

PRIVATE SEWAGE TREATMENT SYSTEM DISCLOSURE

This form approved by the North Dakota Association of REALTORS®, which disclaims any liability out of use or misuse of this form. This form is only for use by licensed REALTORS® in the State of North Dakota.

1 **DATE:** 11/2/2023
2 **Street Address:** 3211 121 Ave SE
3 **City:** Valley City **State:** ND **Zip Code:** 58072 **County:** Barnes

4 This disclosure is not a warranty of any kind by the Seller(s) or any Broker(s) or Agent(s) representing or
5 assisting any party(s) in this transaction and is not a substitute for any inspections or warranties the party(s)
6 may wish to obtain.

7 **LOCATION MAP:** ☒ IS ATTACHED ☐ IS NOT ATTACHED

8 **SELLER(S) INFORMATION:**

9 The Seller(s) discloses the following information with the knowledge that even though this is not a warranty,
10 prospective Buyer(s) may rely on this information in deciding whether, and on what terms, to purchase the
11 Property. The Seller(s) authorizes any Broker(s) or Agent(s) representing any party in this transaction to
12 provide a copy of this Statement to any person or entity in connection with any actual or anticipated sale of
13 the Property. Unless the Buyer(s) or Seller(s) agree to the contrary in writing before the closing of the sale, a
14 Seller(s) who fails to disclose the existence of known status or an individual sewage treatment system at the
15 time of the sale, and who knew or had reason to know of the existence or known status of the system, is liable
16 to the Buyer(s) for costs relating to bringing the system into compliance with individual sewage treatment
17 system rules and for reasonable attorney's fees or collection of costs from the Seller(s). Legal action by the
18 Buyer(s) must be commenced within two years after the date on which the Buyer(s) closed the purchase of the
19 Property where the system is located, and if no legal action is timely commenced, the right of Buyer(s) is
20 waived. Legal requirements may exist relating to various aspects of location and status of individual sewage
21 treatment systems. Buyer(s) is advised to contact the local unit(s) of government, state agency or qualified
22 professional which regulates individual sewage treatment systems for further information about these issues.
23 The following representation is made by the Seller(s) to the extent of the Seller's actual knowledge.
24 **This information is a disclosure and not intended to be part of any contract between the Buyer(s)**
25 **and Seller(s).**

26 **PRIVATE SEWAGE SYSTEM DISCLOSURE:**

27 The Seller(s) certifies that the following type of private sewage system is on or serving the above-described
28 Property.

29 Check appropriate sewage system and indicate on LOCATION MAP.

30 ☒ Septic Tank: ☒ with Drain Field ☐ with Mound System ☐ Seepage Tank ☐ with Open End
31 ☐ Sealed System (holding tank) ☐ Straight-Pipe System
32 ☐ Other (describe): _____
33

34 Is the sewage system(s) currently in use? ☒ Yes ☐ No

35 **NOTE: If any water-using appliances, bedrooms or bathrooms have been added to the Property**
36 **since the current system was installed, the system may no longer comply with sewage treatment**
37 **system laws and regulations. Describe:** _____
38

39 Is the sewage system(s) in compliance with applicable sewage system laws and rules?

40 ☐ Yes ☐ No ☒ Unknown

41 Date system installed: 1976 Installer Name/Phone: Ray McDonald?

Buyer(s) Initials _____

Seller(s) Initials CB

42 **ADDRESS:** 3211 121 Ave SE Valley City ND 58072

43 **TANK:** Size: unknown Last Pumped: 2/23 How Often Pumped: Every 2 years

44 **DRAIN FIELD:** Size: unknown **LOCATION:** See LOCATION MAP.

45 Describe work performed to the system since you have owned the Property:

46 Pumped every 2 years

47

48 Date work performed/by whom: _____

49 Is the sewage system entirely within Property boundary lines including set back requirements?

50 ☐ Yes ☐ No – Location: _____ ☒ Unknown

51 Is the system shared? ☐ Yes # of units on system: _____ ☒ No ☐ Unknown

52 If Yes, is there an easement for the location/shared system? ☐ Yes ☐ No

53 Any fees associated with the sewage system? ☐ Yes Amount: _____ ☒ No

54 If Yes, Explain: _____

55 Approximate number of people using the system regularly: 1; Showers/baths taken per

56 week: 5; Laundry loads per week: 5-6.

57 Distance between well and sewage treatment systems: 100' +/-

58 Have you received any notices from any government agencies relating to the subsurface sewage treatment

59 system? ☐ Yes (Attach notices) ☒ No

60 Any known defects in the sewage treatment system? ☐ Yes ☒ No

61 If Yes, Explain: _____

SELLER'S STATEMENT: (TO BE SIGNED AT THE TIME OF LISTING)

Seller(s) hereby acknowledges that the information provided in this document is true and accurate to the best of the Seller's knowledge as of the date listed below. If any of the information becomes inaccurate after it is delivered to the Buyer(s) and before closing, the Seller(s) shall notify Buyer(s) and any Broker(s)/Agent(s) representing any party(s) to the transaction in writing of such change.

Carol Breske P.R.

Seller Signature Carol Breske PR Date _____ Seller Signature _____ Date _____

BUYER'S ACKNOWLEDGMENT (TO BE SIGNED AT THE TIME OF THE PURCHASE AGREEMENT)

Buyer(s) acknowledges receipt of this Seller's Disclosure. Buyer(s) acknowledges that Broker(s) and Agent(s) representing the sale of this Property have not made statements concerning the condition of the Property other than those listed in this Seller's Disclosure. Buyer(s) acknowledges that Buyer(s) has been advised to verify the information listed in this statement independently. **Buyer(s) acknowledges and understands that this document is not intended to be a warranty or any kind or a substitute for any inspections of the Property Buyer(s) may wish to obtain.**

Buyer Signature _____ Date _____ Buyer Signature _____ Date _____

WELL DISCLOSURE

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5 any party(s) in this transaction and is not a substitute for any inspections or warranties the party(s) may wish
6 to obtain.
- 7 **LOCATION MAP:** ☒ IS ATTACHED ☐ IS NOT ATTACHED
- 8 **WELL TYPE:** Use one of the following terms to describe the well type on page 2.
- 9 • **WATER WELL:** A well is any type of well used to extract groundwater for private or public use.
10 Examples of water wells are: domestic wells, drive-point wells, dug wells, remedial wells and
11 municipal wells.
- 12 • **IRRIGATION WELL:** An irrigation well is a well that is used to irrigate agricultural lands. These
13 are typically large diameter wells connected to a large pressure distribution system.
- 14 • **MONITORING WELL:** A monitoring well is a well used to monitor groundwater contamination.
15 The well is typically used to access groundwater for the extraction of samples.
- 16 • **DEWATERING WELL:** A dewatering well is a well used to lower groundwater levels to allow for
17 construction or use of underground spaces.
- 18 • **INDUSTRIAL/COMMERCIAL WELL:** An industrial/commercial well is a nonpotable well used to
19 extract groundwater for any nonpotable use, including groundwater thermal exchange wells (heat
20 pumps and heat leaps).
- 21 **WELL USE STATUS:** Use one of the following terms to describe the use status of each well on page 2.
- 22 • **IN USE:** A well is In Use if the well is operated on a daily, regular or seasonal basis. A well In
23 Use includes a well that operates for the purpose of irrigation, fire protection or emergency
24 pumping.
- 25 • **NOT IN USE:** A well is Not in Use if the well does not meet the definition of In Use above and has
26 not been sealed by a licensed well contractor.
- 27 • **SEALED:** A well is Sealed if a licensed contractor has completely filled a well by pumping grout
28 material throughout the entire bore hole after removal of any obstructions from the well. A well
29 is Capped if it has a metal or plastic cap or cover which is threaded, bolted or welded into the top
30 of the well to prevent entry into the well. A Capped well is not a Sealed well.
31 If the well has been sealed by someone other than a licensed contractor or a licensed well sealing
32 contractor, check the well status as Not in Use.
- 33 If you have questions, please contact the North Dakota Department of Environmental Quality, Division of
34 Water Quality, at 701-328-5210.
- 35 **Are you in possession of test results?** ☐ If Yes, see attached ☒ No
- 36 **Is there a well on the Property containing contaminated water?** ☐ Yes ☐ No ☒ Unknown

Buyer(s) Initials _____

Seller(s) Initials CB

37 **ADDRESS:** 3211121 Ave SE Valley City ND 58072

38 **THE FOLLOWING WELLS ARE LOCATED ON THE ABOVE-DESCRIBED REAL PROPERTY:**

39	Well No. (If Applicable)	Well Depth	Year of Const.	Well Type	IN USE	NOT IN USE	SEALED	DATE LAST TESTED
41	Well 1	<u>52'</u>	<u>1976</u>	<u>Shallow</u>	☒	☐	☐	
42	Well 2				☐	☐	☐	
43	Well 3				☐	☐	☐	

44 **OTHER WELL INFORMATION:**

45 Comments:

46

47

48 **SEALED WELL INFORMATION:** For each well designated as sealed, complete this section.

49 When was the well sealed? N/A

50 Who sealed the well? N/A

51 **SELLER'S STATEMENT: (TO BE SIGNED AT THE TIME OF LISTING)**

52 Seller(s) hereby states the condition of the Property to be as stated above and authorizes any Broker(s) and
53 Agent(s) representing any parties in this transaction to provide a copy of this Statement to any person or
54 entity in connection with any actual or anticipated sale of the Property. Seller(s) hereby acknowledges that
55 the information provided in this document is true and accurate to the best of the Seller's knowledge as of the
56 date listed below. If any of the information becomes inaccurate after it is delivered to the Buyer(s) and before
57 closing, the Seller(s) shall notify Buyer(s) and Broker(s)/ Agent(s) representing any party to the transaction in
58 writing of such change.

59 Carol Breske PR 11-2-23

60 Seller Signature Carol Breske PR Date _____ Seller Signature _____ Date _____

61 **BUYER'S ACKNOWLEDGEMENT OF RECEIPT: (TO BE SIGNED AT TIME OF PURCHASE AGREEMENT)**

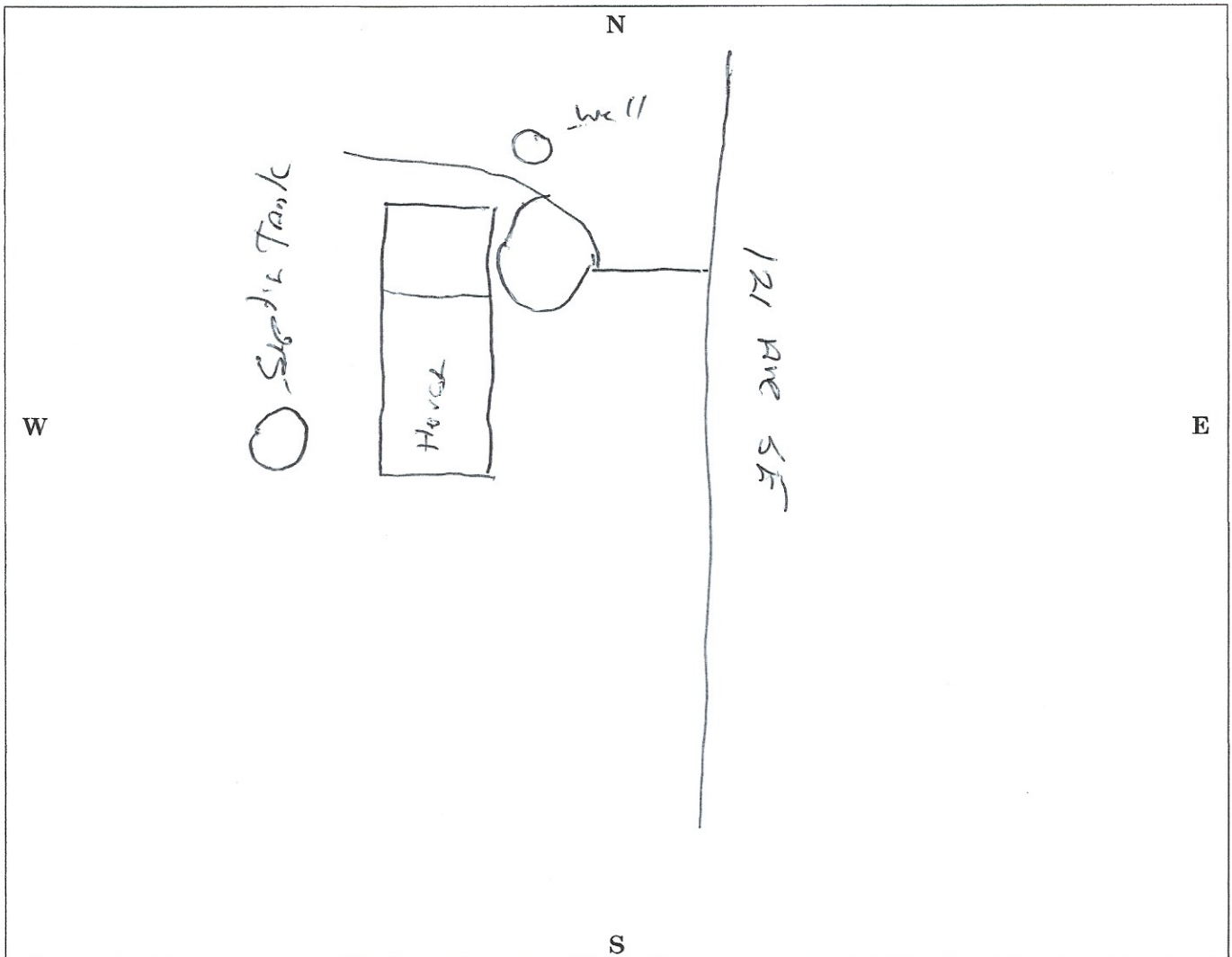
62 Buyer(s) acknowledges receipt of this Seller's Disclosure. Buyer(s) acknowledges that Broker(s) and Agent(s)
63 representing the sale of this Property have not made statements concerning the condition of the Property other
64 than those listed in this Seller's Disclosure. Buyer(s) acknowledges that Buyer(s) has been advised to verify
65 the information listed in this Statement independently. **Buyer(s) acknowledges and understands that**
66 **this document is not intended to be a warranty or any kind or a substitute for any inspections of**
67 **the Property Buyer(s) may wish to obtain.**

68 _____
69 Buyer Signature Date Buyer Signature Date

LOCATION MAP

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- 1 **DATE:** 11/2/2023
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- 4 Use the space below to sketch the property lines of the Property being sold and indicate the location of any
- 5 buildings as well as the approximate location of any of the following (Check all that apply):
- 6 ☒ Subsurface Sewage Treatment System ☒ Well ☐ Methamphetamine Production area
- 7 **Note approximate distances between landmarks, buildings, and property lines as precisely as possible.**



Buyer(s) Initials _____

Seller(s) Initials C.B.