

MONTANA ASSOCIATION OF REALTORS®  
PROPERTY DISCLOSURE STATEMENT



1 Date: May 15, 2025

2  
3 Property: 1551 Jackrabbit Lane, Whitehall, MT 59759

4 Seller(s): John M. Prosek, Margaret Prosek

5 Seller Agent: Margaret Prosek

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  
10 known to the seller agent, except that the seller agent is not required to inspect the property or verify any  
11 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  
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 that has been  
16 completed and signed by the Seller(s) as required by Montana law. Regardless of what the Seller(s) has/have  
17 provided Seller Agent as set forth in the Owner's Property Disclosure Statement, **except as set forth below**, the  
18 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: Margaret Prosek

36 Margaret Prosek

37 Dated: May 15, 2025

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

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, April 2024

United Country Montana Properties, 3475 Monroe, Ste 103 Butte MT 59701

Phone: 4068710325

Fax:

Margaret Prosek

M & M Prosek

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36 Margaret Prosek

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

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

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United Country Montana Properties, 3475 Monroe, Ste 103 Butte MT 59701

Phone: 4068710325

Fax:

Margaret Prosek

M & M Prosek

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- 47 Please describe any adverse material facts concerning the items listed, or other components, fixtures or matters.  
48  
49 1. APPLIANCES: (Refrigerators, Microwave, Range, Dishwasher, Garbage Disposal, Oven, Trash Compactor,  
50 Freezer, Washer, Dryer)  
51 NEW - FRIDGE, RANGE, DISHWASHER 2023 - APRIL  
52  
53  
54 2. COMPONENTS and BUILT-IN SYSTEMS: (Water Softener, Water Conditioners, Exhaust Fans, Central Vacuum  
55 System and components, Water Heater, Washer/Dryer Hookups, Ceiling Fan, Intercoms, Remote Controls, T.V.  
56 Antenna, Satellite Dish, Central sound systems, Wiring for phone, cable and internet, Security Alarms, Fire  
57 Alarms, Smoke Detectors, Garage Door Openers, and Security Gates)  
58  
59  
60  
61 3. ELECTRICAL SYSTEM/UTILITY CONNECTIONS: (Wiring, Outlets, Switches, Services, Shorts, Alterations,  
62 Overloads, or known information concerning utility connections)  
63  
64  
65  
66 4. PLUMBING: (including Pipes, Drains, Faucets, Fixtures, Sump Pumps and Toilets)  
67 a. Faucets, fixtures, etc.  
68  
69  
70  
71 b. Private Septic Systems (Adherence to Health Codes, Clogging, Backing Up, Drain Field, Septic Tanks, Holding  
72 Tanks, and Cesspools)  
73  
74  
75  
76 c. Septic Systems permit in compliance with existing use of Property  
77  
78  
79  
80 Date Septic System was last pumped?  
81 JANUARY 2023  
82  
83  
84 d. Public Sewer Systems (Clogging and Backing Up)  
85  
86  
87  
88 5. HEATING, VENTILATION AND AIR-CONDITIONING SYSTEMS: (Central Heating including furnaces, Central Air  
89 Conditioning including compressors, Heat pumps, Electric heating systems, Solar systems, Gas Leaks,  
90 Thermostats, Wall/Window AC Evaporator Coolers, Humidifiers, Propane tanks)  
91  
92  
93  
94 6. ADDITIONAL HEAT SOURCES: (Gas, Pellet, Wood Stoves or Fireplaces) (Compliance with Air Quality Laws,  
95 Chimney Cleanliness, Chimney Fires and Adherence to Codes in Installation)  
96 WOOD STOVE. CLEANED MARCH 2025  
97  
98  
99 7. INSULATION: (Walls, Ceiling, Utility Bills, Vapor Barrier and Formaldehyde or Asbestos Insulation)  
100  
101

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Buyer's or Lessee's Initials

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- 102 8. OTHER BASIC COMPONENTS: (Interior Walls, Ceilings, Floors, Exterior Walls, Windows, Doors, Window  
103 Screens, Slabs, Driveways, Sidewalks, Fences)  
104  
105  
106  
107 9. BASEMENT: (Leakage, Flooding, Moisture or Evidence of Water or water intrusion, and Fuel Tanks)  
108  
109  
110  
111 10. FOUNDATION: (Depth, Footings, Reinforcement, and Cracking)  
112  
113  
114  
115 11. ROOF: (Rain Gutters, Leakage, Deterioration, Ice build ups and Structural Condition)  
116 *NO RAIN GUTTERS*  
117  
118  
119 12. WATER: (Well Production, Water Quality and Quantity, Water Rights and Abandoned Wells)  
120 *WELL*  
121  
122  
123 a. Private well  
124 *YES - NO WELL LOG. HAVE A WATER RIGHT.*  
125 *WELL DRILLER NEVER FILED PAPERWORK - THAN PASSED AWAY.*  
126  
127 b. Public or community water systems  
128  
129  
130  
131 13. POOLS, OUTDOOR LIVING, ANCILLARY BUILDINGS: (Window Screens, Pool, Spa, Pool/Spa Heater, Hot Tub,  
132 Sauna, Patio/Decking, Built-In Barbecue, Gazebo, Fountains, Water features, Underground Sprinklers systems  
133 and controls, Partially landscaped or un-landscaped yard, Garage, Shop, Barn, Carport)  
134  
135  
136  
137 14. NUISANCES/HAZARDOUS MATERIALS: Waste dump or disposal or landfill or gravel pit or commercial use in  
138 the vicinity of the Property, existing or proposed, which may cause smoke, smell, noise or other nuisance,  
139 annoyance or pollution, any hazardous materials or pest infestations located on the Property or in the immediate  
140 area:  
141  
142  
143  
144 15. ALTERATIONS: (whether any substantial additions or alterations have been made to the Property without a  
145 required permit)  
146  
147  
148 16. ACCESS/OWNERSHIP: (If the Property is not on a public street note any Driveway Agreements, Private  
149 Easements and Legal Disputes Concerning Access; matters affecting legal ownership or title to the Property or  
150 the Seller's ability to transfer the Property):  
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154 17. SOILS: Whether there are any problems with settling, soil, standing water, or drainage on the Property or in the  
155 immediate area:  
156 \_\_\_\_\_  
157 \_\_\_\_\_  
158 \_\_\_\_\_

159 18. HAZARD INSURANCE/DAMAGES/CLAIMS (past and present):  
160 \_\_\_\_\_  
161 \_\_\_\_\_  
162 \_\_\_\_\_

163 19. METHAMPHETAMINE: If the Property is inhabitable real property, the Owner represents to the best of Owner's  
164 knowledge that the Property ☐ has ☒ has not been used as a clandestine Methamphetamine drug lab and  
165 ☐ has ☒ has not been contaminated from smoke from the use of Methamphetamine. If the Property has been  
166 used as a clandestine Methamphetamine drug lab or contaminated from smoke from the use of  
167 Methamphetamine, Owner agrees to execute the Montana Association of REALTORS® "Methamphetamine  
168 Disclosure Notice" and provide any documents or other information that may be required under Montana law  
169 concerning the use of the Property as a clandestine Methamphetamine drug lab or the contamination of the  
170 Property from smoke from the use of Methamphetamine.  
171

172 20. RADON: If the Property is inhabitable real property as defined in the Montana Radon Control Act, Owner  
173 represents that to the best of Owner's knowledge the Property ☐ has ☒ has not been tested for radon gas  
174 and/or radon progeny and the Property ☐ has ☒ has not received mitigation or treatment for the same. If the  
175 Property has been tested for radon gas and/or radon progeny, attached are any test results along with any  
176 evidence of mitigation or treatment.  
177

178 21. LEAD-BASED PAINT: If a residential dwelling exists on the Property and was built before the year 1978, Owner  
179 ☐ has ☒ has no knowledge of lead-based paint and/or lead-based paint hazards on the Property. If Owner has  
180 knowledge of lead-based paint and/or lead-based paint hazards on the Property, attached are all pertinent reports  
181 and records concerning that knowledge.  
182

183 22. MOLD: If the Property is inhabitable real property as defined in the Montana Mold Disclosure Act, the Owner  
184 represents to the best of Owner's knowledge that the Property ☐ has ☒ has not been tested for mold and that  
185 the Property ☐ has ☒ has not received mitigation or treatment for mold. If the Property has been tested for  
186 mold or has received mitigation or treatment for mold, attached are any documents or other information that may  
187 be required under Montana law concerning such testing, treatment or mitigation.  
188

189 23. OTHER TESTING OR TREATMENTS: Has the Property been tested or treated for the presence of fuel or  
190 chemical storage tanks, asbestos, or contaminated soil or water:  
191 \_\_\_\_\_  
192 \_\_\_\_\_  
193 \_\_\_\_\_

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

- 196 1. ☐ Asbestos.  
197 2. ☒ Noxious weeds, *-Kochia, Cheat Grass - minimal.*  
198 3. ☐ Pests, rodents.  
199 4. ☐ Destructive insects such as termites, pine beetles or carpenter ants. (If the Property has been tested or  
200 treated, attach documentation.)  
201 5. ☐ Common walls, fences and driveways that may have any effect on the Property.  
202 6. ☐ Encroachments, easements, or similar matters that may affect your interest in the Property.  
203 7. ☐ Room additions, structural modifications, or other alterations or repairs made without necessary permits or  
204 HOA and HOA architectural committee permission.  
205 8. ☐ Room additions, structural modifications, or other alterations or repairs not in compliance with building  
206 codes.  
207 9. ☐ Health department or other governmental licensing, compliance or issues.

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- 208 10. ☐ Landfill (compacted or otherwise) on the Property or any portion thereof.  
209 11. ☐ Location in the floodplain, shoreline master plan, wetland or other environmentally sensitive area or work  
210 conducted by Seller in or around any natural bodies of water.  
211 12. ☐ Settling, slippage, sliding or other soil problems.  
212 13. ☐ Flooding, draining, grading problems, or French drains.  
213 14. ☐ Major damage to the Property or any of the structures from fire, earthquakes, floods, slides, etc.  
214 15. ☐ Waste dump or disposal or landfill or commercial use in the vicinity of the Property which causes smoke,  
215 smell, noise or other pollution.  
216 16. ☐ Hazardous or Environmental Waste: Underground storage tanks or sump pits.  
217 17. ☐ Neighborhood noise problems or other nuisances.  
218 18. ☐ Violations of deed restrictions, restrictive covenants or other such obligations.  
219 19. ☐ Zoning or Historic District violations, non-conforming uses, violations of "setback" requirements, etc.  
220 20. ☐ Zoning, Historic District or land use change planned or being considered by the city or county.  
221 21. ☐ Street or utility improvement planned that may affect or be assessed against the Property.  
222 22. ☐ Property Owner's Association obligations (dues, lawsuits, transfer fees, initiation fees, etc.).  
223 23. ☐ Proposed increase in the tax assessment value or homeowner's association dues for the Property.  
224 24. ☐ "Common area" problems.  
225 25. ☐ Tenant problems, defaults or other tenant issues.  
226 26. ☐ Notices of abatement or citations against the Property.  
227 27. ☐ Lawsuits or legal proceedings (including foreclosures and bankruptcies) affecting or threatening the  
228 Property.  
229 28. ☐ Airport affected area.  
230 29. ☐ Pet damage  
231 30. ☐ Property leases including post-closing short-term rental obligations, crop share agreements, mineral leases  
232 or reservations.  
233 31. ☐ Other matters as set forth below including environmental issues, structural system issues, mechanical  
234 issues, legal issues, physical issues, or others not listed above of which the Seller has actual knowledge  
235 concerning the Property.  
236

237 Additional details:

238 *Property contains cactus and property is very rocky.*  
239  
240  
241  
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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.

294  
295 Owner John M. Prosek Date 5/15/25  
296 John M. Prosek  
297 Owner Margaret Prosek Date 5-15-25  
Margaret Prosek

\_\_\_\_\_  
Buyer's or Lessee's Initials



298 **BUYER'S ACKNOWLEDGEMENT**

299  
300 Subject Property Address: \_\_\_\_\_  
301 \_\_\_\_\_  
302 \_\_\_\_\_

303  
304 Buyer(s) understand that the foregoing disclosure statement sets forth any adverse material facts concerning the  
305 Property that are known to the Owner. **The disclosure statement does not provide any representations or**  
306 **warranties concerning the Property, nor does the fact this disclosure statement fails to note an adverse**  
307 **material fact concerning a particular feature, fixture or element imply that the same is free of defects.**

308  
309 Buyer further understand that the Owner is not obligated to investigate the Property in preparing this Disclosure  
310 Statement and that the Owner, other than having lived at and/or owned the Property, has no greater knowledge than  
311 what could be obtained by the Buyer's careful inspection.

312  
313 Buyer(s) is/are encouraged to obtain professional advice, inspections or both of the Property and to provide for  
314 appropriate provisions in a contract between buyer(s) and owner(s) with respect to any advice, inspections or defects.  
315 **Buyer(s) are not relying upon this property disclosure statement for buyer(s)' determination of the overall**  
316 **condition of the Property in lieu of other inspections, reports or advice.**

317  
318 I/WE ACKNOWLEDGE RECEIPT OF A COPY OF THIS STATEMENT.

319  
320  
321 \_\_\_\_\_ Date \_\_\_\_\_  
322 Buyer's/Lessee's Signature

323  
324 \_\_\_\_\_ Date \_\_\_\_\_  
Buyer's/Lessee's Signature

**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.