

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

Seller(s) Lincoln Biermann Natalie Biermann
Property Address 116738 Roykota Dr Lake City 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.

Seller 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.

I. 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?		X			
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?		X			
4.	Are there any easements which have been granted in connection with the property (other than normal utility easements for public water and sewer, gas and electric service, telephone service, cable television service, drainage, and sidewalks)?		X			
5.	Are there any problems related to establishing the lot lines/boundaries?		X			
6.	Do you have a location survey in your possession or a copy of the recorded plat?	X		^{LB} NB		If yes, attach a copy.
7.	Are you aware of any encroachments or shared features, from or on adjoining property (i.e. fences, driveway, sheds, outbuildings, or other improvements)?		X			
8.	Are you aware of any covenants or restrictions affecting the use of the property in accordance with local law?	X				If yes, attach a copy.
9.	Are you aware of any current or pending litigation, foreclosure, zoning, building code or restrictive covenant violation notices, mechanic's liens, judgments, special assessments, zoning changes, or changes that could affect your property?		X			
10.	Is the property currently occupied by the owner?		X			
11.	Does the property currently receive the owner-occupied tax reduction pursuant to SDCL 10-13-39?	X				

Seller LB / Seller NB Buyer _____ / Buyer _____

Property Address 116738 Roykota Dr

Lake City

SD

	LOT OR TITLE INFORMATION	Yes	No	Do Not Know	N/A	Comments
12.	Is the property currently part of a property tax freeze for any reason?		X			
13.	Is the property leased?		X			
14.	If leased, does the property use comply with applicable local ordinances?				X	
15.	Does this property or any portion of this property receive rent?		X			If yes, how much \$ _____ and how often _____
16.	Do you pay any mandatory fees or special assessments to a homeowners' or condominium association?		X			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?		X			
18.	Is the property located in a flood plain?			X		
19.	Are federally protected wetlands located upon any part of the property?		X			
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?		X			If yes, what are the fees or charges? \$ _____ per _____ (i.e. annually, semi-annually, monthly)

Additional Comments

II. STRUCTURAL INFORMATION

	STRUCTURAL INFORMATION	Yes	No	Do Not Know	N/A	Comments
1.	Are you aware of any water penetration in the walls, windows, doors, basement, or crawl space?	X				Water came up from floor of Crawl Space after 2022-2023 Winter Snow Melt. Installed
2.	Have any water damage related repairs been made?		X			Sump pump to remove water.
3.	Are there any unrepaired water-related damages that remain?		X			
4.	Are you aware if drain tile is installed on the property?		X			
5.	Are you aware of any interior cracked walls, ceilings or floors, or cracks or defects in exterior driveways, sidewalks, patios, or other hard surface areas?	X				
6.	Type of roof covering: <u>Shingle (asphalt)</u>	X				
7.	Age of roof covering, if known:	X				2023 installed
8.	Are you aware of any roof leakage, past or present?		X			
9.	Have any roof repairs been made, when and by whom?	X				Roney Construction, New Asphalt shingles
10.	Is there any existing unrepaired damage to the roof?					after Hail Damage.
11.	Are you aware of insulation in ceiling/attic?	X				
12.	Are you aware of insulation in walls?	X				
13.	Are you aware of insulation in the floors?			X		
14.	Are you aware of any pest infestation or damage, either past or present?		X			
15.	Are you aware of the property having been treated or repaired for any pest infestation or damage?		X			If yes, who treated it and when?
16.	Are you aware of any work upon the property which required a building, plumbing, electrical, or any other permit?	X				Repair after Hail Damage and remodeling additionally During that time

Seller LB / Seller NB

Buyer _____ / Buyer _____

	STRUCTURAL INFORMATION	Yes	No	Do Not Know	N/A	Comments
17.	Was a permit obtained for work performed upon the property?	X				
18.	Was the work approved by an inspector as required by local or state ordinance?			X		
19.	Are you aware of any past or present damage to the property (i.e. fire, smoke, wind, floods, hail, or snow)?	X				Hail Damage was repaired with new material
20.	Have any insurance claims been made for damage to the property?	X				Hail Damage Claim
21.	Was an insurance payment received for damage to the property?	X				Used to repair + upgrade.
22.	Has the damage to the property been repaired?	X				
23.	Are there any unrepaired damages to the property from the insurance claim?		X			
24.	Are you aware of any problems with sewer blockage or backup, past or present?		X			
25.	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?		X			

Additional Comments

III. SYSTEMS/UTILITIES INFORMATION

	SYSTEMS/UTILITIES INFORMATION	Working	Not Working	None	Not Included	Comments
1.	Air conditioning System	X				Age of System, if known: Unknown
2.	Air Exchanger			X		
3.	Air Purifier			X		
4.	Attic Fan			X		
5.	Bathroom Whirlpool and Controls			X		
6.	Burglar Alarm & Security System			X		
7.	Ceiling Fan	X				
8.	Central Air - Electric	X				Unknown
9.	Central Air - Water Cooled			X		
10.	Cistern			X		
11.	Dishwasher	X				2023
12.	Disposal			X		
13.	Doorbell			X		
14.	Fireplace			X		
15.	Fireplace Insert			X		
16.	Garage Door(s)			X		
17.	Garage Door Opener(s)			X		
18.	Garage Door Control(s)			X		
19.	Garage Wiring			X		
20.	Home Heating System(s) Type: <u>Electric</u>	X				Age of System, if known: Unknown
21.	Hot Tub and Controls			X		
22.	Humidifier			X		
23.	In Floor Heat			X		
24.	Intercom			X		
25.	Light Fixtures	X				
26.	Microwave	X				2023
27.	Microwave Hood	X				
28.	Plumbing and Fixtures	X				
29.	Pool and Equipment			X		
30.	Propane Tank - Select One: Leased Owned			X		
31.	Radon System			X		

Seller LB / Seller NB

Buyer _____ / Buyer _____

	SYSTEMS/UTILITIES INFORMATION	Working	Not Working	None	Not Included	Comments
32.	Sauna			X		
33.	Septic/Leaching Field	X				
34.	Sewer Systems/Drains	X				
35.	Smart Home System			X		Smart Home System includes:
36.	Smoke/Fire Alarm	X				
37.	Solar House – Heating			X		
38.	Sump Pump(s)	X				
39.	Switches and Outlets	X				
40.	Underground Sprinkler and Heads			X		
41.	Vent Fan – Kitchen	X				
42.	Vent Fan – Bathroom	X				
43.	Water Heater, Select One: <input checked="" type="checkbox"/> Electric <input type="checkbox"/> Gas	<input checked="" type="checkbox"/>				Age of System, if known: <u>Unknown</u>
44.	Water Purifier, Select One: <input type="checkbox"/> Leased <input type="checkbox"/> Owned			X		
45.	Water Softener, Select One: <input type="checkbox"/> Leased <input type="checkbox"/> Owned			X		
46.	Well and Pump			X		
47.	Wood Burning Stove			X		

Additional Comments

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		X			
2. Lead Paint		X			
3. Radon Gas (House)		X			
4. Radon Gas (Well)		X			
5. Radioactive Materials		X			
6. Landfill, Mineshaft		X			
7. Expansive Soil		X			
8. Mold		X			
9. Toxic Materials		X			
10. Urea Formaldehyde Foam Insulations		X			
11. Asbestos Insulation		X			
12. Buried Fuel Tanks		X			
13. Chemical Storage Tanks		X			
14. Fire Retardant Treated Plywood		X			
15. Production of Methamphetamines		X			
16. Use of Methamphetamines		X			

V. MISCELLANEOUS INFORMATION

MISCELLANEOUS INFORMATION	Yes	No	Do Not Know	NA	Comments
1. Is the street or road located at the end of the driveway to the property public or private? Public <input type="checkbox"/> Private <input type="checkbox"/>			X		
2. Is there a written road maintenance agreement? If yes, attach a copy of the maintenance agreement.		<u>LB</u> <u>UB</u>	X		
3. Has the fireplace/wood stove/chimney flue been cleaned? If yes, please provide date of service.				X	

Seller LB / Seller UB

Buyer _____ / Buyer _____

