



800-887-8625

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SELLER'S PROPERTY DISCLOSURE STATEMENT RESIDENTIAL

(To Be Completed by Seller)

DATE: 11/1/2023

SELLER: Belleville Apartments LLC

PROPERTY ADDRESS: 1004 18th St Belleville, KS

SELLER'S INFORMATION

This statement is a disclosure of the condition of the above described Property known by the SELLER on 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, and should not be accepted as a substitute for any inspections or warranties the BUYER(S) may wish to obtain. The information provided in this statement is the representation of the SELLER and not the representation of any real estate licensees involved in the transaction. The information contained herein is intended to be part of any Contract between the SELLER(S) and BUYER(S).

SELLER discloses the following information with the knowledge that even though this is not a warrant, prospective BUYER(S) may rely on the information contained herein in deciding whether, and on what terms, to purchase the Property. SELLER hereby authorizes any real estate licensee involved in this transaction to provide a copy of this SELLER'S Property Disclosure Statement to any person or entity in connection with any actual or possible sale of the Property.

Part I. - OCCUPANCY OF THE PROPERTY.

- 1. Approximate age of the Property: unknown
2. Approximate date that SELLER acquired the Property: Jan 2020
3. Does SELLER currently occupy the Property? YES/NO. If NO, how long has it been since SELLER has occupied the Property apt complex

Part II. Indicate the condition of the following items by marking the appropriate box. Check only one box.

SECTION A. - APPLIANCES, EQUIPMENT AND FIXTURES:

Table with 4 columns: Not Included, Working, Not Working, Unknown. Rows include Air conditioning-central system, Air conditioning - window units, Air purifier system, Attic fan, Cable television wiring/jacks, Ceiling fan(s) #, Central vacuum system and attachments.

Buyer's Initial & Date

Seller's Initial & Date

	<u>Not Included</u>	<u>Working</u>	<u>Not Working</u>	<u>Unknown</u>
8. Clothes dryer		<input checked="" type="checkbox"/>		
9. Clothes washer		<input checked="" type="checkbox"/>		
10. Dishwasher				
11. Disposal				<input checked="" type="checkbox"/>
12. Doorbell				<input checked="" type="checkbox"/>
13. Exhaust Fans-Bathrooms	<input checked="" type="checkbox"/>			
14. Fireplace/fireplace insert	<input checked="" type="checkbox"/>			
15. Fireplace gas logs	<input checked="" type="checkbox"/>			
16. Fireplace gas starter	<input checked="" type="checkbox"/>			
17. Fireplace wood burning stove	<input checked="" type="checkbox"/>			
18. Garage door opener(s) # _____	<input checked="" type="checkbox"/>			
19. Gas grill	<input checked="" type="checkbox"/>			
20. Heating system ___ Gas <input checked="" type="checkbox"/> Electric ___ Hot Water		<input checked="" type="checkbox"/>		
21. Heat pump	<input checked="" type="checkbox"/>			
22. Hot tub-whirlpool	<input checked="" type="checkbox"/>			
23. Humidifier	<input checked="" type="checkbox"/>			
24. Intercom, sound system, speakers	<input checked="" type="checkbox"/>			
25. Microwave oven	<input checked="" type="checkbox"/>			
26. Oven <input checked="" type="checkbox"/> Electric ___ Gas		<input checked="" type="checkbox"/>		
27. Propane tank ___ Leased ___ Owned	<input checked="" type="checkbox"/>			
28. Range <input checked="" type="checkbox"/> Electric ___ Gas		<input checked="" type="checkbox"/>		
29. Range ventilation system	<input checked="" type="checkbox"/>			
30. Refrigerator # _____		<input checked="" type="checkbox"/>		
31. Sauna/spa ___ Steam ___ Dry	<input checked="" type="checkbox"/>			
32. Security system ___ Owned ___ Leased	<input checked="" type="checkbox"/>			
33. Smoke alarms/detectors# _____		<input checked="" type="checkbox"/>		
34. Sprinkler system		<input checked="" type="checkbox"/>		
35. Sump Pump	<input checked="" type="checkbox"/>			
36. Swimming Pool	<input checked="" type="checkbox"/>			
37. Telephone wiring/jacks				
38. Television antenna/receiver/sat dish ___ Own ___ Leased				<input checked="" type="checkbox"/>
39. Trash compactor	<input checked="" type="checkbox"/>			
40. Water heater		<input checked="" type="checkbox"/>		
41. Water purified/softener ___ Owned ___ Leased	<input checked="" type="checkbox"/>			
42. Other _____	<input checked="" type="checkbox"/>			
43. Other _____	<input checked="" type="checkbox"/>			

**PART III. Indicate the condition of the following items by marking the appropriate box and completing the appropriate blanks.**

**A. STRUCTURAL CONDITIONS:**

1. What is the approximate age of the roof (if known)? \_\_\_\_\_ years. Type of roof: \_\_\_\_\_
2. Have there been any leaking or other problems with the roof, flashing or rain gutters?  YES  NO
3. Have there been any repairs to the roof, flashing or rain gutters?  
If so, please provide the date of the repairs 2023  YES  NO
4. Has there been any roof replacement?  YES  NO
5. How many layers of roofing materials are currently on the roof (if known)? ?
6. Have you made any homeowners' insurance claims on the Property?  
If so, were all the repairs completed?  YES  NO
7. Has there ever been leakage/seepage in the basement or crawl space?  YES  NO

Buyer's Initial & Date  
 \_\_\_\_\_  
 Date \_\_\_\_\_

Seller's Initial & Date  
JS Date 11/1/23  
 \_\_\_\_\_  
 Date \_\_\_\_\_

8. Has there been any damage to the Property due to wind, fire or flood?  YES  NO
9. Are there any structural problems with the Property?  YES  NO
10. Is any exterior wall covering of the structure covered with synthetic stucco?  YES  NO
11. Is there any damage to the chimney or fireplace?  YES  NO
12. Is there any exposed wiring presently in any structures on the Property?  YES  NO
13. Are there any windows or doors that leak or have broken thermopane seals?  YES  NO
14. Have you ever experienced or are you aware of any:
- Movement, shifting, deterioration or other problems with crawl space, foundations, slab or walls?  YES  NO
- Cracks or flaws in the basement floor, ceilings, concrete slab, crawl space, foundations or garage?  YES  NO
- Corrective action to remedy these structural conditions, including but not limited to bracing or piling?  YES  NO
- Water leakage or dampness in the Property, crawl space or basement?  YES  NO
- Dry rot, wood rot or similar conditions on the wood of the Property?  YES  NO
- Problems with decks, driveways, fences, patios or retaining walls on the Property?  YES  NO
15. Do you have any knowledge of any damage to the Property caused by termites or wood infestation?  YES  NO
- If so, is the Property currently under warranty?  YES  NO
- If so, please name the company here: NA
16. Have you had any termite/pest control treatments for the Property?  YES  NO
- If so, please name the company and year treated here: - NA
17. Has the ground been pre-treated for termites?  YES  NO
18. If you have answered "YES" to any of the questions in A(1) through (17), please attach documentation to describe the date, extent and location of the problem and name of the person or entity responsible for repairing the problem. In addition, please attach, if available, any inspection reports, repair estimates and receipts. Explain in detail here:
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19. Additional Comments:

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**B. LAND (SOILS; DRAINAGE; BOUNDARIES):**

1. Is the Property or any portion of the Property located in a flood zone, wetlands area or proposed to be located in such by the Federal Emergency Management Agency (FEMA) which requires flood insurance?  YES  NO
2. Are you aware of any drainage or flood problems on the Property or adjacent properties?  YES  NO
3. Have any neighbors complained that the Property causes drainage problems?  YES  NO
4. Has the Property had a stake survey?  YES  NO
- If YES, please attach a copy of the stake survey.
5. Are the boundaries of the Property marked in any way?  YES  NO
6. Do you have an Improvement Location Certificate (ILC) for the Property?  YES  NO
- If YES, attach a copy of the Improvement Location Certificate (ILC).
7. Is there fencing on the Property?  YES  NO
- If YES,, does the fencing belong to the Property?  YES  NO
8. Are you aware of encroachments, boundary line disputes or non-utility easements affecting the Property?  YES  NO
9. Any property features shared in common with adjoining landowners, i.e. walls, fences, roads, driveways?  YES  NO
- If YES, are you responsible for maintenance of any such shared features?  YES  NO
10. Are you aware 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 vicinity of the Property?  YES  NO
11. Are you aware of any diseased, dead or damaged trees or shrubs on the Property?  YES  NO
12. If you have answered "YES" to any of the questions in B (1) through (12), attach any documentation and explain here:
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Buyer's Initial & Date

Date \_\_\_\_\_  
Date \_\_\_\_\_

Seller's Initial & Date

*JD* Date 11/1/23  
Date \_\_\_\_\_

**C. PLUMBING AND WATER SYSTEMS:**

- 1. What is the drinking water source on the Property?  Public Water  Private Water  Well  Cistern  Other  
If well water, please state: Type \_\_\_\_\_ Depth \_\_\_\_\_ Diameter \_\_\_\_\_
- 2. If the drinking water source is a well, has the water been tested and, if so, what was the date and result of that test?  
\_\_\_\_\_
- 3. Does the Property have any sewage facilities on or connected to it?  YES  NO  
If YES, please specify:  Public Sewer  Private Sewer  Septic System  Other \_\_\_\_\_
- 4. If there are sewage facilities on or connected to the Property, when were they last serviced? ?
- 5. Are you aware of any problems relating to the plumbing, sewage or water systems on the Property?  YES  NO  
If YES, please explain:  
\_\_\_\_\_  
\_\_\_\_\_

6. Additional Comments:  
\_\_\_\_\_  
\_\_\_\_\_

**D. ELECTRICAL/GAS/HEATING AND COOLING SYSTEMS:**

- 1. Is there electric service connected to the Property?  YES  NO  
If YES, is there a meter?  YES  NO  
If NO, what is the distance to the nearest electrical service? \_\_\_\_\_
- 2. What type of material is used in the electrical wiring (if known)?  Copper  Aluminum  Unknown
- 3. What type of electrical panels exist on the Property (if known)?  Breaker  Fuse  Unknown  
Please specify the location of the electrical panels here:  
\_\_\_\_\_  
\_\_\_\_\_
- 4. Does the Property have heating systems?  YES  NO  
 Electric  Fuel Oil  Natural Gas  Heat Pump  Propane  Other \_\_\_\_\_  
If YES, please provide the name, age and location of the unit along with the date the unit was last service and by whom here:  
\_\_\_\_\_  
\_\_\_\_\_
- 5. Does the Property have air conditioning?  YES  NO  
 Central Electric  Central Gas  Heat Pump  Window Unit(s)  
If YES, please provide the name, age and location of the unit along with the date the unit was last serviced and by whom here:  
\_\_\_\_\_  
\_\_\_\_\_
- 6. Does the Property have a water heater?  YES  NO  
 Electric  Gas  Solar  
If YES, please provide the name, age and location of the unit along with the date the unit was last serviced and by whom here:  
\_\_\_\_\_  
\_\_\_\_\_
- 7. Are you aware of any problems relating to the electrical, gas and heating and cooling systems on the Property?  YES  NO  
If YES, please explain:  
\_\_\_\_\_  
\_\_\_\_\_

8. Additional Comments:  
\_\_\_\_\_  
\_\_\_\_\_

Buyer's Initial & Date

\_\_\_\_\_  
Date \_\_\_\_\_  
\_\_\_\_\_  
Date \_\_\_\_\_

Seller's Initial & Date  
Q.S. Date 11/1/23  
\_\_\_\_\_  
Date \_\_\_\_\_

**E. HAZARDOUS CONDITIONS:**

- 1. Are you aware of any underground storage tanks on or near this Property?  YES  NO
- 2. Are you aware of any previous or current existence of hazardous conditions (e.g., storage tanks, oil tanks, oil spills, tires, batteries or other hazardous conditions)?  YES  NO
- 3. Are you in possession of any previous environmental reports (e.g., Phase 1 Environmental Reports)?  YES  NO  
If YES, please attach a copy of the environmental reports.
- 4. Are you aware of any previous disposal of any hazardous waste products, chemicals, polychlorinated biphenyl's (PCBs), hydraulic fluids, solvents, paints, illegal or other drugs or insulation on the Property or adjacent property?  YES  NO
- 5. Are you aware of any other environment matters (i.e. discolored soil, vegetation, oil sheets, etc)?  YES  NO
- 6. Are you aware of any existing hazardous conditions on the Property or adjacent properties (i.e methane gas, radon gas, mold, radioactive material, landfill or toxic materials)?  YES  NO
- 7. Are you aware of any methamphetamine or other controlled substances being manufactured, stored or used on the Property?  YES  NO
- 8. Are you aware of natural gas/oil wells, lines or storage facilities on the Property or adjacent properties?  YES  NO
- 9. Are you aware of any other environmental conditions on the Property or adjacent properties?  YES  NO
- 10. Have any other environmental inspections or tests been conducted on the Property?  YES  NO
- 11. If you have answered "YES" to any of the questions in E(1) through (10), attach any documentation and explain here:

12. Additional Comments:

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**F. NEIGHBORHOOD INFORMATION AND HOMEOWNERS' ASSOCIATIONS:**

- 1. Are you aware of any current/pending assessments, bonds or special taxes that apply to the Property?  YES  NO
- 2. Is the property subject to conditions, covenants and restrictions of a homeowners' association or common interest community or subdivision restrictions?  YES  NO
- 3. Are you aware of any violations of such conditions, covenants or restrictions on the Property?  YES  NO
- 4. Does the homeowners' association impose a transfer fee upon the sale of the Property?  YES  NO
- 5. Are you aware of any defect, damage, proposed change or problem with any common elements or area?  YES  NO
- 6. Are you aware of any condition or claim which may result in a change to assessments or fees?  YES  NO
- 7. Are streets or roads privately owned?  YES  NO
- 8. Is the Property in a historic, conservation or special review district that requires any alterations or improvements to the Property to be approved by a board or commission?  YES  NO
- 9. Is the Property subject to a tax abatement?  YES  NO
- 10. Is the Property subject to a right of first refusal?  YES  NO
- 11. If you have answered "YES" to any of the questions F(1) through (10), attach any documentation and explain here:

12. If you are required to pay assessments, dues, fees or any other periodic charges to a homeowners' association or common interest community, please specify here the amount and occurrence of those payments:

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13. Additional Comments:

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Buyer's Initial & Date  
Date \_\_\_\_\_  
Date \_\_\_\_\_

Seller's Initial & Date  
*JS* Date 11/1/23  
Date \_\_\_\_\_

**G. OTHER MATTERS:** Are you aware of..

- 1. Any violation of zoning, setbacks or restrictions, or of a non-conforming use? YES  NO
- 2. Any violation of laws or regulations affecting the Property? YES  NO
- 3. Any existing or threatened legal action pertaining to the Property? YES  NO
- 4. Any litigation or settlement pertaining to the Property? YES  NO
- 5. Any other conditions that may materially and adversely affect the value or desirability of the Property? YES  NO
- 6. Any pending foreclosure or potential short sale affecting the Property? YES  NO
- 7. Any burial grounds on the Property? YES  NO
- 8. Any other condition that may prevent you from completing the sale of the Property? YES  NO
- 9. Any leases on the Property? YES  NO

If YES, attach a copy of the lease agreement and describe the tenant's rights and obligations for vacating the Property:

- 
- 10. Any easements or leases on the Property regarding wind energy? YES  NO
  - 11. Any public authority contemplating condemnation proceedings? YES  NO
  - 12. Any current or planned government rule limiting future use of the Property? YES  NO
  - 13. Any government plans that could lead to special benefit assessments against the Property? YES  NO
  - 14. Any interest reserved by a previous owner or government action to benefit any other property? YES  NO
  - 15. Any unrecorded interests affecting the Property? YES  NO
  - 16. Anything that would interfere in passing clear title to the Buyer? YES  NO
  - 17. Any general stains or pet stains to the carpet, flooring or sub-flooring? YES  NO
  - 18. If you have answered "YES" to any of the questions in G(1) through (17), attach any documentation and explain here:

19. Additional Comments:


**H. MISCELLANEOUS MATTERS:**

- 1. Are you aware of any other facts or condition affecting the habitability, use or value of the Property? YES  NO
- 2. If YES, please explain here:

**RANDON NOTICE:**

- a. Every buyer of residential real property is notified that the property may present exposure to dangerous concentrations of indoor radon gas that may place occupants at risk of developing radon-induced lung cancer. Radon, a class-A human carcinogen, is the leading cause of lung cancer in non-smokers and the second leading cause overall. Kansas law requires sellers to disclose any information known to the seller that shows elevates concentrations of radon gas in residential real property. The Kansas department of health and environment recommends all home-buyers have an indoor radon test performed prior to purchasing or taking occupancy of residential real property. All testing for radon should be conducted by a radon measurement technician. Elevated radon concentrations can be easily reduced by a radon mitigation technician. For additional information, go to [www.kansasradonprogram.org](http://www.kansasradonprogram.org).
- b. BUYER understands that neither the SELLER nor the BROKERS have made any investigation to determine whether there is or will be radon gas in the Property. Neither the SELLER nor the broker makes any representations or warranties as to the presence or lack of radon gas in the Property, or as to the effect of radon gas or any such condition on the Property or the resident. BUYER may, at BUYER'S expense, conduct an inspection to determine the presence of radon gas in the Property.
- c. BUYER and SELLER agree that BROKERS owe no duty or obligation to the BUYER to conduct an independent investigation as to the potential presence of radon gas in the Property. BUYER and SELLER agree to defend, indemnify and hold harmless BROKERS and their agents, subagents, employees and independent contractors from and against any and all claims, demands, suits, damages, losses, or expenses (including reasonable attorney's fees) arising out of the discovery of radon gas in the Property.

Buyer's Initial & Date  
\_\_\_\_\_  
Date  
\_\_\_\_\_

Seller's Initial & Date  
 Date 11/1/23  
\_\_\_\_\_  
Date

The information contained in this SELLER'S Property Disclosure Statement has been furnished by the SELLER(S), who certifies to the truth hereof to best of SELLER'S belief and knowledge, as of the date signed by the SELLER(S). Any substantive changes will be disclosed by the SELLER(S) to the BUYER(S) prior to closing.

CAREFULLY READ THE TERMS HEREOF BEFORE SIGNING. WHEN SIGNED BY ALL PARTIES, THIS DOCUMENT BECOMES PART OF A LEGALLY BINDING CONTRACT. IF NOT UNDERSTOOD, CONSULT AN ATTORNEY BEFORE SIGNING.

Joann Brotkuschen \_\_\_\_\_ 11/1/23  
SELLER: Date

\_\_\_\_\_  
SELLER: Date

**BUYER'S ACKNOWLEDGMENT AND AGREEMENT**

- 1. As the BUYER, I acknowledge that I have read and received a signed copy of the Seller's Property Disclosure Statement from the SELLER, the SELLER'S agent or the transaction broker involved in this transaction.
- 2. I have carefully inspected the property. Subject to any inspections allowed under my contract with SELLER, I agree to purchase the property in its present condition only, without warranties or guarantees of any kind by SELLER or any real estate licensee concerning the condition or value of the property.
- 3. I agree to verify any of the above information that is important to me by an independent investigation of my own. I have been advised to have the property examined by professional inspectors.
- 4. I acknowledge that neither SELLER nor any real estate licensee involved in this transaction is an expert at detecting or repairing physical defects in the property. I state that no important representations of the SELLER or any real estate licensees involved in this transaction concerning the condition of the Property are being relied upon by me, except as disclosed above or as fully set forth as follows and signed by them in this document:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
BUYER Date

\_\_\_\_\_  
BUYER Date

Buyer's Initial & Date  
Date \_\_\_\_\_  
Date \_\_\_\_\_

Seller's Initial & Date  
JB Date 11/1/23  
Date \_\_\_\_\_



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

This addendum made part of sales agreement dated 11/1/23  
Property Address: 1004 18th St Belleville KS  
Seller: Belleville Apartments LLC Agent  
Purchaser(s) \_\_\_\_\_

**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):  
\_\_\_\_\_

(II) Seller has no reports or records pertaining to 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).  
\_\_\_\_\_

(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 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) By agreeing to bid in an "AS IS" auction. I 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/or responsibility to ensure compliance.

**CERTIFICATION OF ACCURACY**

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.

Seller Joann Broteluschen Date 11/1/23

Purchaser \_\_\_\_\_ Date \_\_\_\_\_

Agent \_\_\_\_\_ Date \_\_\_\_\_