

**WISCONSIN REALTORS® ASSOCIATION**  
4801 Forest Run Road  
Madison, Wisconsin 53704

**United Country Oakwood Realty, LLC**

### DISCLOSURE OF MATERIAL ADVERSE FACTS

I am licensed in the state of Wisconsin as a real estate broker/~~salesperson~~ **STRIKE ONE**. Wisconsin law, per Wis. Stat. § 452.133 and Wis. Admin. Code § REEB 24.07(2)-(3), requires real estate licensees to make prompt written disclosures to buyers and sellers regarding material adverse facts and regarding information suggesting the possibility of material adverse facts. In other words, the law says that I should make sure you know about certain possible problems that have not yet been reported to you by the other parties, licensees or professional inspectors.

An adverse fact is a condition or occurrence that is generally recognized by a competent real estate licensee as having a significant, adverse affect on the value of the property, as significantly reducing the structural integrity of the property, or as presenting a significant health risk to the property's occupants. An adverse fact also includes information that indicates that a party is not able or does not intend to fulfill his or her contractual obligations under the offer to purchase or other contract.

An adverse fact is material if a party indicates it is significant to them, or if it is generally recognized by a competent real estate licensee as being significant to a reasonable party, to the extent that it would impact whether or not the party enters into an offer to purchase or the party's decision about what terms and conditions should be in such a contract.

As a Wisconsin real estate licensee, I am thereby obligated by law to disclose the following information indicating a material adverse fact or suggesting the possibility of a material adverse fact: see the attached Broker Disclosure And Information form and its attached documents.

(Plainly state only the facts without drawing conclusions or making predictions. Attach supporting reports and documentation.)

It is recommended that the sellers and buyers in this transaction obtain professional assistance to conduct appropriate property inspections, testing and other investigations regarding this information. The licensees in this transaction will draft inspection, testing or investigation contingencies, amendments, notices and other documents pertaining to the offer to purchase as directed by the parties.

Sellers and buyers should contact their attorneys with any questions concerning their legal rights and obligations.

 Daniel Kiedinger, Broker

\_\_\_\_\_  
Licensee Signature ▲

Dan Kiedinger

\_\_\_\_\_  
Print Licensee Name Here ▲

United Country Oakwood Realty, LLC

\_\_\_\_\_  
Broker/Firm Name ▲

February 5, 2025

\_\_\_\_\_  
Date ▲

By initialing and dating below, I acknowledge that I have received and read this disclosure form.

\_\_\_\_\_  
Party Initials ▲

\_\_\_\_\_  
Date ▲

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No representation is made as to the legal validity of any provision or the adequacy of any provision in any specific transaction.

### Broker Disclosure and Information

- 1) The property is located within Shoreland Zoning Protection Zone, this means that a land use permit from Vernon County Zoning is required prior to commencing with any construction including a driveway. Please read through the attached "General Floodplain & Shoreland Development Guidance" sheet. If a buyer is interested in building, it is particularly important that they are aware of item #6 "Total impervious surface on a lot within the shoreland protection area is limited to 15%". For more information on Shoreland Zoning, you can contact the Vernon County Zoning department at [matthew.albright@vernoncountyi.gov](mailto:matthew.albright@vernoncountyi.gov)
- 2) It appears, from the Vernon County GIS mapping system (See Attached Aerial), that the entrance of the driveway coming off of Hay Valley Rd goes across the neighboring property to the south. The neighbor has said they are okay with it as the property is being used now; however, if a new owner would build a cabin or home, they would no longer allow its use and a new owner would need to put in there own entryway driveway from Hay Valley Rd. The seller has already spoken to the town of Whitestown and they would grant a driveway permit for this property.
- 3) The Realtor asked the seller to mark the south boundary of the property with orange flags to the best of the seller's knowledge. These markings of the south boundary show "approximately" where that boundary line is to the best of the seller's understanding. This line is not exact. Buyer's should do their own due diligence if they want to know exactly where the property lines are.

## General Floodplain & Shoreland Development Guidance

Vernon County participates in the National Flood Insurance Program (NFIP) which requires the County to enforce the Floodplain Ordinance. This partnership allows individuals to obtain more affordable flood insurance, federally affiliated loans, and creates an opportunity for the County to obtain federal grants and assistance with repairs to our dams and infrastructure (roads, bridges, etc.) relative to flood events. In addition, many of the farm programs available through our Land Conservation Department are predicated on the County being in compliance with the NFIP.

**Floodplain:** Floodplains are classified by zones. **Zone AE** is an area that is associated with a detailed flood study with base flood elevations and is delineated between floodfringe and floodway. **Zone A** is regulated as floodway as it lacks a detailed study. Any development in Zone A requires a hydraulic and hydrologic study. Development is allowed with restrictions in the floodfringe. Development is generally not allowed in the floodway.

**Hydraulic Shadow/Breach Route:** Vernon County has 22 flood control dams created as a protection measure from uncontrolled floodwaters. NR116 requires all municipalities to regulate development downstream of dams. The hydraulic shadow/breach route areas below the dams are regulated as floodway. **To maintain the assigned hazard ratings, no new construction is allowed in the hydraulic shadow/breach route.** Structures which existed prior to 1999 that do not meet current code requirements are considered non-conforming.

**Non-conforming Structures:** Structures as they existed (and any permitted improvements) prior to Vernon County adopting the floodplain ordinance and regulatory maps in 1978 are considered non-conforming uses.

### Floodplain restrictions/considerations for existing non-conforming structures:

1. A Land Use Permit is required for all development (remodeling, additions, excavating, filling, etc)
2. Improvements to non-conforming structures are limited to 50% of the equalized assessed value
3. Structural improvements require that the first-floor elevation be raised to least the flood protection elevation
4. An elevation certificate is required for the project
5. A Professional Engineer must certify the foundation will withstand flood forces
6. Floodplain/Shoreland Affidavit required to be filed with the Register of Deeds
7. No fill is allowed in the floodway
8. No new structures are allowed in the floodway
9. No new septic systems are allowed in the floodway
10. Development (new or existing) in the floodfringe requires dryland access

**Stream Crossing (bridge, culvert, ford):** Stream crossings require a permit from the DNR **and** a Vernon County Land Use Permit if within the floodplain or shoreland protection zone. A hydraulic and hydrologic study is generally required.

**Shoreland:** Since adoption in 1986, the Vernon County Shoreland Ordinance regulates all properties within 300 feet of a navigable waterway and 1,000 feet of a lake or flowage (Mississippi River is a flowage). Navigability is determined by Vernon County Zoning personnel and the Department of Natural Resources. Structures which existed prior to 1986 that do not meet current code requirements are considered non-conforming.

### Shoreland restrictions/considerations:

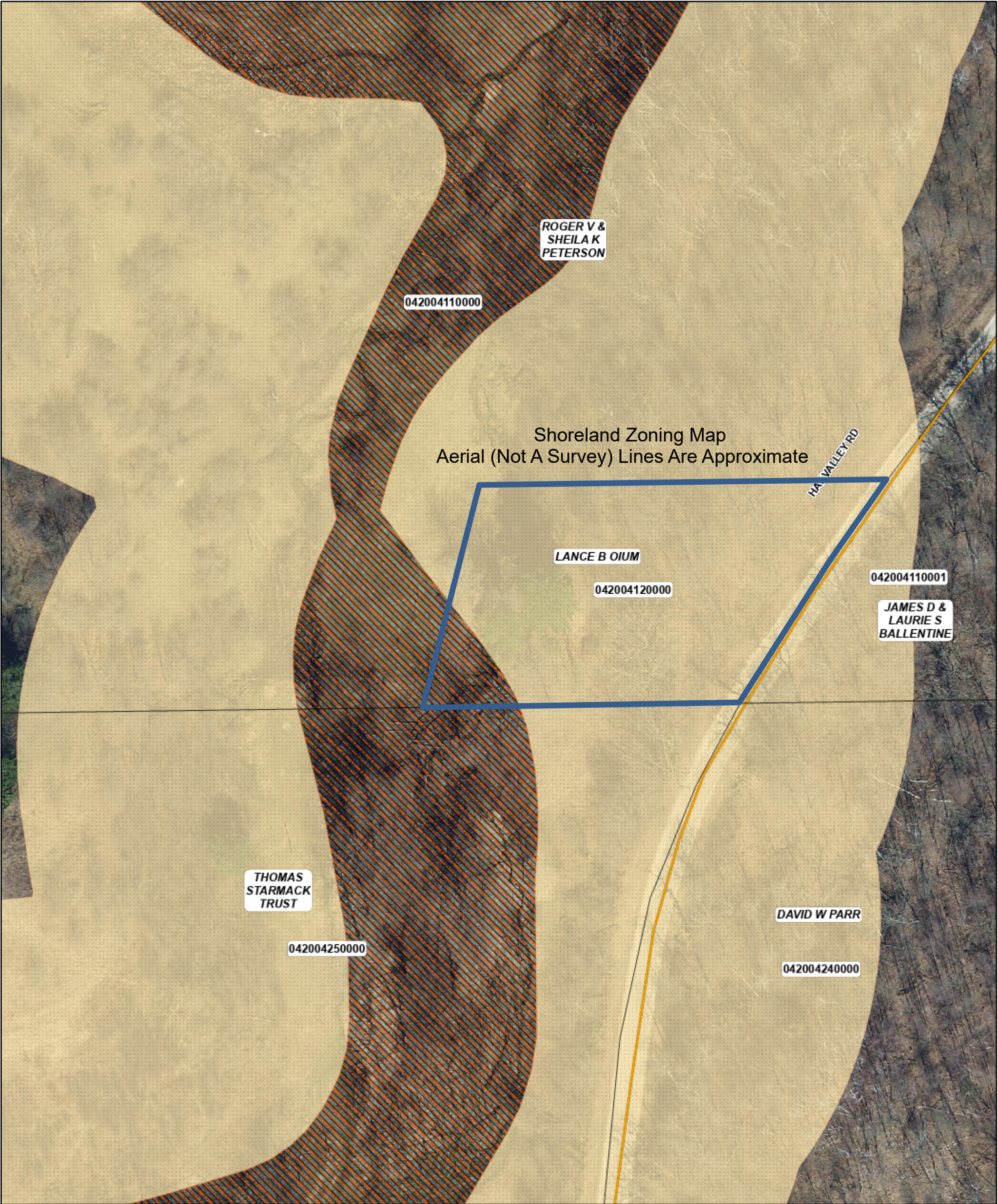
1. A Land Use Permit is required for all development (remodeling, additions, excavating, filling, riprap, etc)
2. There are shoreland setback rules of 35' and 75' from the Ordinary High Water Mark.
3. Expansion of a non-conforming use is allowed as follows: Horizontal (landward) or Vertical Expansion—only if principal structure  $\geq$  35' from the Ordinary High-Water Mark. The expanded area must be beyond the 75' setback from the Ordinary High-Water Mark. Expansion is Limited to 200 square feet over the life of the structure.
4. Vertical expansion is limited to a height of 35' from the adjacent ground elevation.
5. Expansion requires the installation of a code complying septic system/holding tank.
6. Total impervious surface on a lot within the shoreland protection area is limited to 15%.
7. Floodplain/Shoreland Affidavit required to be filed with the Register of Deeds

**Wetland:** Areas of wetland as determined by County or DNR Staff are restricted from filling, draining or dredging. **Any proposed development in or through the mapped wetland requires a DNR permit.**

**Mapping:** A public map is available for viewing at [vernoncounty.org](http://vernoncounty.org) under **Land Information (Interactive GIS Map)** Please be advised the public map is not all inclusive. **You must contact the Zoning Department to determine if a permit is required.**

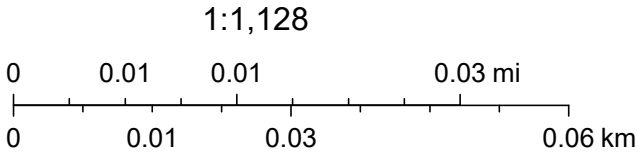


# Vernon County, WI - Public GIS Map



10/24/2024, 11:48:31 AM

- Tax Parcels
- Parcel Numbers
- Owner Labels
- Local Roads
- Town Roads
- Road Labels
- Shoreland Zoning
- Potential Shoreland Protection Zone
- Shoreland Protection Zone
- FIRM Map Panel Index
- Flood Hazard Areas
- X - Non Flood Areas
- Boundaries
- Town



Land Information Office Vernon County, WI, Land Information Office, Vernon County, WI, Land information Office Vernon County, WI., Land Information Office, Vernon County WI.



# Vernon County, WI - Public GIS Map



9/30/2024, 4:40:28 PM

Town Roads

Town

Boundaries

Parcel Numbers

Owner Labels

Town Labels

Tax Parcels

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Land Information Office Vernon County, WI, Land Information Office, Vernon County, WI, Land information Office Vernon County, WI., Land Information Office, Vernon County WI.