

MONTANA ASSOCIATION OF REALTORS® PROPERTY DISCLOSURE STATEMENT (LAND)



1 Date: January 31, 2022

2
3 Property: Block 133, LOTS 1 & 2, Virginia City, MT 59755

4 Seller(s): Jere Wagner

5 Seller Agent: Joselyn DeHart

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 (Land) that has
16 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 (Land),
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
23
24
25
26
27

28
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: Joselyn DeHart

36 Joselyn DeHart 01/31/2022

37 Dated: _____

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

40
41 Buyer Agent: _____

42
43 Buyer Agent Signature: _____

44
45 Dated: _____

46
47 Buyer Signature: _____

48
49 Dated: _____

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Property Disclosure Statement (Land), April 2021

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



1 Date: January 31, 2022
 2
 3 The undersigned Owner is the owner of certain real property located at Block 133, LOTS 1 & 2
 4 _____, in the City of Virginia City,
 5 County of Madison, Montana, which real property is legally described as:
 6 VIRGINIA CITY ORIG TOWNSITE, S23, T06 S, R03 W, BLOCK 133, LOT 1-2
 7 _____
 8 _____

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

OWNER'S DISCLOSURE

15
 16
 17 ☐ Owner has never ben to the Property.
 18 ☒ Owner has not been to the Property since 06/01/2000 (date).
 19

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

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

31 Please describe any adverse material facts concerning the items listed, or other components, fixtures or matters. If
 32 space is inadequate, please use the attached Addendum to Owner's Property Disclosure Statement.
 33

34 Easements (written or unwritten):
 35

36 None
 37

38 Boundaries or property lines:
 39 None
 40

41
 42 Encroachments or similar matters that may affect your interest in the subject Property including but not
 43 limited to buildings, fences, etc.:
 44 None
 45

46
 47 Access to the Property:
 48 None
 49

 Buyer's Initials

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JW /
 Owner's Initials

50 Settling, slippage, sliding or other soil problems:

51 None

52

53

54 Flooding, drainage or grading problems:

55 None

56

57

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

60 None

61

62

63 a. Water rights and private wells:

64 None

65

66

67 b. Public or Community water systems:

68 None

69

70

71 Restrictive Covenants and Deed restrictions:

72 None

73

74

75 Septic system approval or existing septic system:

76 None

77

78

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

80 None

81

82

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

84 None

85

86

87 Neighborhood noise problems or other nuisances:

88 None

89

90

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

92 None

93

94

95 Notice of abatement or citations against the Property:

96 None

97

98

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

100 None

101

102

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

105 None

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Owner's Initials

106 Street or utility improvement planned that may affect or be assessed against the Property:

107 None

108

109

110 Zoning or land use change planned or being considered by the city or county:

111 None

112

113

114 Proposed increase in tax assessment value or property owner's association dues for the Property:

115 None

116

117

118 Underground storage tanks or class II injection wells:

119 None

120

121

122 Property leases including post-closing short-term rental obligations, crop share agreements, mineral leases or
123 reservations:

124 None

125

126

127 Conservation Easements (existing or proposed):

128 None

129

130

131 Landfill (compacted or otherwise) on the Property or any portion thereof:

132 None

133

134

135 Environmental issues affecting the Property:

136 None

137

138

139 Pests, rodents:

140 None

141

142

143 Noxious Weeds:

144 None

145

146

147 Airport affected area:

148 None

149

150

151 Other matters as set forth below.

152 None

153

154

155

156

157

158

159

Buyer's Initials

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 _____
Owner's Initials

201 *Jere Wagner*
202

203 Owner's Signature **Jerre Wagner**

204

205 _____
 206 Owner's Signature Date

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BUYER’S ACKNOWLEDGEMENT

207
208
209 Subject Property Address: **Block 133, LOTS 1 & 2, Virginia City, MT 59755**
210
211

212
213 Buyer(s) understand that the foregoing disclosure statement sets forth any adverse material facts concerning the
214 Property that are known to the Owner. **The disclosure statement does not provide any representations or**
215 **warranties concerning the Property, nor does the fact this disclosure statement fails to note an adverse material**
216 **fact concerning a particular feature, fixture or element imply that the same is free of defects.**
217

218 Buyer(s) is/are encouraged to obtain professional advice, inspections or both of the Property and to provide for
219 appropriate provisions in a contract between buyer(s) and owner(s) with respect to any advice, inspections or defects.
220 **Buyer(s) are not relying upon this property disclosure statement for buyer(s)' determination of the overall**
221 **condition of the Property in lieu of other inspections reports or advice.**
222

223 I/WE ACKNOWLEDGE RECEIPT OF A COPY OF THIS STATEMENT.
224

225 _____	_____
226 Buyer's Signature	Date
227 _____	_____
228 _____	_____
229 Buyer'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 holidays. Any performance which is required to be completed on a Saturday, Sunday or holiday can be performed on the next business day.