

**SELLER DISCLOSURE REPORT - VACANT LAND**

PROPERTY OWNER: William & Michelle Foley

PROPERTY ADDRESS: 8807 W. Apache Lane Weston

OWNER HAS OWNED THE PROPERTY FOR 10 YEARS.

Wis. Admin. Code § RL 24.07(1)(a) requires listing brokers to inspect the property and to "make inquiries of the seller on the condition of the structure, mechanical systems and other relevant aspects of the property. The licensee shall request that the seller provide a written response to the licensee's inquiry." Wis. Admin. Code § RL 24.07(2) requires listing brokers to disclose all material adverse facts discovered in Broker's inspection or disclosed by Owner, in writing, in a timely manner, to all parties. This Seller Disclosure Report is a tool designed to help the licensee fulfill these license law duties. Owner's statements are a representation of Owner's knowledge of the Property's condition. It is not a property condition warranty by the Owner or any agent of the Owner, nor is it a substitute for any inspections or testing buyer may wish to have done. Buyer may, however, rely upon this information in deciding whether or not, or upon what terms, to purchase the Property. In this form, "defect" means a condition that would have a significant adverse effect on the value of the Property; that would significantly impair the health or safety of future occupants of the Property, or that if not repaired, removed or replaced would significantly shorten or adversely affect the expected normal life of the premises.

Are you aware of any of the following with regard to the Property? "Aware" means to have notice or knowledge.

CIRCLE ONE ANSWER: Explain any "yes" or "unsure" answers to items (1)-(30) in the blank lines following item (31).

1. Proposed, planned or commenced public improvements or public construction projects which may result in special assessments or otherwise materially affect the Property or the present use of the Property?      yes  no  unsure
2. Government agency or court order requiring repair, alteration or correction of any existing condition?      yes  no  unsure
3. Land division or subdivision for which required state or local approvals were not obtained?      yes  no  unsure
4. A portion of the Property in a floodplain, wetland or shoreland zoning area under local, state or federal regulations?      yes  no  unsure
5. A portion of the Property being subject to, or in violation of, a Farmland Preservation Agreement under a County Farmland Preservation Plan (also see item (30)), or enrolled in, or in violation of, a Forest Crop, Managed Forest, Conservation Reserve or comparable program?      yes  no  unsure
6. Boundary or lot disputes, encroachments or encumbrances, a joint driveway or violation of fence laws (Wis. Stat. ch. 90) (where one or both of the properties is used and occupied for farming or grazing)?      yes  no  unsure
7. Material violations of environmental rules or other rules or agreements regulating the use of the Property?      yes  no  unsure
8. Conditions constituting a significant health risk or safety hazard for occupants of the Property?      yes  no  unsure
9. Underground storage tanks presently or previously on the Property for storage of flammable or combustible liquids, including but not limited to gasoline and heating oil?      yes  no  unsure
10. A defect or contamination caused by unsafe concentrations of, or unsafe conditions relating to, pesticides, herbicides, fertilizer, radon, radium in water supplies, lead or arsenic in soil or other potentially hazardous or toxic substances on the premises?      yes  no  unsure
11. Production of methamphetamine (meth) or other hazardous or toxic substances on the Property?      yes  no  unsure
12. High voltage electric (100 KV or greater) or steel natural gas transmission lines located on but not directly serving the Property?      yes  no  unsure
13. Defects in any well, including unsafe well water due to contaminants such as coliform, nitrates and atrazine, and out-of-service wells and cisterna required to be abandoned (Wis. Adm. Code § NR 812.26) but that are not closed/abandoned according to applicable regulations?      yes  no  unsure
14. Defects in any septic system or other sanitary disposal system on the Property or out-of-service septic systems not closed/abandoned according to applicable regulations?      yes  no  unsure
15. Subsoil conditions which would significantly increase the cost of development including, but not limited to, subsurface foundations or waste material; organic or non-organic fill; dumpsites where pesticides, herbicides, fertilizer or other toxic or hazardous materials or containers for these materials were disposed of in violation of manufacturer's or government guidelines or other laws regulating said disposal; high groundwater; adverse soil conditions (e.g. low load bearing capacity, earth or soil movement, slides) or excessive rocks or rock formations?      yes  no  unsure
16. Brownfields (abandoned, idled or under-used land which may be subject to environmental contamination) or other contaminated land, or soils contamination remediated under PECFA, the DNR Remediation and Redevelopment Program, the Agricultural Chemical Cleanup Program or other similar program?      yes  no  unsure
17. Lack of legal vehicular access to the Property from public roads?      yes  no  unsure
18. Homeowners' associations, common areas shared or co-owned with others, zoning violations or non-conforming uses, conservation easements, restrictive covenants, rights-of-way, easements, easement maintenance agreements, or use of a part of Property by non-owners, other than recorded utility easements?      yes  no  unsure
19. Special purpose district, such as a drainage district, lake district, sanitary district or sewer district, that has the authority to impose assessments against the real property located within the district?      yes  no  unsure

- 20. Federal, state or local regulations requiring repairs, alterations or corrections of an existing condition? yes  no  unsure
- 21. Property tax increases, other than normal annual increases; completed or pending property tax reassessment of the Property, or proposed or pending special assessments? yes  no  unsure
- 22. Burial sites, archeological artifacts, mineral rights, orchards or endangered species? yes  no  unsure
- 23. Flooding, standing water, drainage problems or other water problems on or affecting the Property? yes  no  unsure
- 24. Material damage from fire, wind, floods, earthquake, expansive soils, erosion or landslides? yes  no  unsure
- 25. Significant odor, noise, water intrusion or other irritants emanating from neighboring property? yes  no  unsure
- 26. Substantial crop damage from disease, insects, soil contamination, wildlife or other causes; diseased trees; or substantial injuries or disease in livestock on the Property or neighboring properties? yes  no  unsure
- 27. Existing or abandoned manure storage facilities on the Property? yes  no  unsure
- 28. Impact fees, or other conditions or occurrences that would significantly increase development costs or reduce the value of the Property to a reasonable person with knowledge of the nature and scope of the condition or occurrence? yes  no  unsure
- 29. Use Value Assessments: The use value assessment system values agricultural land based on the income that would be generated from its rental for agricultural use rather than its fair market value. When a person converts agricultural land to a non-agricultural use (e.g., residential or commercial development), that person may owe a conversion charge. To obtain more information about the use value law or conversion charge, contact the Wisconsin Department of Revenue's Equalization Section at 608-266-2149 or visit <http://www.revenue.wi.gov/faqs/sll/useassmt.html>.
  - (a) All or part of the land has been assessed as agricultural land under Wis. Stat. § 70.32 (2r)? yes  no  unsure
  - (b) The owner has been assessed a use-value conversion charge under Wis. Stat. § 74.485(2)? yes  no  unsure
  - (c) The payment of a use-value conversion charge has been deferred under Wis. Stat. § 74.495(4)? yes  no  unsure
- 30. Farmland Preservation: Rezoning a property zoned farmland preservation to another use or the early termination of a farmland preservation agreement or removal of land from such an agreement can trigger payment of a conversion fee equal to 3 times the class 1 "use value" of the land. Call 608-224-4500 or visit <http://www.darco.state.wi.us/workinglands/index.jsp> for more information. The Property is in a certified farmland preservation zoning district or subject to a farmland preservation agreement? yes  no  unsure
- 31. Utility Connections: The Property is connected to the following utilities on the Property or at the lot line:
 

a. Electricity? <input checked="" type="radio"/> yes <input type="radio"/> no <input type="radio"/> unsure	b. Municipal water? <input checked="" type="radio"/> yes <input type="radio"/> no <input type="radio"/> unsure	c. Telephone? <input type="radio"/> yes <input checked="" type="radio"/> no <input type="radio"/> unsure
d. Cable? <input type="radio"/> yes <input checked="" type="radio"/> no <input type="radio"/> unsure	e. Gas? <input type="radio"/> yes <input checked="" type="radio"/> no <input type="radio"/> unsure	f. Municipal sewer? <input checked="" type="radio"/> yes <input type="radio"/> no <input type="radio"/> unsure

**EXPLANATIONS OF "YES" OR "UNSURE" ANSWERS**

#21 SPECIAL ASSESSMENT due for public water/sewer when hooked up. Information available through agent

**Notice: You may obtain information about the sex offender registry and persons registered with the registry by contacting the Wisconsin Department of Corrections on the Internet at <http://www.widocoffenders.org> or by phone at 800-240-5830.**

The Owner certifies that the information in this report is true and correct to the best of the Owner's knowledge as of the date below.

(X) Bill Foley 7/11/10  
 Signature Date

(X) Nicole M. Foley 7/11/10  
 Signature Date

Broker certifies that Broker has inspected the Property and that unless otherwise indicated, Broker is not aware of any defects other than those disclosed by this report or of information inconsistent with this report.

U.B. Action Realty  
 Broker/Firm Name

(X) Daryl Keirly 7/12/10  
 By Date

I acknowledge receipt of a copy of this report.

(X) \_\_\_\_\_  
 Buyer's Signature

(X) \_\_\_\_\_  
 Buyer's Signature