

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



Property: 8785 Jacot Lane Missoula MT 59802
Seller(s): Andrea Barkett Kirby Kenney
Seller(s') Agent: Theresa Lunn
Buyer(s') Agent: _____

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

- 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
- 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.

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(s') Agent with a Property Disclosure Statement, **except as set forth below**, the Seller Agent has no personal knowledge:

- (i) about adverse material facts that concern the Property or
- (ii) regarding the veracity (accuracy) of any information regarding adverse material facts that concern the Property

No known adverse conditions.

Information regarding adverse material facts that concern the Property and that are known to the Seller(s') Agent, if any, is set forth above. However, the Seller(s') 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.

Seller Agent Signature: Theresa Lunn

Dated: 4.30.19

Buyer and Buyer's Agent acknowledge receipt of this Property Disclosure Statement Cover Sheet.

Buyer Agent Signature: _____

Dated: _____

Buyer Signature: _____

Dated: _____

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



1 The undersigned Owner is the owner of certain real property located at 8785 Jacot Lane
2 Missoula MT 59802, in the City of Missoula,
3 County of Missoula, Montana, which real property is legally described as
4 **Grantland Rankin, S21, T14N, R19W, Lot 131.**
5
6
7

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

15 **OWNER'S DISCLOSURE**
16

- 17 ☐ Owner has never occupied the Property.
18 ☐ Owner has not occupied the Property since _____ (date)
19

20 The Owner declares that the Owner has prepared this Disclosure Statement and any attachments thereto
21 based on any adverse material facts known to the Owner. Owner hereby authorizes providing a copy of
22 this Statement to any person or entity in connection with any actual or anticipated sale of the Property.
23 Owner further agrees to indemnify and hold any and all real estate agents involved, directly or indirectly, in
24 the purchase and sale of the Property, harmless from all claims for damages based upon the disclosures
25 made in this Disclosure Statement along with the failure of the Owner to disclose any adverse material facts
26 known to the Owner.
27

28 This information is a disclosure by the Owner of known adverse material facts concerning the Property as
29 of the above date. **It is not a warranty or representation of any kind by the Owner and it is not a**
30 **contract between Owner and buyer. This disclosure statement is not a substitute for any**
31 **inspections the buyer may wish to obtain.**
32

33 Please describe any adverse material facts concerning the items listed, or other components, fixtures or
34 matters. If space is inadequate, please use the attached Addendum to Owner's Property Disclosure
35 Statement.
36

- 37 1. **APPLIANCES:** Refrigerators, Microwave, Range, Dishwasher, Garbage Disposal, Oven, Trash
38 Compactor, Freezer, Washer, Dryer
39
40

- 41
42 2. **COMPONENTS and BUILT-IN SYSTEMS:** Water Softener, Water Conditioners, Exhaust Fans, Central
43 Vacuum System and components, Water Heater, Washer/Dryer Hookups, Ceiling Fan, Intercoms,
44 Remote Controls, T.V. Antenna, Satellite Dish, Central sound systems, Wiring for phone, cable and
45 internet, Security Alarms, Fire Alarms, Smoke Detectors, Garage Door Openers, and Security Gates
46
47

- 48
49 3. **ELECTRICAL SYSTEM:** (Wiring, Outlets, Switches, Services, Shorts, Alterations, and Overloads)
50
51

Buyer's or Lessee's Initials

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Owner's Property Disclosure Statement, October 2017

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Owner's Initials

4. PLUMBING: (including Pipes, Drains, Faucets, Fixtures, Sump Pumps and Toilets)

a. Faucets, fixtures, etc.

b. Private Septic Systems (Adherence to Health Codes, Clogging, Backing Up, Drain Field, Septic Tanks, Holding Tanks, and Cesspools)

c. Septic Systems permit in compliance with existing use of Property

Date Septic System was last pumped?

April 2016

d. Public Sewer Systems (Clogging and Backing Up)

5. HEATING, VENTILATION AND AIR-CONDITIONING SYSTEMS: (Central Heating including furnaces, Central Air Conditioning including compressors, Heat pumps, Electric heating systems, Solar systems, Gas Leaks, thermostats, Wall/Window AC Evaporator Coolers, Humidifiers, Propane tanks)

All AC, All heating, hot water new 2018

6. ADDITIONAL HEAT SOURCES: (Gas, Pellet, Wood Stoves or Fireplaces) (Compliance with Air Quality Laws, Chimney Cleanliness, Chimney Fires and Adherence to Codes in Installation)

7. INSULATION: (Walls, Ceiling, Utility Bills, Vapor Barrier and Formaldehyde or Asbestos Insulation)

8. OTHER BASIC COMPONENTS: (Interior Walls, Ceilings, Floors, Exterior Walls, Windows, Doors, Window Screens, Slabs, Driveways, Sidewalks, Fences)

Cracked window in master BR in process of being replaced.

9. BASEMENT: (Leakage, Flooding, Moisture or Evidence of Water, and Fuel Tanks)

10. FOUNDATION: (Depth, Footings, Reinforcement, and Cracking)

11. ROOF: (Rain Gutters, Leakage, Deterioration, Ice build ups and Structural Condition)

new roof 2018

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Owner's Initials

105 12. WATER: (Well Production, Water Quality and Quantity, Water Rights and Abandoned Wells)

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107

108

109 a. Private well

110

111

112

113 b. Public or community water systems

114 *HOA community water system*

115

116

117 13. POOLS, OUTDOOR LIVING, ANCILARY BUILDINGS: (Window Screens, Pool, Spa, Pool/Spa Heater,
118 Hot Tub, Sauna, Patio/Decking, Built-In Barbecue, Gazebo, Fountains, Water features, Underground
119 Sprinklers systems and controls, Partially landscaped or un-landscaped yard, Garage, Shop, Barn,
120 Carport)

121

122

123

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

126

127

128

129 15. ACCESS: (If the property is not on a public street note any Driveway Agreements, Private Easements
130 and Legal Disputes Concerning Access)

131

132

133

134 16. HAZARD INSURANCE/DAMAGES/CLAIMS (past and present):

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137

138 17. METHAMPHETAMINE: If the Property is inhabitable real property, the Owner represents to the best of
139 Owner's knowledge that the Property ☐ has ☒ has not been used as a clandestine Methamphetamine
140 drug lab. If the Property has been used as a clandestine Methamphetamine drug lab Owner agrees to
141 execute the Montana Association of REALTORS® "Methamphetamine Disclosure Notice" and provide
142 any documents or other information that may be required under Montana law concerning the use of the
143 Property as a clandestine Methamphetamine drug lab.

144

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

150

151 19. LEAD-BASED PAINT: If a residential dwelling exists on the Property and was built before the year
152 1978, Owner ☐ has ☒ has no knowledge of lead-based paint and/or lead-based paint hazards on the
153 Property. If Owner has knowledge of lead-based paint and/or lead-based paint hazards on the
154 Property, attached are all pertinent reports and records concerning that knowledge.

155

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

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

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

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.

Owner

Andrea Barkett

Date 3.8.19

Owner

Kirby Kenney

Date 4-15-19

Buyer's or Lessee's Initials

209 **Please note the following changes to the foregoing disclosure:** _____
210 _____
211 _____
212 _____
213 _____
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218 _____
219 _____
220 _____
221 _____
222 _____

223 Owner _____ Date _____

224 _____

225 _____

226 Owner _____ Date _____

227 _____

228 _____

229 **BUYER'S ACKNOWLEDGEMENT**

230 _____

231 Subject Property Address: 8785 Jacot Lane

232 Missoula MT 59802

233 _____

234 _____

235 Buyer(s) understand that the foregoing disclosure statement sets forth any adverse material facts

236 concerning the Property that are known to the owner. **The disclosure statement does not provide any**

237 **representations or warranties concerning the Property, nor does the fact this disclosure statement**

238 **fails to note an adverse material fact concerning a particular feature, fixture or element imply that**

239 **the same is free of defects.**

240 _____

241 Buyer(s) is/are encouraged to obtain professional advice, inspections or both of the Property and to provide

242 for appropriate provisions in a contract between buyer(s) and owner(s) with respect to any advice,

243 inspections or defects. **Buyer(s) are not relying upon this property disclosure statement for buyer(s)'**

244 **determination of the overall condition of the Property in lieu of other inspections, reports or advice.**

245 _____

246 I/WE ACKNOWLEDGE RECEIPT OF A COPY OF THIS STATEMENT.

247 _____

248 Buyer/Lessee _____ Date _____

249 _____

250 _____

251 Buyer/Lessee _____ 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 a 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 8785 Jacot Lane 59802, in the City of Missoula, County of Missoula, Montana, which real property is legally described as:
Grantland Rankin, S21, T14N, R19W, Lot 131.

The Owner hereby discloses the following information:

Owner Andrea Barkett	Date	Owner Kirby Kenney	Date
Buyer/Lessee	Date	Buyer/Lessee	Date

Addendum Page _____ of _____