37 Dated: 3/18/21

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

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

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

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

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

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

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



The use of this form is for REALTOR® members only (members of the Montana Association of REALTORS®) and cannot be used by any other party for any purpose. Use of these forms by other parties may result in legal action by the Montana Association of REALTORS®.

1 Date: March 18, 2021

2  
3 The undersigned Owner is the owner of certain real property located at 119 Rocky Mountain Ln  
4 \_\_\_\_\_, in the City of Butte,  
5 County of Silver Bow, Montana, which real property is legally described as:  
6 COUNTRY CLUB ESTATES ADD NO 1, S33, T03 N, R07 W, BLOCK 4, Lot 9, ACRES 0.29614  
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.

## OWNER'S DISCLOSURE

15  
16  
17  
18 ☐ Owner has never occupied the Property.  
19 ☒ Owner has not occupied the Property since Still living in house (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. If  
34 space is inadequate, please use the attached Addendum to Owner's Property Disclosure Statement.

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

N/A None Known

38  
39  
40  
41 2. COMPONENTS and BUILT-IN SYSTEMS: (Water Softener, Water Conditioners, Exhaust Fans, Central Vacuum  
42 System and components, Water Heater, Washer/Dryer Hookups, Ceiling Fan, Intercoms, Remote Controls, T.V.  
43 Antenna, Satellite Dish, Central sound systems, Wiring for phone, cable and internet, Security Alarms, Fire  
44 Alarms, Smoke Detectors, Garage Door Openers, and Security Gates)

N/A

45  
46  
47  
\_\_\_\_\_  
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Owner's Initials

- 48 3. ELECTRICAL SYSTEM: (Wiring, Outlets, Switches, Services, Shorts, Alterations, and Overloads)  
49 NONE N/A  
50  
51
- 52 4. PLUMBING: (including Pipes, Drains, Faucets, Fixtures, Sump Pumps and Toilets)  
53 a. Faucets, fixtures, etc. N/A  
54 NONE  
55 MASIER BATH SHOWER LEAKS INTO BASEMENT UTILITY ROOM  
56  
57 b. Private Septic Systems (Adherence to Health Codes, Clogging, Backing Up, Drain Field, Septic Tanks, Holding  
58 Tanks, and Cesspools) N/A  
59  
60  
61 c. Septic Systems permit in compliance with existing use of Property N/A  
62  
63  
64  
65 Date Septic System was last pumped?  
66 N/A  
67  
68  
69 d. Public Sewer Systems (Clogging and Backing Up) N/A  
70 NONE  
71  
72  
73
- 74 5. HEATING, VENTILATION AND AIR-CONDITIONING SYSTEMS: (Central Heating including furnaces, Central Air  
75 Conditioning including compressors, Heat pumps, Electric heating systems, Solar systems, Gas Leaks,  
76 Thermostats, Wall/Window AC, Evaporator Coolers, Humidifiers, Propane tanks) N/A NO ISSUES W/ ELEC HEAT  
77 NONE  
78  
79
- 80 6. ADDITIONAL HEAT SOURCES: (Gas, Pellet, Wood Stoves or Fireplaces) (Compliance with Air Quality Laws,  
81 Chimney Cleanliness, Chimney Fires and Adherence to Codes in Installation)  
82 Gas fireplace in living room does not work.  
83  
84
- 85 7. INSULATION: (Walls, Ceiling, Utility Bills, Vapor Barrier and Formaldehyde or Asbestos Insulation)  
86 NONE N/A  
87  
88
- 89 8. OTHER BASIC COMPONENTS: (Interior Walls, Ceilings, Floors, Exterior Walls, Windows, Doors, Window  
90 Screens, Slabs, Driveways, Sidewalks, Fences)  
91 NONE N/A  
92  
93
- 94 9. BASEMENT: (Leakage, Flooding, Moisture or Evidence of Water, and Fuel Tanks)  
95 NONE N/A  
96  
97
- 98 10. FOUNDATION: (Depth, Footings, Reinforcement, and Cracking)  
99 NONE N/A  
100

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Owner's Initials

- 101 11. ROOF: (Rain Gutters, Leakage, Deterioration, Ice build ups and Structural Condition)  
102 None  
103  
104
- 105 12. WATER: (Well Production, Water Quality and Quantity, Water Rights and Abandoned Wells)  
106 None  
107  
108
- 109 a. Private well  
110 N/A  
111  
112
- 113 b. Public or community water systems  
114 No Problems  
115  
116
- 117 13. POOLS, OUTDOOR LIVING, ANCILLARY BUILDINGS: (Window Screens, Pool, Spa, Pool/Spa Heater, Hot Tub,  
118 Sauna, Patio/Decking, Built-In Barbecue, Gazebo, Fountains, Water features, Underground Sprinklers systems  
119 and controls, Partially landscaped or un-landscaped yard, Garage, Shop, Barn, Carport)  
120 Shed Leaks  
121  
122
- 123 14. Waste dump or disposal or landfill or gravel pit or commercial use in the vicinity of the Property, existing or  
124 proposed, which may cause smoke, smell, noise or other nuisance, annoyance or pollution:  
125 N/A  
126  
127
- 128 15. ACCESS: (If the Property is not on a public street note any Driveway Agreements, Private Easements and Legal  
129 Disputes Concerning Access)  
130 N/A  
131  
132
- 133 16. HAZARD INSURANCE/DAMAGES/CLAIMS (past and present):  
134 None  
135  
136
- 137 17. METHAMPHETAMINE: If the Property is inhabitable real property, the Owner represents to the best of Owner's  
138 knowledge that the Property ☐ has ☒ has not been used as a clandestine Methamphetamine drug lab. If the  
139 Property has been used as a clandestine Methamphetamine drug lab Owner agrees to execute the Montana  
140 Association of REALTORS® "Methamphetamine Disclosure Notice" and provide any documents or other  
141 information that may be required under Montana law concerning the use of the Property as a clandestine  
142 Methamphetamine drug lab.  
143
- 144 18. RADON: If the Property is inhabitable real property as defined in the Montana Radon Control Act, Owner  
145 represents that to the best of Owner's knowledge the Property ☐ has ☒ has not been tested for radon gas  
146 and/or radon progeny and the Property ☐ has ☒ has not received mitigation or treatment for the same. If the  
147 Property has been tested for radon gas and/or radon progeny, attached are any test results along with any  
148 evidence of mitigation or treatment.  
149
- 150 19. LEAD-BASED PAINT: If a residential dwelling exists on the Property and was built before the year 1978, Owner  
151 ☐ has ☒ has no knowledge of lead-based paint and/or lead-based paint hazards on the Property. If Owner has  
152 knowledge of lead-based paint and/or lead-based paint hazards on the Property, attached are all pertinent reports  
153 and records concerning that knowledge.  
154

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



155 20. MOLD: If the Property is inhabitable real property as defined in the Montana Mold Disclosure Act, the Owner  
156 represents to the best of Owner's knowledge that the Property ☐ has ☐ has not been tested for mold and that  
157 the Property ☐ has ☐ has not received mitigation or treatment for mold. If the Property has been tested for  
158 mold or has received mitigation or treatment for mold, attached are any documents or other information that may  
159 be required under Montana law concerning such testing, treatment or mitigation.  
160

161 If any of the following items or conditions exist relative to the Property, please check the box and provide  
162 details on the attached addendum.

- 163 1. ☐ Asbestos.  
164 2. ☐ Noxious weeds.  
165 3. ☐ Pests, rodents.  
166 4. ☐ Destructive insects such as termites, pine beetles or carpenter ants. (If the Property has been tested or  
167 treated, attach documentation.)  
168 5. ☐ Common walls, fences and driveways that may have any effect on the subject property.  
169 6. ☐ Encroachments, easements, or similar matters that may affect your interest in the subject property.  
170 7. ☐ Room additions, structural modifications, or other alterations or repairs made without necessary permits or  
171 HOA and HOA architectural committee permission.  
172 8. ☐ Room additions, structural modifications, or other alterations or repairs not in compliance with building  
173 codes.  
174 9. ☐ Health department or other governmental licensing, compliance or issues.  
175 10. ☐ Landfill (compacted or otherwise) on the property or any portion thereof.  
176 11. ☐ Location in the floodplain, shoreline master plan, wetland or other environmentally sensitive area.  
177 12. ☐ Settling, slippage, sliding or other soil problems.  
178 13. ☐ Flooding, draining, grading problems, or French drains.  
179 14. ☐ Major damage to the property or any of the structures from fire, earthquakes, floods, slides, etc.  
180 15. ☐ Waste dump or disposal or landfill or commercial use in the vicinity of the Property which causes smoke,  
181 smell, noise or other pollution.  
182 16. ☐ Hazardous or Environmental Waste: Underground storage tanks or sump pits.  
183 17. ☐ Neighborhood noise problems or other nuisances.  
184 18. ☐ Violations of deed restrictions, restrictive covenants or other such obligations.  
185 19. ☐ Zoning or Historic District violations, non-conforming uses, violations of "setback" requirements, etc.  
186 20. ☐ Zoning, Historic District or land use change planned or being considered by the city or county.  
187 21. ☐ Street or utility improvement planned that may affect or be assessed against the Property.  
188 22. ☐ Property Owner's association obligations (dues, lawsuits, etc.).  
189 23. ☐ Proposed increase in the tax assessment value or homeowner's association dues for the Property.  
190 24. ☐ "Common area" problems.  
191 25. ☐ Tenant problems, defaults or other tenant issues.  
192 26. ☐ Notices of abatement or citations against the Property.  
193 27. ☐ Lawsuits or legal proceedings (including foreclosures and bankruptcies) affecting or threatening the  
194 Property.  
195 28. ☐ Airport affected area.  
196 29. ☐ Pet damage  
197 30. ☐ Property leases including post-closing short-term rental obligations, crop share agreements, mineral leases  
198 or reservations.  
199 31. ☐ Other matters as set forth in the attached addendum.  
200

201 Owner certifies that the information herein is true, correct and complete to the best of the Owner's knowledge and  
202 belief as of the date signed by Owner.  
203

204 Owner Rosemary Reagan Date 3/19/21  
205 Rosemary Reagan  
206 Owner \_\_\_\_\_ Date \_\_\_\_\_

Buyer's or Lessee's Initials

207 **Please note the following changes to the foregoing disclosure:** \_\_\_\_\_  
208 \_\_\_\_\_  
209 \_\_\_\_\_  
210 \_\_\_\_\_  
211 \_\_\_\_\_  
212 \_\_\_\_\_  
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219 \_\_\_\_\_  
220 \_\_\_\_\_

221 Owner's Signature **Rosemary Reagan** \_\_\_\_\_ Date \_\_\_\_\_  
222 \_\_\_\_\_  
223 \_\_\_\_\_  
224 Owner's Signature \_\_\_\_\_ Date \_\_\_\_\_  
225 \_\_\_\_\_

226  
227 **BUYER'S ACKNOWLEDGEMENT**  
228  
229 Subject Property Address: \_\_\_\_\_  
230 \_\_\_\_\_  
231 \_\_\_\_\_  
232 \_\_\_\_\_

233 Buyer(s) understand that the foregoing disclosure statement sets forth any adverse material facts concerning the  
234 Property that are known to the owner. **The disclosure statement does not provide any representations or**  
235 **warranties concerning the Property, nor does the fact this disclosure statement fails to note an adverse**  
236 **material fact concerning a particular feature, fixture or element imply that the same is free of defects.**  
237

238 Buyer(s) is/are encouraged to obtain professional advice, inspections or both of the Property and to provide for  
239 appropriate provisions in a contract between buyer(s) and owner(s) with respect to any advice, inspections or defects.  
240 **Buyer(s) are not relying upon this property disclosure statement for buyer(s)' determination of the overall**  
241 **condition of the Property in lieu of other inspections, reports or advice.**  
242

243 I/WE ACKNOWLEDGE RECEIPT OF A COPY OF THIS STATEMENT.  
244

245 \_\_\_\_\_  
246 Buyer's/Lessee's Signature \_\_\_\_\_ Date \_\_\_\_\_  
247 \_\_\_\_\_

248 \_\_\_\_\_  
249 Buyer's/Lessee's Signature \_\_\_\_\_ Date \_\_\_\_\_  
250 \_\_\_\_\_  
251

**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 holidays. Any performance which is required to be completed on a Saturday, Sunday or holiday can be performed on the next business day.

## ADDENDUM TO OWNER'S PROPERTY DISCLOSURE STATEMENT

This Addendum is an attachment to the Owner's Property Disclosure Statement regarding certain real property located at 119 Rocky Mountain Ln, in the City of Butte, County of Silver Bow, Montana, which real property is legally described as: \_\_\_\_\_

The Owner hereby discloses the following information:

Owner's Signature	Date	Owner's Signature	Date
<u>Rosemary Reagan</u>			
Buyer's/Lessee's Signature	Date	Buyer's/Lessee's Signature	Date