

# SELLER'S PROPERTY DISCLOSURE STATEMENT - for Land Only

(To be completed by Seller)

This report supersedes any list appearing in the MLS

1 Property Address: 0 SW 130th ST Augusta KS 67010  
 2 Seller: Triumph Enterprises, LLC Date of Purchase: 06/28/2022  
 3 Property currently zoned as: Agriultural

4 **Message to the Seller:** This statement is a disclosure of the condition of the above described Property known by the SELLER on  
 5 the date that it is signed. It is not a warranty of any kind by the SELLER(S) or any real estate licensees involved in this transaction,  
 6 and should not be accepted as a substitute for any inspections or warranties the BUYER(S) may wish to obtain. If you know  
 7 something important about the Property that is not addressed on the Seller's Property Disclosure, add that information to the  
 8 form. Prospective Buyers may rely on the information you provide.

9 **Instructions:** (1) Complete this form yourself. (2) Answer all questions truthfully and as fully as possible. (3) Attach all available  
 10 supporting documentation. (4) Use explanation lines as necessary. (5) If you do not have the personal knowledge to answer a  
 11 question, use the comment lines to explain.

12 **By signing below, you acknowledge that the failure to disclose known material information about the Property may result in liability.**  
 13 **Message to the Buyer:** Although Seller's Property Disclosure is designed to assist the SELLER in disclosing all known material  
 14 (important) facts about the Property, there are likely facts about the Property that the SELLER does not know. Therefore, it is  
 15 important that you take an active role in obtaining the information about the Property.

16 **Instructions:** (1) Review this form and any attachments carefully. (2) Verify all important information. (3) Ask about any  
 17 incomplete or inadequate responses. (4) Inquire about any concerns not addressed on the Seller's Property Disclosure. (5) Obtain  
 18 professional inspections of the Property. (6) Investigate the surrounding area.

19 **THE FOLLOWING ARE REPRESENTATIONS OF THE SELLER(S) AND ARE NOT INDEPENDENTLY VERIFIED BY THE BROKER(S) OR AGENTS(S).**

### PART I

Indicate the condition of the following items by marking the appropriate box.  
Check only one box for each item.

None  
Does Not Transfer  
Working  
Not Working  
Don't Know

#### WATER SYSTEMS

20  
 21      Well/Pump \_\_\_\_\_  
 22      Drinking \_\_\_\_\_ Irrigation \_\_\_\_\_  
 23 Location \_\_\_\_\_  
 24 Depth \_\_\_\_\_  
 25 Type \_\_\_\_\_  
 26 If on well water, has water ever shown test results of contamination?  Yes  No  
 27 Is the property connected to  city  rural water systems?  
 28 Rural Water Transfer?  Yes  No Transfer Fee \$ 100.00  
 29      Cistern \_\_\_\_\_  
 30      Other \_\_\_\_\_  
 31 Comments: Butler county Rural Water district 5 316-778-1631 to transfer water service.  
 32 Benefit Unit number: 8-269.

#### DRAINAGE/SEWAGE SYSTEMS

33  
 34      Sewer Lines \_\_\_\_\_  
 35      Septic/Laterals \_\_\_\_\_  
 36      Lagoon \_\_\_\_\_  
 37      Tank Size \_\_\_\_\_ Location \_\_\_\_\_  
 38      # Feet of Laterals \_\_\_\_\_  
 39      Other \_\_\_\_\_  
 40      Other \_\_\_\_\_  
 41 Comments: \_\_\_\_\_  
 42 \_\_\_\_\_

Seller's Initials  Buyer's Initials \_\_\_\_\_

PART II

Answer questions to the best of your (Seller's) knowledge.

None Does Not Transfer Working Not Working Don't Know

GAS/ELECTRIC

- 43 Is there a propane tank on the property? If yes, is it owned leased? Company:
44
45
46 Are there solar panels on the property? If yes, are they owned rented/leased? Company:
47
48
49 Are there wind turbines on the property? If yes, are they owned rented/leased? Company:
50
51
52 Is there hydroelectric on the property?

Yes No Don't Know

- 53 Is gas connected to property? If not, distance to nearest source? 1.5 miles
54 Is electricity connected to property? If not, distance to nearest source? 20 feet
55 To your knowledge, is there any additional costs to hook up utilities?
56 If yes, please explain:
57
58 Comments:
59

DRAINAGE/SEWAGE SYSTEMS

- 60 Is property connected to a public sewer system? If yes, no explanation required.
61
62 Is there a septic tank/lagoon system serving this property? If yes, when was it last serviced? Date
63
64 To your knowledge, is there any problems relating to the septic tank/cesspool/sewer system?
65 To your knowledge, is the property located in a federally designated flood plain or wetlands area?
66 Is the property located in a subdivision with a master drainage plan? If so, is this property in compliance?
67
68 Has the property ever had a drainage problem during your ownership?
69 Do you currently pay flood insurance?
70 Other drainage/sewage systems and their conditions: The State of Kansas Department of Agriculture is conducting
71 Comments: base level engineering study for new floodplain mapping in many areas of Kansas.
72 Butler County is one of those areas. This means the current flood plan status could change in
in the future. Buyers or Buyer's Agent are encouraged to verify all information deemed important to them.

BOUNDARIES/LAND

- 73 Have you had a survey of your property?
74 Are the boundaries of your property marked in any way?
75 Is there any fencing on the boundary(ies) of the property?
76 If yes, does the fencing belong to the property?
77 To your knowledge, are there any boundary disputes, encroachments, or unrecorded easements?
78 Are there any features of the property shared in common with adjoining landowners, such as walls, fences, roads, driveways?
79
80 Is this property owner responsible for maintenance of any such shared feature?
81 Do you know of any expansive soil, fill dirt, sliding, settling, earth movement, upheaval, or earth stability problems that have occurred on the property or in the immediate neighborhood?
82
83 Comments:
84

Seller's Initials



Buyer's Initials

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Yes  
No  
Don't Know

**HOMEOWNER'S ASSOCIATION**

Is the property subject to rules or regulations of any homeowner's association?  
Annual dues \$ \_\_\_\_\_ Initiation Fee \$ \_\_\_\_\_  
  To your knowledge, are there any problems relating to any common area?  
  Have you been notified of any condition which may result in an increase in assessments?  
Comments: \_\_\_\_\_  
\_\_\_\_\_

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**ENVIRONMENTAL CONDITIONS**

To your knowledge, are any of the following substances, materials, or products present on the real property?  
  Asbestos  
  Contaminated soil or water (including drinking water)  
  Landfill or buried materials  
  Methane gas  
  Oil sheers in wet areas  
  Radioactive material  
  Toxic material disposal (e.g., solvents, chemicals, etc.)  
  Underground fuel or chemical storage tanks  
  EMFs (Electro Magnetic Fields)  
  Gas or oil wells in area  
  Other  
  To your knowledge, are any of the above conditions present near your property?  
Comments: \_\_\_\_\_  
\_\_\_\_\_

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**MISCELLANEOUS**

To your knowledge:  
  Are there any gas/oil wells on the property or adjacent property?  
  Is the present use of the property a non-conforming use?  
  Are there any violations of local, state or federal government laws or regulations relating to this property?  
  Is there any existing or threatened legal or regulatory action affecting this property?  
  Are there any current special assessments or do you have knowledge of any future assessments?  
  Are there any proposed or pending zoning changes on this or adjacent property?  
  Are any local, state, or federal agencies requiring repairs, alterations or corrections of any existing conditions?  
  Are there any diseased or dead trees or shrubs?  
  Is the property located in an area where public authorities have or are contemplating condemnation proceedings?  
  Are there any facts, conditions, or circumstances, on or off site, which could affect the value, beneficial use, or desirability of the property? If yes, please explain below.  
Comments: \_\_\_\_\_  
\_\_\_\_\_

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Seller Owns:  
  Mineral Rights:  
    100 % pass with the land to the Buyer      \_\_\_\_\_ % remain with the Seller  
    \_\_\_\_\_ % are owned by third party      \_\_\_\_\_ unknown  
  Are there any oil, gas, or wind leases of record or Other? Please explain: \_\_\_\_\_  
\_\_\_\_\_  
  Crops planted at the time of sale:  
    \_\_\_\_\_ pass with the land to the Buyer      X \_\_\_\_\_ remain with the Seller  
    \_\_\_\_\_ none      \_\_\_\_\_ negotiable  
    \_\_\_\_\_ Other (please describe): \_\_\_\_\_  
\_\_\_\_\_

Seller's Initials  Buyer's Initials \_\_\_\_\_



135 Tenant's rights apply to the subject property with lease or shares as follows: \_\_\_\_\_  
 136 \_\_\_\_\_  
 137 \_\_\_\_\_  
 138 Water Rights:  
 139 \_\_\_\_\_ pass with the land to the Buyer - Permit # \_\_\_\_\_  
 140 \_\_\_\_\_ remain with the Seller - Permit # \_\_\_\_\_  
 141 \_\_\_\_\_ have been terminated  
 142 Comments: \_\_\_\_\_  
 143 \_\_\_\_\_

**SELLER'S ACKNOWLEDGMENT**

144 Seller acknowledges that: the information contained in this disclosure is accurate, true and complete to the best of Seller's  
 145 knowledge, information and belief; Seller has provided all the information contained in this Seller's Property Disclosure; and that  
 146 the Broker/Realtor® has not prepared, nor assisted in the preparation of this Disclosure. Seller hereby indemnifies, holds harmless  
 147 and releases all Brokers/Realtors® involved in the sale of the property from all liability, claims, loss, cost, or damage in connection  
 148 with the information contained in this Disclosure. Seller hereby authorizes the listing broker to provide copies of this Disclosure  
 149 to other real estate brokers and agents and prospective buyers of the property.

150 Triumph Enterprises 10/13/2023  
 151 Seller **Triumph Enterprises, LLC** Date Seller Date

**OR**

152 Seller certifies that the information herein is true and correct to the best of the Seller's knowledge as of the date signed by Seller.  
 153 I have not occupied this property in \_\_\_\_\_ years and am not familiar with all conditions represented in this form.

154 Triumph Enterprises 10/13/2023  
 155 Seller **Triumph Enterprises, LLC** Date Seller Date

**BUYER'S ACKNOWLEDGMENT AND AGREEMENT**

- 157 1. I personally have carefully inspected the property. I will rely upon the inspections encouraged under my contract with Seller.  
 158 Subject to any inspections, I agree to purchase the property in its present condition without representations or guarantees of  
 159 any kind by the Seller or any REALTOR® concerning the condition or value of the property.
- 160 2. I agree to verify any of the above information that is important to me by an independent investigation of my own. I have been  
 161 advised to have the property examined by professional inspectors.
- 162 3. I acknowledge that neither Seller nor any REALTOR® involved in this transaction is an expert at detecting or repairing physical  
 163 defects in the property. I state that no important representations concerning the condition of the property are being relied  
 164 upon by me except as disclosed above or as fully set forth as follows: \_\_\_\_\_  
 165 \_\_\_\_\_
- 166 4. I acknowledge that I have been informed that Kansas Law requires persons who are convicted of certain sexually violent crimes  
 167 after April 14, 1994, to register with the sheriff of the county in which they reside. I have been advised that if I desire  
 168 information regarding those registrants, I may find information on the home page of the Kansas Bureau of Investigation (KBI)  
 169 at <http://www.Kansas.gov/kbi> or by contacting the local sheriff's office.
- 170 5. I acknowledge that McConnell Air Force Base is located within Sedgwick County and is an operational military Air Force base  
 171 that is open 24 hours a day and activity at that base may generate noise. The volume, pitch, amount and frequency of noise  
 172 may be affected by future changes in McConnell Air Force Base activity. I have been informed that if I desire information  
 173 regarding potential for noise caused by the aircraft operations associated with McConnell Air Force Base and its operations, I  
 174 may find information by contacting the Metropolitan Area Planning Department.

175 \_\_\_\_\_  
 176 Buyer Date Buyer Date

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Seller's Initials  Buyer's Initials \_\_\_\_\_