

SELLER'S PROPERTY CONDITION DISCLOSURE STATEMENT RESIDENTIAL-SDCL 43-4-44

Seller(s): LaVonne Grill, Marcia Newton, Gary Haskell, and Jerry Haskell
 Property Address: 28838 303rd Ave, Winner, SD 57580
 Property Legal Description: NE ¼, Sec 18, and W ½ of Sec 17 all in Township 97, Range 78, in Star Prairie Township, Tripp County, SD

This Disclosure Statement concerns the real property identified above and offered for sale. This disclosure is required by law to be completed by sellers of real property and given to potential buyers. This form can have important legal consequences. If you do not understand this form, you should seek advice from a competent source.

Seller states that the information contained in this disclosure fully reflects the Seller's knowledge of the matters disclosed as of the date affixed to the form. If any material fact changes prior to closing, the seller MUST disclose that change in a written amendment to this disclosure statement and give the same to the buyer.

This statement is a DISCLOSURE OF THE CONDITION OF THE ABOVE-DESCRIBED PROPERTY in compliance with South Dakota law § 43-4-38. It is NOT A WARRANTY of ANY KIND by the Seller or anyone representing any party in a transaction. It is NOT A SUBSTITUTE FOR ANY INSPECTIONS OR WARRANTIES either party may wish to obtain.

The seller(s) hereby authorizes any agent representing any party in this transaction to provide a copy of this statement to any person or entity in connection with any actual or anticipated sale of the property.

If the answer to any of the following requires more space for explanation, please fully explain in comments or on an attached separate sheet. **LOT OR TITLE INFORMATION**

1. When did you purchase or build the home? _____ / _____
 Month Year

	LOT OR TITLE INFORMATION	Yes	No	Do Not Know	N/A	Comments
2.	Are there any recorded liens or financial instruments against the property, other than a first mortgage?		✓			
3.	Are there any unrecorded liens or financial instruments against the property, other than a first mortgage; or have any materials or services been provided in the past one hundred twenty days that would create a lien against the property under chapter 44-9?		✓			

Sellers: *mn* *JS* *JA* *JH* / _____ Buyers: _____ / _____

	LOT OR TITLE INFORMATION	Yes	No	Do Not Know	N/A	Comments
14.	If leased, does the property use comply with applicable local ordinances?	✓				
15.	Does this property or any portion of this property receive rent?	Yes		✓		If yes, how much \$ and how often
16.	Do you pay any mandatory fees or special assessments to a homeowners' or condominium association?		✓			If yes, what are the fees or assessments? \$ per (i.e. annually, semi-annually, monthly) Payable to whom: For what purpose:
17.	Are you aware if the property has ever had water in either the front, rear, or side yard more than forty-eight hours?		✓			
18.	Is the property located in a flood plain?		✓			
19.	Are federally protected wetlands located upon any part of the property?		✓			
20.	Are you aware of any private transfer fee obligations, as defined pursuant to § 43-4-48, that would require a buyer or seller of the property to pay a fee or charge upon the transfer of the property, regardless of whether the fee or charge is a fixed amount or is determined as a percentage of the value of the property?		✓			If yes, what are the fees or charges? \$ per (i.e. annually, semi-annually, monthly)

Additional Comments _____

Sellers: mw [signature] [signature] Buyers: _____

	STRUCTURAL INFORMATION	Yes	No	Do Not Know	N/A	Comments
17.	Are you aware of any past or present damage to the property (i.e. fire, smoke, wind, floods, hail, or snow)?		✓			
18.	Have any insurance claims been made for damage to the property?		✓			
19.	Was an insurance payment received for damage to the property?		✓			
20.	Has the damage to the property been repaired?				✓	
21.	Are there any unrepaired damages to the property from the insurance claim?		✓			
22.	Are you aware of any problems with sewer blockage or backup, past or present?		✓			
23.	Are you aware of any drainage, leakage, or runoff from any sewer, septic tank, storage tank, or drain on the property into any adjoining lake, stream, or waterway?		✓			

Additional Comments _____

Sellers mm / PS / LA / JFH Buyers: _____

III.SYSTEMS/UTILITIES INFORMATION

	SYSTEMS/UTILITIES INFORMATION	Working	Not Working	None	Not Included	Comments
1.	Air Conditioning System	✓				Age of System, if known: 2019
2.	Air Exchanger			✓		
3.	Air Purifier			✓		
4.	Attic Fan			✓		
5.	Bathroom Whirlpool and Controls			✓		
6.	Burglar Alarm & Security System			✓		
7.	Ceiling Fan	5				
8.	Central Air - Electric			✓		
9.	Central Air – Water Cooled			✓		
10.	Cistern			✓		
11.	Dishwasher	✓				
12.	Disposal			✓		
13.	Doorbell			✓		
14.	Fireplace			✓		
15.	Fireplace Insert			✓		
16.	Garage Door(s)	1				
17.	Garage Door Opener(s)	1				
18.	Garage Door Control(s)	2				
19.	Garage Wiring	✓				
20.	Home Heating System(s) Type: <i>Propane floor furnace</i> <i>Electric Baseboard</i>	✓ ✓				Age of System, if known: 10-15 45
21.	Hot Tub and Controls			✓		
22.	Humidifier	✓				
23.	In Floor Heat	✓				
24.	Intercom			✓		
25.	Light Fixtures	✓				
26.	Microwave	✓				
27.	Microwave Hood			✓		
28.	Plumbing and Fixtures	✓				
29.	Pool and Equipment			✓		
30.	Propane Tank – Select One: Leased <u>Owned</u>	✓				
31.	Radon System			✓		
32.	Sauna			✓		
33.	Septic/Leaching Field	✓				
34.	Sewer Systems/Drains	✓				

Sellers: *M/SR/TA* / *JFH* Buyers: _____

	SYSTEMS/UTILITIES INFORMATION	Working	Not Working	None	Not Included	Comments
35.	Smart Home System			✓		Smart Home System includes:
36.	Smoke/Fire Alarm			✓		
	Solar House – Heating			✓		
37.	Sump Pump(s)			✓		
38.	Switches and Outlets	✓				
40.	Underground Sprinkler and Heads			✓		
41.	Vent Fan – Kitchen	✓		✓		
42.	Vent Fan – Bathroom	✓				
43.	Water Heater – Select One: Electric Gas					Age of System, if known: ?
44.	Water Purifier, Select One: Leased Owned			✓		
45.	Water Softener, Select One: Leased Owned			✓		
46.	Well and Pump	<i>Pump hasn't been used for about 4 yrs.</i>				
47.	Wood Burning Stove					

Additional Comments _____

Sellers: *[Signature]* Buyers: _____

IV. HAZARDOUS CONDITIONS

Are you aware of any existing hazardous conditions of the property and are you aware of any tests having been performed?

If the answer is yes to any of the questions below, please explain in additional comments or on an attached separate sheet.

HAZARDOUS CONDITIONS	Existing Conditions		Tests Performed		Comments
	Yes	No	Yes	No	
1. Methane Gas		✓		✓	
2. Lead Paint		✓		✓	
3. Radon Gas (House)		✓		✓	
4. Radon Gas (Well)		✓		✓	
5. Radioactive Materials		✓		✓	
6. Landfill, Mineshaft		✓		✓	
7. Expansive Soil		✓		✓	
8. Mold		✓		✓	
9. Toxic Materials		✓		✓	
10. Urea Formaldehyde Foam Insulations		✓		✓	
11. Asbestos Insulation		✓		✓	
12. Buried Fuel Tanks		✓		✓	
13. Chemical Storage Tanks		✓		✓	
14. Fire Retardant Treated Plywood		✓		✓	
15. Production of Methamphetamines		✓		✓	
16. Use of Methamphetamines		✓		✓	

Sellers: LR M LA JFA Buyers: _____

V. MISCELLANEOUS INFORMATION

	MISCELLANEOUS INFORMATION	Yes	No	Do Not Know	N/A	Comments
1.	Is the street or road located at the end of the driveway to the property public or private? Public _____ Private _____					
2.	Is there a written road maintenance agreement? If yes, attach a copy of the maintenance agreement.			✓		
3.	Has the fireplace/wood stove/chimney flue been cleaned? If yes, please provide date of service.				✓	
4.	Since you have owned the property, are you aware of a human death by homicide or suicide occurring on the property?		✓			
5.	Is the water source (select one) _____public or _____private					If private, what is the date and result of the last water test?
6.	Is the sewer system (select one) _____public or _____private					If private, what is the date of the last time septic tank was pumped?
7.	Are there broken windowpanes or seals?		✓			
8.	Are there any items attached to the property that will not be left, such as: towel bars, mirrors, curtain rods, window coverings, light fixtures, clothes lines, swing sets, storage sheds, ceiling fans, basketball hoops, mailboxes, tv mounts, speakers, etc.?		✓			If yes, please list:
9.	Are you aware of any other material facts which have not been disclosed on this form?			✓		If yes, please explain:

Sellers: *MW & BS* *JAH*

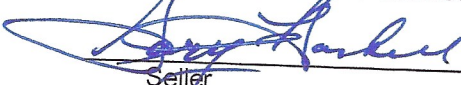


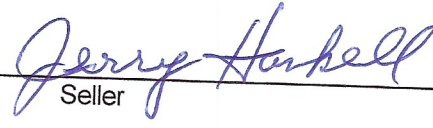
Buyers: _____

ADDITIONAL COMMENTS

(ATTACH ADDITIONAL PAGES IF NECESSARY)

CLOSING SECTION

The Seller hereby certifies that the information contained herein is true and correct to the best of the Seller's information, knowledge, and belief as of the date of the Seller's signature below. If any of these conditions change before conveyance of title to this property, the change will be disclosed in a written amendment to this disclosure statement.

 Seller	17 Nov 2024 Date	 Seller	Nov 17, 2024 Date
 Seller	Nov 17 2024 Date	 Seller	11-17-2024 Date

THE SELLER AND THE BUYER MAY WISH TO OBTAIN PROFESSIONAL ADVICE AND INSPECTIONS OF THE PROPERTY TO OBTAIN A TRUE REPORT AS TO THE CONDITION OF THE PROPERTY AND TO PROVIDE FOR APPROPRIATE PROVISIONS IN ANY CONTRACT OF

SALE AS NEGOTIATED BETWEEN THE SELLER AND THE BUYER WITH RESPECT TO PROFESSIONAL ADVICE AND INSPECTIONS.

I/We acknowledge receipt of a copy of this statement on the date appearing beside my/our signature(s) below. Any agent representing any party to this transaction makes no representations and is not responsible for any conditions existing in the property.

Buyer _____ Date _____ Buyer _____ Date _____

Disclosure of Information on Lead-Based Paint and/or Lead-Based Paint Hazards

Lead Warning Statement

Every purchaser of any interest in residential real property on which a residential dwelling was built prior to 1978 is notified that such property may present exposure to lead from lead-based paint that may place young children at risk of developing lead poisoning. Lead poisoning in young children may produce permanent neurological damage, including learning disabilities, reduced intelligence quotient, behavioral problems, and impaired memory. Lead poisoning also poses a particular risk to pregnant women. The seller of any interest in residential real property is required to provide the buyer with any information on lead-based paint hazards from risk assessments or inspections in the seller's possession and notify the buyer of any known lead-based paint hazards. A risk assessment or inspection for possible lead-based paint hazards is recommended prior to purchase.

Seller's Disclosure

- (a) Presence of lead-based paint and/or lead-based paint hazards (check (i) or (ii) below):
 - (i) Known lead-based paint and/or lead-based paint hazards are present in the housing (explain).
HA 2 IS MN
 - (ii) Seller has no knowledge of lead-based paint and/or lead-based paint hazards in the housing.
- (b) Records and reports available to the seller (check (i) or (ii) below):
 - (i) Seller has provided the purchaser with all available records and reports pertaining to lead-based paint and/or lead-based paint hazards in the housing (list documents below).
HA 2 IS MN
 - (ii) Seller has no reports or records pertaining to lead-based paint and/or lead-based paint hazards in the housing.

Purchaser's Acknowledgment (initial)

- (c) Purchaser has received copies of all information listed above.
- (d) Purchaser has received the pamphlet *Protect Your Family from Lead in Your Home*.
- (e) Purchaser has (check (i) or (ii) below):
 - (i) received a 10-day opportunity (or mutually agreed upon period) to conduct a risk assessment or inspection for the presence of lead-based paint and/or lead-based paint hazards; or
 - (ii) waived the opportunity to conduct a risk assessment or inspection for the presence of lead-based paint and/or lead-based paint hazards.

Agent's Acknowledgment (initial)

- (f) Agent has informed the seller of the seller's obligations under 42 U.S.C. 4852d and is aware of his/her responsibility to ensure compliance.

Certification of Accuracy Purchaser

The following parties have reviewed the information above and certify, to the best of their knowledge, that the information they have provided is true and accurate.

<u>[Signature]</u> Seller	<u>17 Nov 2024</u> Date	<u>Marcia Newton</u> Seller	<u>Nov 17, 2024</u> Date
<u>[Signature]</u> Purchaser	<u>Nov 17 2024</u> Date	<u>Jerry F. Heschell</u> Purchaser	<u>11-17-2024</u> Date
<u>[Signature]</u> Agent	 Date	<u>[Signature]</u> Agent	 Date

Personal Property Bill of Sale

In consideration of \$1.00 cash to be paid at the closing, the

Buyer(s) _____ agree to purchase from the

Seller(s) LaVonne Grill, Marcia Newton, Gary Haskell, and Jerry Haskell and the Seller(s) agree to

convey to Buyer(s) the personal property itemized below. This agreement is null and void if the

Buyer(s) and Seller(s) do not close on the purchase of the real property located at: 28838 303rd Ave.,

Winner, SD. Any personal property marked with an "X" below shall be included and to be in operating

condition at the time of closing unless otherwise noted in the Seller's Property Condition Disclosure

Statement. Seller(s) warrants that all personal property included shall be free of liens at the time of

closing.

Personal Property Includes:

- Dishwasher(s)
- Refrigerator(s)
- Oven/Range Electric(s)
- Oven/Range Gas(s)
- Microwave w/Hood(s)
- Stove Hood(s)
- Disposal(s)
- Trash Compactor(s)
- Freezer
- Washer
- Dryer
- Central Vacuum & Accessories
- Sump Pump(s)
- Intercom
- Water Purifier
- If Leased-from _____
- Water Softener
- If Leased-from _____
- Mirror(s) 3
- Ceiling Fan(s) 5
- Light Fixtures as Attached
- Window Treatments
- Curtains
- Rods
- Blinds
- Shades
- Smoke Detector(s)

- TV Mount(s)
- Satellite Dish from Direct TV
- Surround Sound
- Component(s)
- Speaker(s)
- Accessories
- Security System Components and Accessories
- Garage Door Opener(s)
- Garage Door Remote(s) 2
- Garage Door Keypad(s)
- Garage Heater(s)
- Shelving in Garage
- Workbench
- Basketball Hoop
- Invisible Fence
- Collar(s)
- Control(s)
- Kennel
- Propane Tank owned
- If Leased-from _____
- Storage Shed(s)
- Yard Play Set
- Spa/Hot Tub
- Window A/C Unit(s) 1
- Other _____

In addition to the personal property marked above, all heating, air-conditioning, plumbing, water heater, and electric and electrical systems are to be in operating condition at the time of closing unless otherwise noted in the Seller's Property Condition Disclosure Statement. All permanently installed fixtures and fittings that are attached to the property are included in the purchase price including but not limited to lights, light bulbs, plumbing and heating fixtures, built-in appliances, awnings, screen shutters, attached floor coverings, air conditioners, mailboxes, trees and shrubs, unless otherwise disclosed in writing.

If any personal property is included, it shall be free of liens and without warranty of condition. All personal property, including refuse not included in the purchase price, shall be removed by Seller prior to closing.

BUYER _____ Date: _____

BUYER _____ Date: _____

SELLER *[Signature]* Date: 17 Nov 2024

SELLER *Lalanne Britt* Date: Nov 17 2024

SELLER *Marcia Newton* Date: Nov 17, 2024

SELLER *Jerry Harbell* Date: 11-17-2024