Seller's Disclosure Statement for Commercial Property

This document has legal consequences. If you do not understand it, consult your attorney.

NOTICE TO BOTH PARTIES: ONLY A SALE CONTRACT, AND NOT THIS DISCLOSURE STATEMENT, WILL CONTROL AS TO WHAT IS INCLUDED IN A SALE. IF YOU EXPECT ANY ITEM OF PERSONAL PROPERTY TO BE INCLUDED AS PART OF A SALE, THEY MUST BE SPECIFIED AS INCLUDED IN THE SALE CONTRACT.

This Disclosure Statement may assist Buyer in evaluating the Property, but it is not a warranty of any kind by Seller or any real estate licensee, and is not a substitute for any inspection or warranty Buyer may wish to obtain. The following statements are made by Seller, and NOT by any real estate licensee. Real estate licensees involved in this transaction do not have a duty to independently inspect the Property for adverse material facts, or guarantee or independently verify the accuracy or completeness of any information provided herein or in any statement made by any independent inspector.

This Disclosure Statement is made by the undersigned Seller concerning the following property (the "**Property**"):

216 West 3rd Street	Salem	**MO** 65560	Dent County
Street Address	**City**	**Zip Code**	**County**

SELLER: *Please fully complete this Disclosure Statement, including known history and problems. If a topic or condition is unknown or not applicable to your Property, then mark "N/A" or "Unknown". Complete and truthful disclosure of the history and condition of the Property gives you the best protection against potential charges that you violated a legal disclosure obligation to Buyer. Your answers (or the answers you fail to provide, either way), may have legal consequences, even after closing of a transaction. This form should help you meet your disclosure obligations.*

ACQUISITION/OCCUPANCY

(a) Approximate year built: 1925

(b) Date acquired: 2003

(c) Has Seller ever occupied the Property? ☒ Yes ☐ No

(d) Is the Property currently occupied? ☒ Yes ☐ No

If "no," when was the Property last occupied and by whom? _____

(e) Is there a company that manages the Property (a "Property Manager")? ☐ Yes ☒ No

If "yes," please provide the contact information for the Property Manager: _____

(f) Is Seller a "foreign person" as described in the Foreign Investment in Real Property Tax Act (FIRPTA)? ☐ Yes ☑ No

A "foreign person" is a nonresident alien individual, foreign corporation that has not made an election to be treated as a domestic corporation, foreign partnership, trust or estate. It does not include a U.S. citizen or resident alien individual. For more information on FIRPTA, see https://www.irs.gov/individuals/international-taxpayers/firpta-withholding.

Please explain if the Property is vacant or not occupied by Seller on a full-time basis (e.g., Tenant occupied? If so, when?) Identify any lease or other agreement for the use of the Property or any part thereof: _____

STATUTORY DISCLOSURES

Note: The following information, if applicable to the Property, is required by federal or state law to be disclosed to prospective buyers. Local laws and ordinances may require additional disclosures.

1. **METHAMPHETAMINE.** Are you aware if the Property is or was used as a site for methamphetamine production or the place of residence of a person convicted of a crime involving methamphetamine or a derivative controlled substance related thereto? ☐ Yes ☒ No
   If "Yes," §442.606 RSMo requires you to disclose such facts in writing. *DSC-5000 ("Disclosure of Information Regarding Methamphetamine/Controlled Substances") may be used to help you satisfy any disclosure obligations.*

2. **LEAD-BASED PAINT.** Does the Property include a residential dwelling built prior to 1978? ☑ Yes ☐ No
   If "Yes," a completed Lead-Based Paint Disclosure form must be signed *by Seller and any involved real estate licensee(s) and given to any potential buyer. DSC-2000 ("Disclosure of Information on Lead-Based Paint and/or Lead-Based Paint Hazards") may be used to help you satisfy any disclosure obligations.*

3. **WASTE DISPOSAL SITE OR DEMOLITION LANDFILL** (permitted or unpermitted)
   Are you aware of a solid waste disposal site or demolition landfill on the Property? ☐ Yes ☑ No
   If "Yes," Buyer may be assuming liability to the State for any remedial action at the site*, and §260.213 RSMo requires Seller to disclose the location of any such site on the Property. DSC-6000 ("Disclosure of Information Regarding Waste Disposal Site or Demolition Landfill") may be used to help you satisfy any disclosure obligations.*

4. **RADIOACTIVE OR HAZARDOUS MATERIALS.** Have you ever received a report stating affirmatively that the Property is or was previously contaminated with radioactive material or other hazardous material? ☐ Yes ☒ No
   If "Yes," §442.055 RSMo requires you to disclose such knowledge in writing.

A Seller who has knowledge of an adverse material fact (e.g., a fact related to the Property, not reasonably ascertainable or known to a Buyer, which negatively affects its value), may have a duty to disclose such knowledge. Adverse material facts may include (but are not necessarily limited to) matters such as environmental hazards, physical condition, and material defects in a Property or title thereto. SELLER IS STRONGLY ENCOURAGED TO FULLY COMPLETE THIS DISCLOSURE STATEMENT. FAILURE TO DO SO MAY RESULT IN LIABILITY. This form may not cover all aspects of the Property. If you know of any other adverse material fact(s), you should disclose them (attach additional pages if needed).

☐ **Seller elects to make no additional disclosures** *(check only if applicable)*. If checked, the remaining pages are intentionally left blank. *Seller, please provide explanation (if any) and proceed to sign signature page*:

1. HEATING, VENTILATION AND COOLING ("HVAC")

(a) Air Conditioning System: ☒ Central electric ☐ Central gas ☐ Window/Wall (# of units:_____) ☐ Solar ☐ Other:_____ Approx. age:_____

(b) Heating System: ☒ Electric ☐ Natural Gas ☐ Propane ☐ Fuel Oil ☐ Solar ☐ Other:_____

(c) Type of heating equipment: ☐ Forced air ☒ Heat pump ☐ Hot water radiators ☐ Steam radiators ☐ Radiant ☐ Baseboard ☐ Geothermal ☐ Solar ☐ Other_____ Approx. age:_____

(d) Area(s) of Property/structures not served by central heating/cooling:_____

(e) Safety Alerts: ☐ Fire/ Smoke Alarms ☐ CO Detectors ☐ Other:_____

(f) Fire Suppression System:..... ☐ Yes ☐ No

(g) Insulation: ☐ Known ☒ Unknown (*Describe type if known, include R-Factor):*_____

(h) Is any HVAC equipment (*e.g.*, fuel tanks, solar panels) leased or financed (*e.g.*, PACE loans)?..... ☐ Yes ☐ No

(i) **Are you aware of any problem or repair needed or made for any item above?**..... ☐ Yes ☒ No

Please explain any "Yes" answer in this section. Include any available repair history, identify the owner of any leased equipment, describe any financing terms and provide any lease/finance documentation (attach additional pages if needed):

2. ELECTRICAL SYSTEMS

(a) Electrical System: ☒ Single-Phase ☐ Three-Phase

Voltage: ☐ 110/220 ☐ 120/240 ☐ 120/208 ☐ 277/480 AMPS:_____

(b) Type of service panel: ☐ Fuses ☒ Circuit Breakers

(c) Type of wiring: ☒ Copper ☐ Aluminum ☐ Knob and Tube ☐ Unknown

(d) Is there a Surveillance System?..... ☐ Yes ☒ No

(e) Type of Internet Available: ☒ Fiber Optic ☐ Cable ☐ DSL ☐ Satellite ☐ Dial-up ☐ Unknown ☐ Other:_____

(f) Is there any other electronic system/component at the Property? (*i.e., "smart" doorbells, thermostats, etc.*) ☐ Yes ☐ No

(g) **Are you aware of any problem or repair needed or made for any item above?**..... ☐ Yes ☒ No

Please explain any "Yes" answer in this section. Include any available repair history (attach additional pages if needed):

3. PLUMBING & APPLIANCES

(a) Plumbing System: ☐ Copper ☐ Galvanized ☐ PVC ☐ PEX ☒ Other: unknown

(b) Water Heater: ☐ Gas ☐ Electric ☐ Other:_____ Approx. Age:_____

(c) Specialized Equipment *(check if present)*: ☐ Yes ☐ No

(d) Swimming pool/Hot Tub: ☐ Yes ☐ No If "*Yes*", *please attach DSC-8000D ("Pool/Hot Tub Disclosure Rider")*

(e) Lawn Sprinkler System: ☐ Yes ☐ No If "*Yes*", date of last backflow device certificate (*if required*):_____

(f) **Are you aware of any problem or repair needed or made for any item above?**..... ☐ Yes ☒ No

Please explain any "Yes" answer in this section. Include any available repair history (attach additional pages if needed):

4. WATER SOURCE/TREATMENT

(a) Water Systems/Source: ☒ Public (*e.g., City/Water District*) ☐ Well (*e.g., private, shared or community*)
If "Well" is marked, attach DSC-8000A ("Water Well/Sewage System Disclosure Rider")

(b) Size of incoming water service line: _____

(c) Do you have a softener, filter or other purification system? ☐ Yes ☒ No If "*Yes*": ☐ Owned or ☐ Leased

(d) Are you aware of any problem relating to the quality or source of water? ☐ Yes ☒ No

(e) **Are you aware of any problem or repair needed or made for any item above?** ☐ Yes ☒ No

Please explain any "Yes" answer in this section. Include any available repair history and identify the owner of any leased equipment (attach additional pages if needed): _____

5. SEWAGE

(a) Type of sewage system to which the Property is connected? ☒ Public (*e.g., City/Sewer District*) ☐ Septic ☐ Lagoon (*e.g., private, shared or community*) ☐ Other: _____
If there is a non-public sewage system, attach DSC-8000A ("Water Well/Sewage System Disclosure Rider")

(b) Size of outgoing sewer line: _____

(c) Is there a sewage lift system? ☐ Yes ☒ No

(d) **Are you aware of any problem or repair needed or made for any item above?** ☐ Yes ☒ No

Please explain any "Yes" answer in this section. Include any available repair history (attach additional pages if needed):

6. ROOF, GUTTERS, DOWNSPOUTS

(a) Approximate age of the roof? 4 years. Documented? ☐ Yes ☒ No

(b) Type and material of roof: _____

(c) Has the roof ever leaked during your ownership? ☒ Yes ☐ No

(d) Has the roof or any portion of it been repaired, recovered or replaced during your ownership? ☒ Yes ☐ No

(e) **Are you aware of any problem or repair needed or made for any item above?** ☐ Yes ☒ No

Please explain any "Yes" answer in this section. Include any available repair history (attach additional pages if needed):

small leak before new roof.

7. EXTERIOR FINISH

(a) Are you aware of any claims made against the manufacturer for defects in any siding/exterior finish? ☐ Yes ☒ No
If "*Yes*", was any money received for the claim? ☐ Yes ☒ No

(b) **Are you aware of any problem or repair needed or made for any item above?** ☐ Yes ☒ No

Please explain any "Yes" answer in this section. Include any available repair history (attach additional pages if needed):

8. ADDITIONS & ALTERATIONS

(a) Have you hired a contractor for any work in the past 180 days? ☐ Yes ☒ No If "*Yes*", did you receive a lien waiver from the contractor completing the work? ☐ Yes ☒ No *If "Yes," please attach a copy.*

(b) Are you aware of any room addition, structural modification, alteration or repair? ☐ Yes ☒ No

(c) Are you aware if any of the above were made without necessary permit(s)? ☐ Yes ☒ No

(d) **Are you aware of any problem or repair needed or made for any item above?** ☐ Yes ☒ No

Please explain any "Yes" answer in this section. Include any available repair history (attach additional pages if needed):

9. SOIL, STRUCTURAL AND DRAINAGE

(a) Are you aware of any problem with the footings, foundation, sub-floor, interior or exterior walls, roof structure, decks/porches or any other load bearing or structural component? ☐ Yes ☒ No

(b) Are you aware of any repair or replacement made to any item listed in (a) above? ☐ Yes ☒ No

(c) Are you aware of any fill, expansive soil or sinkhole on the Property? ☐ Yes ☒ No

(d) Are you aware of any soil, earth movement, flood, drainage or grading problem? ☐ Yes ☒ No

(e) Do you have a sump pump or other drainage system?..... ☐ Yes ☒ No
(f) Are you aware of any dampness, water leakage or accumulation in the basement or crawl space?..... ☐ Yes ☒ No
(g) Are you aware of any repair or other attempt to control any water or dampness condition?..... ☐ Yes ☒ No
(h) Are you aware of any past, present or proposed mining or excavation activity that affects the Property?.... ☐ Yes ☒ No
(i) Is any portion of the Property located within a flood hazard area?..... ☐ Unknown.. ☐ Yes ☑ No
(j) Do you pay for any flood insurance?..... ☐ Yes ☒ No If "*Yes*", what is the premium? _____
(k) Do you have a Letter of Map Amendment ("LOMA")?..... ☐ Yes ☒ No If "*Yes*", *please provide a copy.*
Please explain any "Yes" answer in this section. Include any available repair history (attach additional pages if needed):

10. TERMITES/WOOD DESTROYING INSECTS, DRYROT OR PESTS

(a) Are you aware of any termites/wood destroying insects, dryrot or pests affecting the Property?..... ☐ Yes ☒ No
(b) Are you aware of any uncorrected damage to the Property caused by any of the above?..... ☐ Yes ☒ No
(c) Is the Property currently under warranty or other coverage by a license pest control company?..... ☐ Yes ☒ No
If "Yes," is it transferable?..... ☐ Yes ☒ No
(d) Are you aware of any termite/pest control report for or treatment of the Property?..... ☐ Yes ☒ No
Please explain any "Yes" answer in this section. Include any available repair history, date(s) performed, type of tests or treatment and results, and name of person/company who did the testing or treatment (attach additional pages if needed):

11. HAZARDOUS SUBSTANCES/OTHER ENVIRONMENTAL CONCERNS

(a) Are you aware of the presence of any lead-based paint on the Property?..... ☐ Yes ☒ No
(b) Are you aware of the presence of any asbestos construction materials on the Property (*e.g.*, shingles, siding, insulation, ceiling, floors, pipes)?..... ☐ Yes ☒ No
(c) Are you aware of any other environmental concern that may affect the Property, such as mold, radon gas, fuel, septic, storage or other under/above ground tanks and cisterns, polychlorinated biphenyls (PCB's), electro-magnetic fields, discoloration of soil or vegetation, or oil sheens in wet areas (*e.g.*, commercial, farming), *etc.*?..... ☐ Yes ☒ No
(d) Are you aware whether the Property has underwent an EPA Phase 1 or 2 Study or has been tested for asbestos, mold, radon gas or ay other hazardous substances?..... ☐ Yes ☒ No
Please explain any "Yes" answer in this section. Include any available repair history, date(s) performed, type of tests or treatment and results, and name of person/company who did the testing or mitigation (attach additional pages if needed):

12. INSURANCE

(a) Are you aware of any casualty loss to the Property during your ownership?..... ☐ Yes ☒ No
(b) Are you aware of any claim that has been filed for damage to the Property during your ownership?..... ☒ Yes ☐ No
(c)Have you received any insurance payments for damage to the property, which were not spent for repairs? ☒ Yes ☐ No
(d) Are you aware of any insurance application or prior coverage regarding all or any part of the Property that has been rejected or will not be renewed? ..... ☐ Yes ☒ No
(e) Are you aware that any existing insurance coverage will be subjected to increased premium rates?..... ☐ Yes ☒ No
(f) Are you aware of anything that would adversely impact the insurability of the Property?..... ☐ Yes ☒ No
Please explain any "Yes" answer in this section. and include the date and description of any casualty loss or claim, and all repairs and replacements completed (attach additional pages if needed): _____

Roof replacement

13. ROADS, STREETS & ALLEYS

(a) The roads, streets and/or alleys serving the Property are..... ☒ public ☐ private
(b) Are you aware if there is a recorded or unrecorded road/street/alley maintenance agreement?..... ☐ Yes ☒ No
(c) Are you aware of any recorded or unrecorded right of way, easement or similar matter?..... ☐ Yes ☒ No
Please explain any "Yes" answer in this section (attach additional pages if needed): _____

14. PROPERTY OWNERS ASSOCIATIONS/CONDOMINIUMS/USE RESTRICTIONS

(a) Is The Property subject to covenants, conditions, and restrictions (CC&R's)? ☐ Yes ☐ No
(b) Is the Property part of a condominium, property owner's association, or other common ownership? ☐ Yes ☐ No
(c) Are you aware of any violation or alleged violation of the above by you or others? ☐ Yes ☐ No
If "Yes" is marked, attach DSC-8000C ("Condominium/Co-Op/Shared Cost Development Disclosure Rider")
(d) Are all association dues, fees, charges, and assessments related to the Property current? ☐ Yes ☐ No
(e) Are you aware of any existing or proposed special assessments? ☐ Yes ☐ No
(f) Are you aware of any condition or claim which may cause an increase in assessments or fees? ☐ Yes ☐ No

Please explain any "Yes" answers you gave in this section (attach additional pages if needed):

15. LAKES & PONDS/WATERFRONT PROPERTY *(Including boat docks, slips and lifts)*

If the Property includes or is located on a lake, pond, river or other waterfront, or if a boat dock, slip, lift or similar feature (or access thereto) is part of or available to the Property, attach DSC-8000B ("Lakes & Ponds/Waterfront Property Disclosure Rider").

16. MISCELLANEOUS

(a) Is the Property located in an area requiring an occupancy (code compliance) inspection? ☐ Unknown ☐ Yes ☒ No
(b) Is the Property designated as a historical property or located in a historic district? ☐ Unknown ☐ Yes ☒ No
(c) Is the Property located in an opportunity zone? ☐ Unknown ☐ Yes ☒ No
(d) Are you aware of any annexation, school re-districting, threat of condemnation, zoning changes, or street changes affecting the Property? ☐ Yes ☒ No
(e) Do you have a survey that includes existing improvements of any kind regarding the Property? ☐ Yes ☒ No
(f) Do you know of any encroachments, title disputes, boundary line disputes, reservation of rights (*i.e.* water, air, mineral) or easements affecting the property? ☐ Yes ☒ No
(g) Are you aware of any:
Shared/common feature with any adjoining property(ies) (*e.g.*, fence, retaining wall, driveway)? ☒ Yes ☐ No
Lease or other agreement for the use of the Property or any part thereof? ☐ Yes ☒ No
Right of First Refusal or Option to Purchase? ☐ Yes ☒ No
Existing or threatened legal action that would prevent Seller from conveying the Property or otherwise affecting the Property? ☐ Yes ☒ No
Violation of local, state or federal laws/codes/regulations, including zoning, relating to the Property? ☐ Yes ☒ No
Consent required of anyone other than the signer(s) of this form to convey title to the Property? ☐ Yes ☒ No
Any proceedings which might result in a special tax bill or assessment on the Property? ☐ Yes ☒ No
Any other assessments NOT paid with Taxes? (*e.g.*, Fire Dues, Clean Energy District, Community Improvement District, Tax Increment Financing District, Neighborhood Improvement District payments?) ☐ Yes ☒ No

Please explain any "Yes" answers you gave in this section (attach additional pages if needed):

(h) Current Utility/Service Providers:
Note: *Please identify if any part of the systems below is leased:*
Electric Company: City
Water Service: City
Internet Service: Sparklight
Security System:
Sewer: City
Telephone: Sparklight
Gas/Propane Tanks:
Garbage: City
Fire District: City

17. ATTACHMENTS: The following are attached and made part of this Disclosure Statement (*check all that apply*):

☐ Water Well/Sewage System (*DSC-8000A)* ☐ Condo/Co-Op/Shared Cost Development (*DSC-8000C*)

☐ Lakes & Ponds/Waterfront Property (*DSC-8000B)* ☐ Pool/Hot Tub (*DSC-8000D*)

☐ Other (*e.g., reference any other statements or other documents attached*): _____

Additional Comments/Explanation *(attach additional pages if needed)*:

Seller's Acknowledgement:

1. All real estate licensee(s) are hereby authorized to distribute this Disclosure Statement and any Rider or other attachment hereto to potential buyers of the Property.
2. Seller has carefully examined this Disclosure Statement and any Rider or other attachment hereto, and acknowledges that the information contained therein is true and accurate to the best of Seller's knowledge.
3. Seller will fully and promptly disclose in writing to Buyer any new information pertaining to the Property that is discovered by or made known to Seller at any time prior to closing which would make any existing information set forth herein or in any Rider or other attachment hereto false or materially misleading (*DSC-8003 may be used for this purpose*).
4. A real estate licensee involved in this transaction may have a statutory duty to disclose an adverse material fact.

Emmett Reary 10/8/24

Seller **Date** **Seller** **Date**

Print Name: Emmett R. Reary *Print Name*: _____

Buyer's Acknowledgement:

1. The statements made by Seller in this Disclosure Statement and in any Rider or other attachment hereto are not warranties of any kind.
2. Buyer understands that there may be aspects or areas of the Property about which Seller has no knowledge. This Disclosure Statement and any Rider or other attachment hereto may not encompass those aspects or areas.
3. Buyer should verify all information contained in this Disclosure Statement and in any Rider or other attachment hereto, as well as any measurement information provided regarding the Property or any improvement located thereon (if exact square footage or any other measurement is a concern). Buyer is urged to have the Property fully inspected by a qualified, professional expert(s). Buyer may also wish to obtain a home protection plan/warranty.
4. Buyer acknowledges having received a signed copy of this Disclosure Statement and any Rider or other attachment hereto.
5. A real estate licensee involved in this transaction may have a statutory duty to disclose an adverse material fact.

Buyer **Date** **Buyer** **Date**

Print Name: _____ *Print Name*: _____

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