



NEBRASKA REAL ESTATE COMMISSION

SELLER PROPERTY CONDITION DISCLOSURE STATEMENT

Residential Real Property

THIS DISCLOSURE STATEMENT IS BEING COMPLETED AND DELIVERED IN ACCORDANCE WITH NEBRASKA LAW. NEBRASKA LAW REQUIRES THE SELLER TO COMPLETE THIS STATEMENT (NEB. REV. STAT. §76-2,120).

How long has the seller owned the property? 6 year(s)
 Is seller currently occupying the property? (Circle one) YES NO If yes, how long has the seller occupied the property? _____ year(s)
 If no, has the seller ever occupied the property? (Circle one) YES / NO If yes, when? From 2014 (year) to 2020 (year)

This disclosure statement concerns the real property located at 408 Logan St
 in the city of Emerson, County of Dixon, State of Nebraska and legally described as:

This statement is a disclosure of the condition of the real property known by the seller on the date on which this statement is signed. This statement is **NOT** a warranty of any kind by the seller or any agent representing a principal in the transaction, and **should NOT be accepted as a substitute for any inspection or warranty that the purchaser may wish to obtain**. Even though the information provided in this statement is NOT a warranty, the purchaser may rely on the information contained herein in deciding whether and on what terms to purchase the real property. Any agent representing a principal in the transaction may provide a copy of this statement to any other person in connection with any actual or possible sale of the real property. The information provided in this statement is the representation of the seller and NOT the representation of any agent, and is NOT intended to be part of any contract between the seller and purchaser.

Seller please note: you are required to complete this disclosure statement IN FULL. If any particular item or matter does not apply and there is no provision or space for indicating, insert "N/A" in the appropriate box. If age of items is unknown, write "UNK" on the blank provided. If the property has more than one item as listed below please put the numbered in the appropriate box. For example – if the home has three room air conditioners, one working, one not working, and one not included, put a "1" in each of the "Working", "Not Working", and "None/Not Included" boxes for that item, and a "3" on the line provided next to the item description to indicate total number of item. You may also provide additional explanation of any item in the comments section in PART III.

SELLER STATES THAT, TO THE BEST OF THE SELLER'S KNOWLEDGE AS OF THE DATE THIS DISCLOSURE STATEMENT IS COMPLETED AND SIGNED BY THE SELLER, THE CONDITION OF THE REAL PROPERTY IS:

PART I – If there is more than one of any item in this Part, the statement made applies to each and all of such items unless otherwise noted in the Comments section in PART III of this disclosure statement, or number separately as provided in the instructions above. If an item in this Part is not on the property, or will not be included in the sale, check only the "None/Not included" column for that item.

Section A - Appliances	Working	Not Working	Do Not Know If Working	None / Not Included
1. Refrigerator				<input checked="" type="checkbox"/>
2. Clothes Dryer	<input checked="" type="checkbox"/>			
3. Clothes Washer	<input checked="" type="checkbox"/>			
4. Dishwasher				<input checked="" type="checkbox"/>
5. Garbage Disposal	<input checked="" type="checkbox"/>			
6. Freezer				<input checked="" type="checkbox"/>
7. Oven	<input checked="" type="checkbox"/>			
8. Range				<input checked="" type="checkbox"/>
9. Cooktop				<input checked="" type="checkbox"/>
10. Microwave oven				<input checked="" type="checkbox"/>
11. Built-In vacuum system and equipment				<input checked="" type="checkbox"/>
12. Range ventilation systems				<input checked="" type="checkbox"/>
13. Gas grill				<input checked="" type="checkbox"/>
14. Room air conditioner (____ number)				<input checked="" type="checkbox"/>
15. TV antenna / Satellite dish				<input checked="" type="checkbox"/>
16. Trash compactor				<input checked="" type="checkbox"/>

Section B - Electrical Systems	Working	Not Working	Do Not Know If Working	None / Not Included
1. Electrical service panel capacity ____ AMP Capacity (if known) ____ fuse ____ circuit breakers	<input checked="" type="checkbox"/>			
2. Ceiling fan(s) (____ number)	<input checked="" type="checkbox"/>			
3. Garage door opener(s) (____ number)	<input checked="" type="checkbox"/>			
4. Garage door remote(s) (____ number)	<input checked="" type="checkbox"/>			
5. Garage door keypad(s) (____ number)	<input checked="" type="checkbox"/>			
6. Telephone wiring and jacks	<input checked="" type="checkbox"/>			
7. Cable TV wiring and jacks	<input checked="" type="checkbox"/>			
8. Intercom or sound system wiring				<input checked="" type="checkbox"/>
9. Built-In speakers				<input checked="" type="checkbox"/>
10. Smoke detectors (____ number)	<input checked="" type="checkbox"/>			
11. Fire alarm				<input checked="" type="checkbox"/>
12. Carbon Monoxide Alarm (____ number)	<input checked="" type="checkbox"/>			
13. Room ventilation/exhaust fan (____ number)	<input checked="" type="checkbox"/>			
14. 220 volt service	<input checked="" type="checkbox"/>			
15. Security System ____ Owned ____ Leased ____ Central station monitoring				<input checked="" type="checkbox"/>
16. Have you experienced any problems with the electrical system or its components? ____ YES <input checked="" type="checkbox"/> NO	If YES, explain the condition in the comments section in PART III of this disclosure statement.			

Seller's Initials MH / _____ Property Address 408 Logan St, Emerson Buyer's Initials _____ / _____

Section C. Title Conditions - Do any of the following conditions exist with regard to the real property?

Section C - Title Conditions	YES	NO	Do Not Know
1. Any features, such as walls, fences and driveways which are shared?		<input checked="" type="checkbox"/>	
2. Any easements, other than normal utility easements?		<input checked="" type="checkbox"/>	
3. Any encroachments?		<input checked="" type="checkbox"/>	
4. Any zoning violations, non-conforming uses, or violations of "setback" requirements?		<input checked="" type="checkbox"/>	
5. Any lot-line disputes?		<input checked="" type="checkbox"/>	
6. Have you been notified, or are you aware of, any work planned or to be performed by a utility or municipality close to the real property including, but not limited to sidewalks, streets, sewers, water, power, or gas lines?		<input checked="" type="checkbox"/>	
7. Any planned road or street expansions, improvements, or widening adjacent to the real property?		<input checked="" type="checkbox"/>	
8. Any condominium, homeowners', or other type of association which has any authority over the real property?		<input checked="" type="checkbox"/>	
9. Any private transfer fee obligation upon sale?		<input checked="" type="checkbox"/>	

Section C - Title Conditions	YES	NO	Do Not Know
10. Does ownership of the property entitle the owner to use any "common area" facilities such as pools, tennis courts, walkways, or other common use areas?		<input checked="" type="checkbox"/>	
11. Is there a common wall or walls?		<input checked="" type="checkbox"/>	
b. Is there a party wall agreement?		<input checked="" type="checkbox"/>	
12. Any lawsuits regarding this property during the ownership of the seller?		<input checked="" type="checkbox"/>	
13. Any notices from any governmental or quasi-governmental agency affecting the real property?		<input checked="" type="checkbox"/>	
14. Any unpaid bills or claims of others for labor and/or materials furnished to or for the real property?		<input checked="" type="checkbox"/>	
15. Any deed restrictions or other restrictions of record affecting the real property?		<input checked="" type="checkbox"/>	
16. Any unsatisfied judgments against the seller?		<input checked="" type="checkbox"/>	
17. Any dispute regarding a right of access to the real property?		<input checked="" type="checkbox"/>	
18. Any other title conditions which might affect the real property?		<input checked="" type="checkbox"/>	

Section D. Other Conditions - Do any of the following conditions exist with regard to the real property?

Section D - Other Conditions	YES	NO	Do Not Know
1. a. Are the dwelling(s) and the improvements connected to a public water system?	<input checked="" type="checkbox"/>		
b. Is the system operational?	<input checked="" type="checkbox"/>		
2. a. Are the dwelling(s) and the improvements connected to a private, community (non-public), or Sanitary Improvement District (SID) water system?		<input checked="" type="checkbox"/>	
b. Is the system operational?		<input checked="" type="checkbox"/>	
3. If the dwelling(s) and the improvements are connected to a private, community (non-public) or SID water system is there adequate water supply for regular household use (i.e. showers, laundry, etc.)?		<input checked="" type="checkbox"/>	
4. a. Are the dwelling(s) and the improvements connected to a public sewer system?	<input checked="" type="checkbox"/>		
b. Is the system operational?	<input checked="" type="checkbox"/>		
5. a. Are the dwelling(s) and the improvements connected to a community (non-public) or SID sewer system?		<input checked="" type="checkbox"/>	
b. Is the system operational?		<input checked="" type="checkbox"/>	
6. a. Are the dwelling(s) and the improvements connected to a septic system?		<input checked="" type="checkbox"/>	
b. Is the system operational?		<input checked="" type="checkbox"/>	
7. Has the main sewer line from the house ever backed up or exhibited slow drainage?		<input checked="" type="checkbox"/>	

Section D - Other Conditions	YES	NO	Do Not Know
8. a. Is the real property in a flood plain?			<input checked="" type="checkbox"/>
b. Is the real property in a floodway?			<input checked="" type="checkbox"/>
9. Is trash removal service provided to the real property? If so, are the trash services _____ public _____ private	<input checked="" type="checkbox"/>		
10. Have the structures been mitigated for radon? If yes, when? ____/____/____			<input checked="" type="checkbox"/>
11. Is the property connected to a natural gas system?	<input checked="" type="checkbox"/>		
12. Has a pet lived on the property? Type(s) <u>Cats</u>	<input checked="" type="checkbox"/>		
13. Are there any diseased or dead trees, or shrubs on the real property?			<input checked="" type="checkbox"/>
14. Are there any flooding, drainage, or grading problems in connection to the real property?		<input checked="" type="checkbox"/>	
15. a. Have you made any insurance or manufacturer claims with regard to the real property?		<input checked="" type="checkbox"/>	
b. Were all repairs related to the above claims completed?		<input checked="" type="checkbox"/>	
16. Are you aware of any problem with the exterior wall-covering of the structure including, but not limited to, siding, synthetic stucco, masonry, or other materials?		<input checked="" type="checkbox"/>	

Section E. Cleaning / Servicing Conditions - Have you ever performed or had performed the following? (State most recent year performed)

Section E - Cleaning / Servicing Conditions	YEAR	YES	NO	Do Not Know	None / Not Included
1. Servicing of air conditioner				<input checked="" type="checkbox"/>	
2. Cleaning of fireplace, including chimney					<input checked="" type="checkbox"/>
3. Servicing of furnace	2017	<input checked="" type="checkbox"/>			
4. Professional inspection of furnace A/C (HVAC) System				<input checked="" type="checkbox"/>	
5. Servicing of septic system				<input checked="" type="checkbox"/>	

Section E - Cleaning / Servicing Conditions	YEAR	YES	NO	Do Not Know	None / Not Included
6. Cleaning of wood-burning stove, including chimney					<input checked="" type="checkbox"/>
7. Treatment for wood-destroying insects or rodents					<input checked="" type="checkbox"/>
8. Tested well water					<input checked="" type="checkbox"/>
9. Serviced / treated well water					<input checked="" type="checkbox"/>

Seller's Initials MLH / _____ Property Address 408 Lejeune St, Emerson Buyer's Initials _____ / _____

PART III – Comments. Please reference comments on items responded to above in PART I or II, with Section letter and item number.

Note: Use additional pages if necessary.

Par II, Sec. A, #5 – Water trickles in at the ^{west} ~~east~~ wall and northeast corner during very hard downpours. Since ~~Back~~ Drylok paint has been painted on the walls and ~~seam~~ & no water seen.

If checked here ☒ PART III is continued on a separate page(s)

SELLER'S CERTIFICATION

Seller hereby certifies that this disclosure statement, which consists of 4/5 pages (including additional comment pages), has been completed by Seller; that Seller has completed this disclosure statement to the best of Seller's belief and knowledge as the date hereof, which is the date this disclosure statement is completed and signed by the Seller.

Seller's Signature [Signature] Date 12-11-20

Seller's Signature _____ Date _____

ACKNOWLEDGEMENT OF RECEIPT OF DISCLOSURE STATEMENT, UNDERSTANDING AND CERTIFICATION

I/We acknowledge receipt of a photocopy of the above Seller Property Condition Disclosure Statement; understand that such disclosure statement is NOT a warranty of any kind by the seller or any agent representing any principal in the transaction; understand that such disclosure statement should not be accepted as a substitute for any inspection or warranty that I/we may wish to obtain; understand the information provided in this disclosure statement is the representation of the seller and not the representation of any agent, and is not intended to be part of any contract between the seller and purchaser; and certify that disclosure statement was delivered to me/us or my/our agent on or before the effective date of any contract entered into by me/us relating to the real property described in such disclosure statement.

Purchaser's Signature _____ Date _____

Purchaser's Signature _____ Date _____

408 Logan St

2001 - Central AC/Furnace

2006 - Water Heater

2016 - Windows from WindowWorld with a transferable warranty. All windows upstairs except the bathroom and the back porch were replaced.

2018 - spray foam basement ledge

2018 - Water softener, filter, and incoming plumbing to pex pipes

Drylok paint on basement walls and floor seam

Average utilities:

City (elec, trash, water) - \$20 summer - \$90 winter

Black Hills Energy \$20 summer - \$90 winter

The plaster and lathe in the original part of the house seems to be very insulating. The house often stays cooler longer in the spring and doesn't require me to immediately turn on the AC.

I've had both American Broadband and Centurylink internet service.

Garden Shed:

- There is electricity to it inside.
- The key for the padlock is in the drawer with keys.
- To open the garden gate, pull the post slightly to the south and unlatch.

Garage:

- The dryer vent I have routed to the garage to help with heating it for my truck but when I moved in it was routed to the west of the garage. There is a vent still there underneath the sheetrock and the tubing is in the shed.
- The wires are to hook up a heater. I had a ComfortZone 5000W heater. If you use it continuously the electric utilities will spike up into the \$150 range. I used it sparingly to help my truck's box heater for the water tank. If someone wants a heated garage, they'll likely have to do more work on insulating the roof and the gaps around the doors.

Kitchen and Bathroom:

- Underneath the board and batten is a linoleum like board and under that is plaster and lathe. Tearing it off means you better be prepared to refinish the entire wall. For this reason I added the board and batten feature to mask the ridge and painted it all.

Hallway:

- The wall looks unfinished but I was using this as an architectural element at one point for hanging fake plants. If someone wanted to make it a solid wall it would be simple with sheetrock and plaster.

Maul & Bodlak, L.L.P.
Attorneys at Law
113 S 5th Street
PO Box 490
Pender, NE 68047

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

For use in sales of residential properties built prior to 1978



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 for property located at 408 Hogan St, Emerson (address)

MB (a) Presence of lead-based paint and/or lead-based paint hazards (seller initial and check one below):

☐ Known lead-based paint and/or lead-based paint hazards in the housing (explain).

MB ☒ 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 (seller initial and check one below):

☐ 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).

☒ Seller has no reports or records pertaining to lead-based paint and/or lead-based paint hazards in the housing.

Purchaser's Acknowledgement (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 one below):

☐ Received a 10-day opportunity (or mutually agreed upon period) to conduct a risk assessment or inspection for the presence of lead-based paint hazards; or

☐ 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 Acknowledgement (initial)

FB (f) Agent has informed the seller of the seller's obligations under 42 USC 4852(d) and is aware of his/her 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 provided by the signatory is true and accurate.

[Signature] 12-11-20
Seller Date
[Signature] 12/11/20
Agent Date

Seller Date

Agent Date

Purchaser Date

Purchaser Date

"AS IS" ADDENDUM

SELLER

Melissa Heberer

BUYER

PROPERTY ADDRESS

408 Hogan Str.

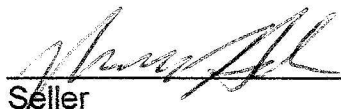
Emerson, NE

_____ The property is sold exactly as seen. Any termite, building, mechanical or structural inspection is waived by the Buyer. No repairs or corrections will be made by the Seller.

_____ While the property is being sold "As Is," the Buyer is entitled to a building, mechanical, termite, structural or environmental inspection to determine the status of the property. This option includes the right of the Buyer to cancel this contract if the results of the inspections are unsatisfactory. Seller will make no repairs.

mt _____ While the contract states the property is being sold "As Is," the Buyer is entitled to all rights allowed in the termite, building, mechanical, structural and environmental inspection clauses of the contract, including the right to ask for repairs. It is understood that the Seller's position may be to deny any requests for repairs.

It is further understood by all parties that an "As Is" sale does not relieve the Seller of the obligation to disclose all material facts of which he/she has knowledge or which are readily available to him/her relating the condition of the property.



Seller

12-11-20
Date

Buyer

Date

Seller

Date

Buyer

Date