



MONTANA ASSOCIATION OF REALTORS® PROPERTY DISCLOSURE STATEMENT (LAND)



1 Date: 07/14/2020

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3 Property: 300 Fox Trot Lane Helmville MT 59843

4 Seller(s): Evan & Erika Mills Living Trust

5 Seller Agent: Kevin Wetherell

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

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- 9 • disclose to a buyer or the buyer agent any adverse material facts that concern the property and that are known
- 10 to the seller agent, except that the seller agent is not required to inspect the property or verify any statements
- 11 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.
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15 The Seller Agent identified above is providing the attached Owner's Property Disclosure Statement (Land) that has
16 been completed and signed by the Seller(s), if one has been made available to the Seller Agent by the Seller(s).
17 Regardless of whether Seller(s) has/have provided Seller Agent with an Owner's Property Disclosure Statement (Land),
18 **except as set forth below**, the 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
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29 In addition, the Seller Agent is providing the attached Buyer's Property Disclosure Statement (Land) that has
30 been completed and signed by the Buyer(s), if one has been made available to the Seller Agent by the Buyer(s).
31 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 Seller Agent Signature: Kevin Wetherell Kyle Huestis

35 Authentisign 7/15/2020 11:10:44 AM MDT Authentisign 7/14/2020 4:27:35 PM MDT

36 Dated: 07/15/2020 Kevin Wetherell; Kyle Huestis 07/14/2020

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38 Buyer and Buyer Agent acknowledge receipt of this Property Disclosure Statement (Land).

39 Buyer Agent: _____

40 Buyer Agent Signature: _____

41 Dated: _____

42 Buyer Signature: _____

43 Dated: _____

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



The use of this form is for REALTOR® members only (members of the Montana Association of REALTORS®) and cannot be used by any other party for any purpose. Use of these forms by other parties may result in legal action by the Montana Association of REALTORS®.

1 Date: 07/14/2020

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3 The undersigned Owner is the owner of certain real property located at 300 Fox Trot Lane
4 MT 59843, in the City of Helmville,
5 County of Powell, Montana, which real property is legally described as:
6 S09, T11 N, R11 W, ACRES 40, NE4SE4

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

OWNER'S DISCLOSURE

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17 Owner has never been to the Property.
18 Owner has not been to the Property since August 2011 (date).

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

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

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

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34 Easements (written or unwritten):

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38 Boundaries or property lines:

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42 Encroachments or similar matters that may affect your interest in the subject Property including but not
43 limited to buildings, fences, etc.:

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47 Access to the Property:
48 **Seasonal vehicle access. Snowmobile required in winter.**

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_____/_____
Buyer's Initials

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Owner's Property Disclosure Statement (Land), March 2018
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EM / EM

Seller's Initials

50 Settling, slippage, sliding or other soil problems:

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54 Flooding, drainage or grading problems:

58 Location of the Property in a flood plain, shoreline master plan, wetland or other environmentally sensitive area:

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62 a. Water rights and private wells:

63 **Approx. 6-foot hand-dug well. Water production unknown.**

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66 b. Public or Community water systems:

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70 Restrictive Covenants and Deed restrictions:

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74 Septic system approval or existing septic system:

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78 Major damage to the Property from fire, earthquakes, floods, slides, etc.:

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82 Zoning or Historic District violations, non-conforming uses:

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86 Neighborhood noise problems or other nuisances:

87 **Nearby property on Bison Hollow road is disheveled.**

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90 Property Owner's association obligations (dues, lawsuits, etc.):

91 **Annual cattle grazing offset fee due if owner chooses to fence property.**

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94 Notice of abatement or citations against the Property:

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98 Lawsuits or legal proceedings (including foreclosures and bankruptcies) affecting or threatening the Property:

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102 Waste dump or disposal or landfill or gravel pit or commercial use in the vicinity of the Property, existing or proposed,
103 which may cause smoke, smell, noise or other nuisance, annoyance or pollution:
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Buyer's Initials

[EM] / [EM]

Seller's Initials

106 Street or utility improvement planned that may affect or be assessed against the Property:

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Zoning or land use change planned or being considered by the city or county:

Proposed increase in tax assessment value or property owner's association dues for the Property:

Underground storage tanks or class II injection wells:

Property leases including post-closing short-term rental obligations, crop share agreements, mineral leases or reservations:

Conservation Easements (existing or proposed):

Landfill (compacted or otherwise) on the Property or any portion thereof:

Environmental issues affecting the Property:

Pests, rodents:

Noxious Weeds:

Airport affected area:

Other matters that may be set forth in the attached addendum.

as of the date signed by Owner.

155	Authentisign		07/14/2020
156	<u>Evan Mills Trustee</u>		
157	Owner's Signature	Evan Mills Trustee	Date
158	Authentisign		07/14/2020
159	<u>Erika Mills Trustee</u>		
160	Owner's Signature	Erika Mills Trustee	Date

_____/_____
Buyer's Initials

161 **Please note the following changes to the foregoing disclosure:**

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174 Authentisign
Evan Mills Trustee _____ 07/14/2020
175 **Owner's Signature** _____ **Date**

176 Authentisign
177 Erika Mills Trustee _____ 07/14/2020
178 **Owner's Signature** _____ **Date**

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BUYER'S ACKNOWLEDGEMENT

Subject Property Address: 300 Fox Trot Lane
Helmsville MT 59843

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

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

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

Buyer's Signature _____ Date _____

Buyer's Signature _____ 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 holiday can be performed on the next business day.



ADDENDUM TO OWNER'S PROPERTY DISCLOSURE STATEMENT (LAND)

1 This Addendum is an attachment to the Owner's Property Disclosure Statement (Land) regarding certain real property
 2 located at 300 Fox Trot Lane MT 59843,
 3 in the City of Helmville, County of Powell,
 4 Montana, which real property is legally described as:
 5 S09, T11 N, R11 W, ACRES 40, NE4SE4
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9 The Owner hereby discloses the following information:
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<div style="border-bottom: 1px solid black; padding-bottom: 5px;"> <small>Authentisign</small> <i>Evan Mills Trustee</i> </div> <div style="display: flex; justify-content: space-between;"> 07/14/2020 </div>	<div style="border-bottom: 1px solid black; padding-bottom: 5px;"> <small>Authentisign</small> <i>Erika Mills Trustee</i> </div> <div style="display: flex; justify-content: space-between;"> 07/14/2020 </div>
Owner's Signature Evan Mills Trustee	Owner's Signature Erika Mills Trustee
Date	Date
Buyer's Signature	Buyer's Signature
Date	Date

