



# Farm or Vacant Land or Lot Disclosure Statement

*This document has legal consequences. If you do not understand it, consult your attorney.*

1 The following is a disclosure statement made by Seller concerning the following property (the "Property"):

2 Hwy J and Dairy Ave Elmer MO 63538 Macon  
3 **Street Address** **City** **Zip Code** **County**

4 5 59 16 000007-0305-00000-000300 76  
5 **Section Township Range** **Parcel No(s)** **Farm No(s)** **# of Acres (more or less)**

6 ***This Disclosure Statement may assist a Buyer in evaluating the Property, but it is not a warranty of any***  
7 ***kind by Seller or any real estate licensee involved in this transaction, and is not a substitute for any***  
8 ***inspection or warranty a Buyer may wish to obtain. Real estate licensees involved in this transaction do***  
9 ***not inspect the Property for defects or guarantee the accuracy of any information provided herein.***

10 **SELLER:** Please complete the following form, including past history and known problems. Do not leave any spaces  
11 blank. If the condition is not applicable to your Property (or unknown), mark "N/A" (or "Unknown") in the blank. The  
12 following statements are made by Seller and NOT by any real estate licensee. Complete and truthful disclosure of  
13 the history and condition of the Property gives you the best protection against potential charges that you violated a  
14 legal disclosure obligation to a Buyer. Your answers (or the answers you fail to provide, either way) may have legal  
15 consequences, even after closing a transaction. This form should help you meet your disclosure obligations, but it  
16 may not cover all aspects of the Property. If you know of or suspect some condition which may negatively affect  
17 the value of the Property or impair the health or safety of future occupants (e.g., environmental hazards, physical  
18 condition or material defects in the Property or title thereto), then you should describe that condition and attach  
19 additional pages if more space is required.

20 **BUYER:** Since these disclosures are based on Seller's actual knowledge, you cannot be sure that there are, in  
21 fact, no problems with the Property simply because Seller is not aware of them. The statements made by Seller  
22 are limited to the Property and are not warranties of its condition. You should condition your offer on a professional  
23 inspection(s) of the Property or any off-site conditions as you deem necessary. Conditions of the Property that you  
24 can see on a reasonable inspection and/or that are disclosed herein should either be taken into account in setting  
25 the purchase price, or you should make correction of these conditions by Seller a requirement of the sale contract.  
26 **IF YOU SIGN A SALE CONTRACT TO PURCHASE THE PROPERTY, THAT CONTRACT, AND NOT THIS**  
27 **DISCLOSURE STATEMENT, WILL PROVIDE FOR WHAT IS TO BE INCLUDED IN THE SALE. IF YOU EXPECT**  
28 **CERTAIN ITEMS OR EQUIPMENT TO BE INCLUDED THEY MUST BE SPECIFIED AS INCLUDED IN THE**  
29 **SALE CONTRACT.**

30 **1. SURVEY, EASEMENTS, FLOODING.** To the best of your knowledge:

- 31 A. When did you purchase the Property? September 2015
- 32 B. Has the Property been surveyed? .....Yes No  
33 Year surveyed 2015
- 34 C. What company or person performed the survey?  
35 Name Cleaver & Associates LLC Phone 660-239-4403
- 36 D. If this is platted land, has a certificate of survey been completed?.....Yes No  
37 If "Yes," by whom? Cleaver & Associates LLC When? 2015
- 38 E. Has the plat been recorded in the land records? .....Yes No  
39 If "Yes," Plat Book # 1 Page # 20
- 40 F. Are there any encroachments or boundary line disputes? Yes No
- 41 G. Are there any easements other than utility or drainage easements?.....Yes No
- 42 H. Is the Property in a designated flood plain or floodway of any kind? .....Yes No
- 43 I. Do you have a Flood Certificate regarding the Property? .....Yes No
- 44 J. Has there ever been a flood at the Property? .....Yes No
- 45 K. Have there ever been drainage problems affecting the Property?.....Yes No
- 46 L. Have you ever purchased flood insurance?.....Yes No
- 47 M. If any of questions 1.F through 1.L are answered "Yes," briefly describe the details.  
48  (check box if additional pages are attached) \_\_\_\_\_  
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**2. USE RIGHTS AND OTHER RESTRICTIONS.** To the best of your knowledge:

- A. Do any of the following exist regarding the Property:
  - (1) Subdivision or other recorded indentures, covenants, conditions or restrictions?.....Yes No
  - (2) A right of first refusal to purchase?.....Yes No
  - (3) Variances, special use permits or other zoning restrictions specific to this Property?.....Yes No
  - (4) Have any mineral rights been severed or transferred?.....Yes No
- B. Have you ever received notice from any person or authority of a breach of any of the above? Yes No
- C. Are there any farming or crop-share agreement rights in the Property?.....Yes No
- D. Are there any animal feeding operations ("AFO") or concentrated animal feeding operations ("CAFO") at the Property? (if "Yes", please identify Class size and any permits issued below)..... Yes No
- E. Are there any gas & oil leases or other severed or transferred mineral rights (clay, etc.)?.....Yes No
- F. Are there any leasehold interests or tenant rights in the Property? .....Yes No
- G. If any of the above questions are answered "Yes," briefly describe the details.  
 (check box if additional pages are attached) \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

**3. CONDITION OF THE PROPERTY.** To the best of your knowledge:

- A. Are there any structures, improvements or personal property available for sale? .....Yes No  
Are there any problems or defects with any of these items? .....Yes No
- B. Are there any operating or abandoned oil wells or buried storage tanks on the Property?.....Yes No
- C. Is there any hazardous or toxic substance in or on the Property?  
(including but not limited to lead in the soils)? .....Yes No
- D. Are there any Phase I or other environmental reports regarding the Property?.....Yes No
- E. Is there a solid waste disposal site or demolition landfill on the Property (whether permitted or unpermitted)?  
**Note: if "Yes", §260.213 RSMo requires Seller to disclose the location of the site, and Buyer should be aware that Buyer may be held liable to the State for remedial action.....** Yes No
- F. Have any soil tests been performed?..... Yes No
- G. Does the Property have any fill?.....Yes No
- H. Are there any settling or soil movement problems on this Property?.....Yes No
- I. Is there any infestation, rot or disease in the trees on the Property?.....Yes No
- J. Is any part of the Property located in a "wetlands area" designated by the Natural Resources Conservation Service ("NRCS") or Farm Service Authority ("FSA")?..... Yes No
- K. If any of the above questions are answered "Yes," briefly describe the details.  
 (check box if additional pages are attached) \_\_\_\_\_  
 \_\_\_\_\_  
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**4. UTILITIES.** To the best of your knowledge:

- A. Have any soil analysis tests for sanitary systems been performed? .....Yes No  
If "Yes," When? \_\_\_\_\_ By Whom? \_\_\_\_\_  
Results: \_\_\_\_\_
- B. Do any of the following exist within the Property?
 

(1) Connection to public water? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	(5) Connection to shared sewer?..... <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
(2) Connection to public sewer? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	(6) Private Sewer/Septic tank/Lagoon?..... <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
(3) Connection to private water system off Property?..... <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	(7) Connection to electric utility?..... <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
(4) Connection to shared water? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	(8) Connection to natural gas service?..... <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
	(9) A water well?..... <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
- C. Are any of the following existing at the boundary of the Property?
 

(1) Public water system access? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	(5) Electric Service Access?..... <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
(2) Public sewer system access? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	(6) Natural gas access?..... <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
(3) Shared water system access <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	(7) Telephone system access?..... <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
(4) Shared sewer system access <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	(8) Other: _____
- D. Have any utility access charges been paid? .....Yes No  
If "Yes," which charges have been paid? \_\_\_\_\_

111 **5. FEDERAL/STATE/LOCAL FARM PROGRAMS.** To the best of your knowledge:  
 112 **A.** Is Property enrolled in CRP (Conservation Reserve Program)? .....  Yes  No  
 113 If "Yes," complete the following:  
 114 \_\_\_\_\_ total acres put in CRP \_\_\_\_\_ last year of participation  
 115 \_\_\_\_\_ per acre bid in \_\_\_\_\_ enrollment year \_\_\_\_\_ annual payment  
 116 **B.** Is Property enrolled in WRP (Wetlands Reserve Program)? .....  Yes  No  
 117 If "Yes," complete the following:  
 118 \_\_\_\_\_ total acres put in WRP \_\_\_\_\_ last year of participation  
 119 \_\_\_\_\_ per acre bid in \_\_\_\_\_ enrollment year \_\_\_\_\_ annual payment  
 120 **C.** Other Programs (identify any other federal, state or local farm loan, price support or subsidy programs in  
 121 which the Property currently participates): \_\_\_\_\_  
 122 \_\_\_\_\_  
 123 \_\_\_\_\_

124 **6. OTHER MATTERS.** To the best of your knowledge:  
 125 **A.** Is or was the Property used as a site for methamphetamine production or the place of residence of a  
 126 person convicted of a crime involving any controlled substance related thereto? .....  Yes  No  
 127 If "Yes," **§441.236 RSMo requires disclosure to potential lessees and §442.606 RSMo requires**  
 128 **disclosure to purchasers of real estate. MR Form DSC-5000 ("Disclosure of Information Regarding**  
 129 **Methamphetamine/Controlled Substances") may be filled out in conjunction with these matters.**  
 130 **B.** Is there anything else that may materially and adversely affect the Property (e.g., pending claims, litigation,  
 131 notice from a governmental authority of violation of a law or regulation, proposed zoning changes, street  
 132 changes, threat of condemnation, neighborhood noise or nuisance)? .....  Yes  No  
 133 If "Yes," briefly describe the details.  (check box if additional pages are attached) \_\_\_\_\_  
 134 \_\_\_\_\_  
 135 \_\_\_\_\_  
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**SELLER'S ACKNOWLEDGMENT**

Seller represents that the information set forth in this Disclosure Statement is accurate and complete to the best of Seller's knowledge as of the date of Seller's signature below. Seller does not intend this Disclosure Statement to be a warranty or guarantee of any kind. Seller authorizes the listing broker to provide this information to prospective buyers of the Property and to real estate licensees representing such buyers.

<i>Danielle Diller</i>	dotloop verified 01/23/19 9:34 AM CST QHFQ-IT55-X4XP-MKIL	<i>LaDonna Diller</i>	dotloop verified 01/23/19 11:09 AM CST SBUU-QVHC-Y292-LRTV
<b>Seller</b>	<b>Date</b>	<b>Seller</b>	<b>Date</b>
Print Name: <u>Paul &amp; Danielle Diller</u>		Print Name: <u>LaDonna Diller</u>	

**BUYER'S ACKNOWLEDGEMENT**

1. I understand and agree that the information in this form is limited to information of which Seller has actual knowledge and that Seller can only make an honest effort at fully revealing the information requested.
2. This Property is being sold to me without warranties or guaranties of any kind by Seller or any real estate licensee concerning the Property.
3. I understand I have the right to independently investigate the Property. I have been specifically advised to have the Property and any other conditions examined by professional inspectors as I deem fit.
4. I acknowledge that neither Seller nor any real estate licensee is an expert at detecting or repairing physical defects in the Property.
5. I acknowledge that there are no representations concerning the Property made by Seller or any real estate licensee on which I am relying except as may be fully set forth in writing and signed by them.

_____	_____	_____	_____
<b>Buyer</b>	<b>Date</b>	<b>Buyer</b>	<b>Date</b>
Print Name: _____		Print Name: _____	

Approved by legal counsel for use exclusively by members of the Missouri REALTORS®, Columbia, Missouri. No warranty is made or implied as to the legal validity or adequacy of this document, or that it complies in every respect with the law or that its use is appropriate for all situations. Local law, customs and practice, and differing circumstances in each transaction, may each dictate that amendments to this document be made.  
 Last Revised 12/31/18. ©2018 Missouri REALTORS®



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4 32 60 16 000004-0932-00000-000500 80  
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- 46 L. Have you ever purchased flood insurance? .....Yes No
- 47 M. If any of questions 1.F through 1.L are answered "Yes," briefly describe the details.  
48  (check box if additional pages are attached) Northern fence line is south of property line. Adjoining property  
49 owner to north has been given a grazing lease to use all Diller Farms' property 2015-2018each May-December.  
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**2. USE RIGHTS AND OTHER RESTRICTIONS.** To the best of your knowledge:

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  - (4) Have any mineral rights been severed or transferred?.....Yes No
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**3. CONDITION OF THE PROPERTY.** To the best of your knowledge:

- A. Are there any structures, improvements or personal property available for sale? .....Yes No  
Are there any problems or defects with any of these items? .....Yes No
- B. Are there any operating or abandoned oil wells or buried storage tanks on the Property?.....Yes No
- C. Is there any hazardous or toxic substance in or on the Property?  
(including but not limited to lead in the soils)? .....Yes No
- D. Are there any Phase I or other environmental reports regarding the Property?.....Yes No
- E. Is there a solid waste disposal site or demolition landfill on the Property (whether permitted or unpermitted)?  
**Note: if "Yes", §260.213 RSMo requires Seller to disclose the location of the site, and Buyer should be aware that Buyer may be held liable to the State for remedial action.....** Yes No
- F. Have any soil tests been performed?..... Yes No
- G. Does the Property have any fill?.....Yes No
- H. Are there any settling or soil movement problems on this Property?.....Yes No
- I. Is there any infestation, rot or disease in the trees on the Property?.....Yes No
- J. Is any part of the Property located in a "wetlands area" designated by the Natural Resources Conservation Service ("NRCS") or Farm Service Authority ("FSA")?..... Yes No
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**4. UTILITIES.** To the best of your knowledge:

- A. Have any soil analysis tests for sanitary systems been performed? .....Yes No  
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- C. Are any of the following existing at the boundary of the Property?
 

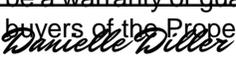
(1) Public water system access? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	(5) Electric Service Access?..... <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
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111 **5. FEDERAL/STATE/LOCAL FARM PROGRAMS.** To the best of your knowledge:  
 112 **A.** Is Property enrolled in CRP (Conservation Reserve Program)? .....  Yes  No  
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 121 which the Property currently participates): \_\_\_\_\_  
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 132 changes, threat of condemnation, neighborhood noise or nuisance)? .....  Yes  No  
 133 If "Yes," briefly describe the details.  (check box if additional pages are attached) \_\_\_\_\_  
 134 \_\_\_\_\_  
 135 \_\_\_\_\_  
 136 \_\_\_\_\_

**SELLER'S ACKNOWLEDGMENT**

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 140 be a warranty or guarantee of any kind. Seller authorizes the listing broker to provide this information to prospective  
 141 buyers of the Property and to real estate licensees representing such buyers.

	<small>dotloop verified 01/23/19 9:29 AM CST RAY5-B1JN-RNVL-V7NS FW25-LI0H-E4OW-CSJB</small>		<small>dotloop verified 01/23/19 11:09 AM CST ONB1-7F9X-PMXP-MMJJ</small>
<b>Seller</b>	<b>Date</b>	<b>Seller</b>	<b>Date</b>
Print Name: <u>Paul &amp; Danielle Diller</u>		Print Name: <u>LaDonna Diller</u>	

**BUYER'S ACKNOWLEDGEMENT**

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2. This Property is being sold to me without warranties or guaranties of any kind by Seller or any real estate licensee concerning the Property.
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4. I acknowledge that neither Seller nor any real estate licensee is an expert at detecting or repairing physical defects in the Property.
5. I acknowledge that there are no representations concerning the Property made by Seller or any real estate licensee on which I am relying except as may be fully set forth in writing and signed by them.

_____	_____	_____	_____
<b>Buyer</b>	<b>Date</b>	<b>Buyer</b>	<b>Date</b>
Print Name: _____		Print Name: _____	

Approved by legal counsel for use exclusively by members of the Missouri REALTORS®, Columbia, Missouri. No warranty is made or implied as to the legal validity or adequacy of this document, or that it complies in every respect with the law or that its use is appropriate for all situations. Local law, customs and practice, and differing circumstances in each transaction, may each dictate that amendments to this document be made.  
 Last Revised 12/31/18. ©2018 Missouri REALTORS®