

Yellow Form



REAL ESTATE CONDITION REPORT NON-RESIDENTIAL/COMMERCIAL PROPERTY For Property Not Being Sold With 1-4 Dwelling Units

THIS CONDITION REPORT CONCERNS THE REAL PROPERTY LOCATED AT 1400 Peebles Dr. (STREET ADDRESS) IN THE City (CITY) (~~VILLAGE~~) (~~TOWN~~) OF Richland Center, COUNTY OF Richland, STATE OF WISCONSIN. THIS REPORT IS A DISCLOSURE OF THE CONDITION OF THAT PROPERTY AS OF 5th (MONTH) 12th (DAY), 2017 (YEAR). IT IS NOT A WARRANTY OF ANY KIND BY THE SELLER OR ANY AGENTS REPRESENTING ANY PRINCIPAL IN THIS TRANSACTION AND IS NOT A SUBSTITUTE FOR ANY INSPECTIONS OR WARRANTIES THAT THE PRINCIPALS MAY WISH TO OBTAIN.

NOTE: Information in boldface type is that used under Wis. Stat. § 709.03. The other information addresses additional issues or conditions. Additional disclosures may be separately required for various issues referenced herein if required pursuant to other statutory requirements.

OWNER'S INFORMATION

In this form, "am aware" means to have notice or knowledge. 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.

The owner discloses the following information with the knowledge that, even though this is not a warranty, prospective Buyers may rely on this information in deciding whether and on what terms to purchase the property. The owner hereby authorizes any agent representing any principal in this transaction to provide a copy of this statement, and to disclose any information in the statement, to any person in connection with any actual or anticipated sale of the property.

The owner represents that to the best of his or her knowledge the responses to the following statements have been accurately noted as "Yes", "No", or "Not Applicable" to the property being sold. If the owner responds to any statement with "Yes", the owner shall provide, in the additional information area of this form, an explanation of the reason why the response to the statement is "Yes".

If the transfer is of a condominium unit, the property to which this form applies is the condominium unit, the common elements of the condominium and any limited common elements that may be used only by the owner of the condominium unit being transferred.

PROPERTY CONDITION STATEMENTS: RESPONSES ABOUT THE PROPERTY SHOULD INCLUDE REFERENCE TO LAND AND STRUCTURES, IF ANY, AND TO ANY OTHER REAL OR PERSONAL PROPERTY THAT IS INCLUDED.

PROPERTY CONDITION STATEMENTS

	YES	NO	N/A
1. I am aware of federal, state, or local regulations, or order of a court or government agency, requiring repairs, alterations, or corrections of an existing condition on the property.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. I am aware of a land division or subdivision for which required state or local approvals were not obtained.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. I am aware of the proposed construction of a public project that may affect the use of the property.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. I have received notice of property tax increases, other than normal annual increases, or am aware of a pending property reassessment.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5. I am aware of proposed or pending special assessments.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. I am aware of impact fees assessed against the property. (If "Yes", explain: _____.)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
7. I am aware of boundary or lot line disputes, adverse possession claims, encroachments or encumbrances (including a joint driveway).	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
8. I am aware that all, or part, of the property is subject to or enrolled in, or in violation of, a Farmland Preservation Agreement (or is in a farmland preservation zoning district), Forest Crop Law, Managed Forest Law (See disclosure requirement under Wis. Stat., §710.12 for Managed Forest Law), the Conservation Reserve Program, or a comparable land use program.) (If "Yes", explain: _____.)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
9. I am aware that all or part of the land being sold has been assessed as agricultural land under Wis. Stat. §70.32 (2r) (use-value assessment); or I am aware that the land or owner/seller has been assessed a conversion charge under Wis. Stat. §74.485(2); or I am aware that payment of a conversion charge has been deferred under Wis. Stat. §74.485(4). (See disclosure requirement under Wis. Stat. §74.485(7)) (See Wisconsin Department of Revenue or visit http://www.revenue.wi.gov/ for information). (If "Yes", explain: _____.)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
10. I am aware of violations of, or noncompliance with, applicable fence laws, or that the property is subject to partition fences required by State statute (Wis. Stats. Ch. 90).	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
11. I am aware that the property is located within a special purpose district, such as a drainage district, lake district or sanitary district, that has the authority to impose assessments against the real property located within the district. (If "Yes", explain: _____.)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
12. I am aware of a pier attached to the property that is not in compliance with state or local pier regulations. (See, http://dnr.wi.gov/ .)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
13. I am aware that the property is subject to a mitigation plan required under administrative rules of the Department of Natural Resources related to county shoreland zoning ordinances, which obligates the owner of the property to establish or maintain certain measures related to shoreland conditions and which is enforceable by the county.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
14. I am aware that the property, or any portion of the property, is located in a floodplain, a wetland, or a shoreland zoning area.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

- | | YES | NO | N/A |
|--|--------------------------|-------------------------------------|--------------------------|
| 15. I am aware of material damage from fire, wind, floods, earthquake, expansive soils, erosion or landslides. | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 16. I am aware of a violation of environmental laws, regulations, rules, or agreements regulating the condition or use of the property. | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 17. I am aware of conditions constituting a significant health or safety hazard for occupants of the property. | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 18. I am aware of underground or aboveground fuel storage tanks on the property , including but not limited to tanks for storage of flammable, combustible, or toxic or hazardous liquids. (If "yes," the owner, by law, may have to register the tanks with the Wisconsin Department of Agriculture, Trade and Consumer Protection at P.O. Box 8911, Madison, Wisconsin, 53708, whether the tanks are in use or not. Regulations of the Wisconsin Department of Agriculture, Trade and Consumer Protection may require the closure or removal of unused tanks. | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 19. I am aware that underground or aboveground storage tanks were <i>previously</i> located on the property, including but not limited to tanks for storage of flammable, combustible, or toxic or hazardous liquids. | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 20. I am aware of an "LP" tank on the property. (If "Yes," specify in the additional information space whether the owner of the property either owns or leases the tank.) Explain: _____ | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 21. I am aware of high voltage electric (100 KV or greater) or steel natural gas transmission lines located on but not directly serving the property. | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 22. I am aware of defects in the well, including unsafe well water. These may include, but not limited to, an unused or abandoned well not closed in conformance with state regulations, a well not constructed pursuant to state standards or local code, or contaminants in the water, such as coliform, radon, radium, lead, nitrates, atrazine, arsenic, or other hazardous substances. | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 23. I am aware of any well on the property required to be abandoned, or which has not been abandoned in conformance with any applicable state or local law or regulation. | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 24. I am aware that this property is served by a joint well. | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 25. I am aware of a cistern or septic tank on the property. | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 26. I am aware of defects in the septic system or other sanitary disposal system on the property. These may include, but are not limited to, back-ups in toilets or basement; exterior ponding, overflows or back-ups; or defective or missing baffles, or drainage field sited over lot line, or an out-of-service septic system not closed/abandoned according to applicable regulations. | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 27. I am aware of a percolation test or soil test indicating that the property, or a portion of the property, cannot sustain a septic system or private sanitary sewer system. | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 28. I am aware of 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. | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 29. I am aware of unsafe concentrations of, unsafe conditions relating to, or storage of, hazardous or toxic substances on the property or on neighboring properties. | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 30. I am aware of an existing or abandoned manure storage facility on the property. | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 31. I am aware of dumpsites or other disposal sites on the property where chemicals, pesticides, herbicides, fertilizer, petroleum products, or other toxic or hazardous materials, or containers for such materials, were disposed of contrary to manufacturer's or government guidelines, or in violation of any laws regulating said disposal. | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 32. I am aware of present or prior dumping of trash, debris, or landfill, on the property. | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 33. I am aware of significant odor, noise, water intrusion, or other significant irritants affecting the property, emanating from neighboring property. | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 34. I am aware of active quarry operations within one (1) mile of the property. | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 35. I am aware of a defect caused by unsafe concentrations of, or unsafe conditions relating to, radon, radium in water supplies, lead in paint, lead in soil, lead in water supplies or plumbing system, or other potentially hazardous or toxic substances on the property. | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 36. I am aware of the presence of radon, radium, lead, nitrates, atrazine, arsenic, or other contaminants or potentially hazardous substances in the soil on the property. | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 37. I am aware of the presence of asbestos or asbestos-containing materials on the premises. | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 38. I am aware of present or prior production of methamphetamine (meth) or other hazardous or toxic substances on the property. | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 39. I am aware of diseased or dying trees or shrubs on the property (e.g., Oak Wilt, Dutch Elm disease, or similar diseases). | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 40. I am aware of substantial damages to crops from disease, insects, soil contamination, wildlife, weather, or other causes, or substantial injuries or illness in livestock caused from conditions on the property. | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 41. I am aware of burial sites, archeological artifacts, mineral rights, orchards, or endangered species on the property. | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 42. I am aware of 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, high groundwater, adverse soil conditions (e.g., low load bearing capacity, earth or soil movement, slides) or excessive rock accumulations or rock formations on the property. | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 43. I am aware of certain conditions or occurrences which would significantly increase the cost of development or reduce the value of the property to a reasonable person with knowledge of the nature and scope of the condition or occurrence. | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 44. I am aware of a lack of approved vehicular access to the property from public roads. | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 45. I am aware of subdivision homeowners' associations, common areas co-owned with others, zoning violations or nonconforming uses, right-of-ways, easements or another use of a part of the property by nonowners, other than recorded utility easements. | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 46. I am aware of "non-conforming use" or "conditional use" restriction or violation affecting the property, or any part of the property, by any governmental authority. | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 47. I am aware that the property, or a portion of the property, is subject to a rental, lease, or other agreement with tenants or other users of the property. | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

- | | YES | NO | N/A |
|--|--------------------------|-------------------------------------|--------------------------|
| 48. I am aware that the property is encumbered by a currently valid right of first refusal or option contract. | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 49. I am aware of other defects affecting the property. (If "Yes," explain below) | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 50. I am aware that a dam is totally or partially located on the property or that an ownership in a dam that is not located on the property will be transferred with the property because it is owned collectively by members of a homeowners association, lake district, or similar group. (If "yes," contact the Wisconsin Department of Natural Resources to find out if dam transfer requirements or agency orders apply.) | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 51. I am aware of flooding, standing water, or drainage problems (including seasonal or periodic), or other water problems on or affecting the Property. | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 52. I am aware of governmental investigation or private assessment/audit of any environmental matters (including any Phase I or Phase II or other environmental site assessment) ever having been conducted for all or part of the Property. | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

PROPERTY WITH STRUCTURES OR EQUIPMENT

The following statements relate to property with structures, whether inhabitable or not, and to items of equipment, appliances, or machinery included in the sale. If there are multiple structures or items, please identify in "Explanation" each structure or item to which a "Yes" answer may apply.

NOTE: IF A DWELLING IS INCLUDED, THE SELLER SHOULD COMPLETE A DISCLOSURE FORM COMPLYING WITH CH. 709 WIS. STATS., OR ENSURE THAT ALL DISCLOSURES REQUIRED UNDER CH. 709 WIS. STATS. HAVE BEEN COMPLETED.

- | | YES | NO | N/A |
|---|-------------------------------------|-------------------------------------|--------------------------|
| 53. I am aware either that remodeling affecting the property's structure or mechanical systems was done or that additions to this property were made during my period of ownership without the required permits. | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 54. I am aware of remodeling that may increase the property's assessed value was done. | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 55. I am aware of defects in the roof. | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 56. I am aware of defects in the basement or foundation (including cracks, seepage and bulges). | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 57. I am aware of defects in the electrical system. | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 58. I am aware of defects in the heating and air conditioning system (including air filters, humidifiers, etc.). | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 59. I am aware of defects in part of the plumbing system (including the water heater, water softener and swimming pool) that is included in the sale. | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 60. I am aware of the presence of unsafe levels of mold, or am aware of water or moisture intrusions or other conditions, such as leaks in the roof, basement, windows or plumbing system, or overflow from sinks, bathtubs, or sewers, that might initiate the growth of unsafe levels of mold. | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 61. I am aware that there has been a fire, flood, frozen pipes, or other disaster on the property.
(If "Yes", please state what occurred and when: <u>wind DAMAGE 2012</u> .) | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 62. I am aware of defects in a woodburning stove or fireplace or of defects caused by a fire in a stove or fireplace or elsewhere on the property.
(If "Yes", please state the date of installation, whether it was installed by a licensed contractor, and whether a permit was obtained: _____.) | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 63. I am aware of current or previous animal, insect, termite, powder-post beetle or carpenter ant infestations. | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 64. I am aware of defects in mechanical equipment, appliances, or machines, included in the sale either as fixtures or personal property.
(If "Yes", please describe: _____.) | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 65. I am aware of equipment, appliances, or machines included in the sale, whether as fixtures or personal property, that are subject to a lease, rental agreement, licensing agreement, purchase agreement, service agreement, or other contract with third parties.
(If "Yes", please identify and describe all such agreements or other such contracts in the Explanation area below or with attached documentation). | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 66. I am aware that my Property is not compliant with applicable smoke detector and/or carbon monoxide detector laws and/or ordinances. (Note: State law requires operating smoke detectors on all levels of all residential properties, and operating carbon monoxide detectors on all levels of most residential properties (see Wis. Stat., §§ 101.149 & 101.647). Local ordinances may have more stringent requirements.) | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 67. I am aware of defects in the structure of the property. | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 68. I am aware that a structure on the property is designated as a historic building or that a part of the property is in a historic district. | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 69. The owner has owned and/or lived on the property for <u>13</u> years. | | | |

EXPLANATION

(Attach an additional page or documentation if necessary, and reference any such addition in this Explanation)

OWNER'S CERTIFICATION

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 on which the owner signs this report.

Owner *Cliff Smak - SWS* Date 5/12/2017 Owner _____ Date _____

Owner _____ Date _____ Owner _____ Date _____

BUYER'S ACKNOWLEDGEMENT

I ACKNOWLEDGE RECEIPT OF A COPY OF THIS STATEMENT

Prospective Buyer _____ Date _____ Prospective Buyer _____ Date _____

Prospective Buyer _____ Date _____ Prospective Buyer _____ Date _____