

## VACANT LAND DISCLOSURE ADDENDUM

Property Address or Tax ID # \_\_\_\_\_ (the "Property")

This is a Vacant Land Disclosure Addendum ("Disclosure Addendum") made by the Seller concerning the Property. This is not a warranty of any kind by Seller or any agent of Seller and is not a substitute for any inspections or warranties that Buyer may wish to obtain.

### INSTRUCTIONS TO SELLER

Please complete the following form. Answer all the questions. If a question is not applicable to this Property, mark N/A. Please explain each "Yes" answer in detail at Section 7 (Documents and Explanations) or on a separate page and attach pertinent documents and information. Please refer to the section and item of the question(s) when you provide your explanations(s). Please date and sign each page of this Disclosure Addendum and each attachment. Seller(s) authorize(s) all real estate agents to provide a copy of this Disclosure Addendum to other real estate agents and prospective buyers of the property.

### I. NOTICE TO BUYER

- A. Buyers have a duty to pay diligent attention to any material defects in or about the Property that are known to them or can become known by utilizing diligent attention and observation and by employing competent experts. Your real estate agent is not responsible for your due diligence and may not provide advice about property conditions or legal issues.
- B. The disclosures set forth in this Disclosure Addendum and any amendments thereto are made only by the Seller and are not the representations of any financial institution having made, or may make, a loan pertaining to the Property or may have or take a security interest in the Property, or of any real estate agent engaged by Seller or Buyer. A financial institution or real estate agent is not bound by and has no liability with respect to any representation, misrepresentation, omission, error, or inaccuracy contained in another party's disclosure statement or any amendments thereto.

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### II. SELLER'S VACANT LAND DISCLOSURE

#### 1. TITLE

A. Is this Property a legal lot of record?.....  Yes  No  Unknown  N/A

(1) Is this Property subject to any of the following? .....

.....  Yes  No  Unknown  N/A  
(If yes, select all that apply)  first right of refusal  option  lease or rental agreement  other listing  life estate  Timber Contracts

B. Are there any of the following? .....  Yes  No  Unknown  N/A  
(If yes, select all that apply)  encroachments  written or oral boundary or fencing agreements  boundary disputes  recent boundary changes

C. Are there any of the following? .....  Yes  No  Unknown  N/A  
(If yes, select all that apply)  rights of way  easements (other than normal utility easements)  access limitations  written or oral agreements concerning the use or access to/from this property

D. Is there a  written or  oral agreement for joint maintenance of an easement? .....  Yes  No  Unknown  N/A

E. Any sale, transfer, or reservation of development, water or drainage rights? .....  Yes  No  Unknown  N/A

F. Any sale, transfer, or reservation of oil, gas, mineral rights, or timber rights? .....  Yes  No  Unknown  N/A

G. Are you aware of any governmental study, survey, or notice that would affect this Property? .....  Yes  No  Unknown  N/A

H. Are there any pending or existing assessments against this Property (other than real property taxes not yet due for the current year)? .....  Yes  No  Unknown  N/A

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I. What is the current zoning for the Property? \_\_\_\_\_

J. What is the current use of the Property? \_\_\_\_\_

K. Are you aware of any pending land use changes? .....  
.....  Yes  No  Unknown  N/A

L. Is there a land survey for this Property?.....  Yes  No  Unknown  N/A  
Survey Number, if known \_\_\_\_\_

M. Are there any conservation easements or agreements?.....  
.....  Yes  No  Unknown  N/A

**2. GENERAL INFORMATION**

A. Have there been any settling, soil problems, standing water, flooding, or  
drainage problems in this Property? .....  Yes  No  Unknown  N/A

B. Does the Property contain soil used to fill, build up, or level areas of the  
ground ("fill dirt")? .....  Yes  No  Unknown  N/A

(1) If Yes, does the fill dirt contain foreign materials (for example, wood, rock,  
debris)? .....  Yes  No  Unknown  N/A

(2) If Yes, was the fill dirt compacted? .....  Yes  No  Unknown  N/A

C. Has this Property been identified as a "wetland", antiquities, dune area, or  
other similar designation?.....  Yes  No  Unknown  N/A

D. Is the Property in a designated flood or slide zone?.....  
.....  Yes  No  Unknown  N/A

FEMA Map #, if known \_\_\_\_\_

E. Has there been major damage to this Property from fire, wind, flood, earth  
movement, or landslide? .....  Yes  No  Unknown  N/A

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F. Are you aware of any above-ground or underground tanks used for any purpose (for example, chemical, septic, abandoned tanks, etc.) currently or previously in use on the Property? .....  Yes  No  Unknown  N/A

G. Are you aware of any hazardous material, toxic waste, or trash dumping on this Property? .....  Yes  No  Unknown  N/A

H. Are there any structural improvements or personal property located on the Property that are included in this transaction? .....  Yes  No  Unknown  N/A

(1) If Yes, list all items: \_\_\_\_\_

(2) Are there any defects or problems with any of these items? .....  Yes  No  Unknown  N/A

a. If Yes, describe all problems and defects: \_\_\_\_\_

I. Has this Property been used for the manufacture or distribution of illegal substances, excluding marijuana? .....  Yes  No  Unknown  N/A

Note: Although marijuana has been legalized for medicinal and recreational use in Oregon, it remains a "Controlled Substance" under Federal Law and is illegal. See website [www.whitehouse.gov](http://www.whitehouse.gov).

J. Has this Property been used to legally grow marijuana for either medicinal or recreational use as permitted under Oregon laws? .....  Yes  No  Unknown  N/A

Buyer may wish to investigate further any of the issues mentioned above.

### 3. WATER

A. Is there currently a domestic water supply for this Property? .....  Yes  No  Unknown  N/A

(1) If Yes, from what source? (select all that apply)  public utility  
 community water system  private well  other (specify) \_\_\_\_\_

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(2) If No, is a permit required?  Yes  No  
Has it been applied for?  Yes  No

B. Is the Property currently supplied from a well?.....  
.....  Yes  No  Unknown  N/A

(1) Is there more than one well serving the Property?.....  
.....  Yes  No  Unknown  N/A

(2) Is (are) the well(s) located on the Property? If No, attach explanation. ....  
.....  Yes  No  Unknown  N/A

(3) Is (are) the well(s) shared?.....  Yes  No  Unknown  N/A

a. Is there an oral or written agreement for a shared well?.....  
.....  Yes  No  Unknown  N/A

b. Is there an easement, recorded or unrecorded, for access to and maintenance of a shared well?.....  Yes  No  Unknown  N/A

(4) Is a copy of the well log(s) available?.....  Yes  No  Unknown  N/A

(5) Well depth(s) is estimated to be \_\_\_\_ feet?  Yes  No  Unknown  N/A

(6) Well(s) supply approximately \_\_\_\_ gallons per minute (GPM) of water.....  
.....  Yes  No  Unknown  N/A

a. This figure is taken from  well log  a flow test of the well performed when \_\_\_\_\_ and by whom \_\_\_\_\_

(7) Is there a holding tank in addition to the pressure tank for the water system?.....  
.....  Yes  No  Unknown  N/A

a. If Yes, what is the capacity of the tank? \_\_\_\_ gallons.

(8) Well is \_\_\_\_ year old. Pump type:  submersible  jet.

Pump make: \_\_\_\_\_

Installed by \_\_\_\_\_ date \_\_\_\_\_

Serviced by \_\_\_\_\_ date of last service \_\_\_\_\_

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(9) Are there any known problems with the water system? .....  
.....  Yes  No  Unknown  N/A

(10) Have there been any repairs to the water system? .....  
.....  Yes  No  Unknown  N/A

(11) Has a (*select all that apply*)  coliform bacteria  nitrates  arsenic or  
 other water quality test been performed on domestic water supply?.....  
.....  Yes  No  Unknown  N/A

a. If Yes, when \_\_\_\_\_ by whom \_\_\_\_\_

C. Is there a water treatment system? If Yes,  owned or  leased?.....  
.....  Yes  No  Unknown  N/A

(1) If Yes, for what purpose was the water treatment system installed?  
\_\_\_\_\_

(2) Is the water treatment system in good working order? If No, attach  
explanation.....  Yes  No  Unknown  N/A

D. Are there any abandoned wells on the Property? .....  
.....  Yes  No  Unknown  N/A

E. Do you have other pertinent information regarding the water supply? If Yes,  
please attach an explanation. ....  Yes  No  Unknown  N/A

F. Are there any irrigation wells? If Yes, how many? \_\_\_\_\_ .....  
.....  Yes  No  Unknown  N/A

G. Are there water appropriation rights for this Property? .....  
.....  Yes  No  Unknown  N/A

(1) Have the water rights been certified by the State of Oregon?.....  
.....  Yes  No  Unknown  N/A

(2) To what body of water do the water rights pertain?  
\_\_\_\_\_

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(3) Have the water rights been used beneficially during the last five years? .....  
.....  Yes  No  Unknown  N/A

H. Are any man-made ponds or bodies of water on this Property?.....  
.....  Yes  No  Unknown  N/A

(1) If Yes, is there a permit? .....  Yes  No  Unknown  N/A

Buyer should have any nonpublic water sources tested for potability and adequacy of supply.

### 4. SEWAGE

A. Is sanitary sewer currently available to this Property?.....  
.....  Yes  No  Unknown  N/A

(1) If Yes, where is the sewer line located? \_\_\_\_\_

(2) If No, will such service be available in the future? .....  
.....  Yes  No  Unknown  N/A

B. Are you aware of any sanitary sewer proposed for this Property?.....  
.....  Yes  No  Unknown  N/A

C. Is there a septic system on this Property? ...  Yes  No  Unknown  N/A

(1) If Yes, what type of system? (select one)  standard  cap fill  sand filtration  other (describe) \_\_\_\_\_

(2) Last inspected by \_\_\_\_\_  
Please attach copies of the inspection report and invoice.

(3) Date septic system was last pumped \_\_\_\_\_ by whom  
\_\_\_\_\_

(4) Any known problems or repairs? If Yes, please explain on attached sheet. ..  
.....  Yes  No  Unknown  N/A

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D. If a septic system will need to be installed, is there a current governmental approval for such a system? .....  Yes  No  Unknown  N/A

(1) If Yes, what type of system?  standard  cap fill  sand filtration  
 other (*describe*) \_\_\_\_\_  
Date of approval \_\_\_\_\_

E. Is there an abandoned septic system on the Property?.....  
.....  Yes  No  Unknown  N/A  
If Yes, where is it located? \_\_\_\_\_

Buyer may wish to have the sewage system inspected

### 5. DEED RESTRICTIONS, ASSOCIATIONS, COMMON FACILITIES, ETC.

A. Is this Property subject to any recorded Covenants, Conditions, and Restrictions (CC&Rs)?.....  Yes  No  Unknown  N/A

B. Is there a Home or Unit Owners' Association? .....  
.....  Yes  No  Unknown  N/A

(1) If Yes, who is the contact person? \_\_\_\_\_

(2) Contact information: \_\_\_\_\_

(3) Monthly or annual dues: \_\_\_\_\_  
Assessments \_\_\_\_\_

C. Is this Property in an area with a neighborhood group or community organization?.....  Yes  No  Unknown  N/A

(1) If Yes, contact information: \_\_\_\_\_

D. Are there any features of this Property shared in common with adjoining landowners, such as a wall, fence, roof, road, or driveway for which use or maintenance responsibility may affect this Property?.....  
.....  Yes  No  Unknown  N/A



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### 6. OTHER CONDITIONS

A. Are there any known disputes, irregularities, or other unsettled issues?.....  
.....  Yes  No  Unknown  N/A

B. Are there any "common areas" (facilities such as a pool, recreation building, tennis court, walkway, etc.)? .....  Yes  No  Unknown  N/A

### 7. DOCUMENTS AND EXPLANATIONS

A. Are you aware of any other material fact or condition affecting this Property?  
.....  Yes  No  Unknown  N/A

Please list any attached documents, reports, explanations of "Yes" answers, or those questions indicating an explanation here:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_ (attach an Addendum if necessary)

## SIGNATURES AND ACKNOWLEDGMENTS

Seller represents to Buyer the foregoing answers in this Disclosure Addendum, together with all included documents and information, if any, are complete and correct to the best of Seller's actual knowledge, without further investigation or testing.

Seller \_\_\_\_\_ Date \_\_\_\_\_  a.m.  p.m. ←  
Print \_\_\_\_\_

Seller \_\_\_\_\_ Date \_\_\_\_\_  a.m.  p.m. ←  
Print \_\_\_\_\_

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Unless previously waived by Buyer in writing, Seller will deliver a copy of the completed Disclosure Addendum to any Buyer making a written offer to purchase the Property. Buyer will have the absolute right to revoke their offer, for any reason or no reason, by giving written notice to Seller within five (5) business days following the date of Seller's delivery of the Disclosure Addendum to Buyer (the "Revocation Period"). Unless previously waived in writing, if Buyer's right of revocation is not timely exercised in writing by midnight at the end of the last day of the Revocation Period, it will automatically expire. In all events, the right of revocation will expire upon closing of the transaction.

**ACKNOWLEDGMENT:** The undersigned Buyer(s) acknowledges the duty to sign, date, and return a copy of this page of the Disclosure Addendum to Seller or Seller's Agent promptly upon receipt from Seller or Seller's Agent. A bad faith refusal to do so could jeopardize Buyer's ability to effectively exercise their right of revocation.

Buyer \_\_\_\_\_ Date \_\_\_\_\_  a.m.  p.m. ←  
Print \_\_\_\_\_

Buyer \_\_\_\_\_ Date \_\_\_\_\_  a.m.  p.m. ←  
Print \_\_\_\_\_

Buyer's Agent \_\_\_\_\_ Date \_\_\_\_\_  a.m.  p.m. ←  
Print \_\_\_\_\_