

VACANT LAND DISCLOSURE STATEMENT

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THE INFORMATION DISCLOSED IS GIVEN TO THE BEST OF THE SELLER'S KNOWLEDGE

1. **INSTRUCTIONS TO BUYER:** Buyers are encouraged to thoroughly inspect the Property personally or have it inspected by a third party, and to inquire about any specific areas of concern. Note: If Seller answers "No" to any of the questions listed below, it does not necessarily mean that it does not exist on the Property, did not occur, or does not apply. "No" may mean the Seller is unaware.
2. **INSTRUCTIONS TO SELLER:** (1) Complete this form yourself. (2) Consult prior disclosure statement(s) and/or inspection report(s) when completing this form. (3) Describe conditions affecting the Property to the best of your knowledge. (4) Attach additional pages with your signature if additional space is required. (5) Answer all questions. (6) If any items do not apply, write "NA" (not applicable).
3. **GENERAL INFORMATION:**
4. Date you acquired the land? _____
5. Type of title evidence: ☒ **Abstract** ☐ **Title Insurance** ☐ **Unknown**
6. Location of Abstract or Title Insurance: _____ **seller**
7. Are you in possession or aware of any prior vacant land disclosure statement(s)? ☐ **Yes** ☒ **No**
8. (If "Yes", please attach if in your possession.)
9. Are there any current or past Phase I, Phase II or Phase III Environmental?
10. Site Assessment(s)? ☐ **Yes** ☒ **No**
11. (If "Yes", please attach if in your possession.)
12. Is access (legal and physical) other than by direct frontage on a public road? ☒ **Yes** ☐ **No**
13. Access (where/type): _____ **hwy 3**
14. Has the Property been surveyed? ☐ **Yes** ☒ **No**
15. Year surveyed: _____
16. What company/person performed the survey?
17. Name _____ Phone number _____
18. Is this patted land? ☐ **Yes** ☒ **No**
19. If "Yes", Has the plat been recorded? ☐ **Yes** ☐ **No**
20. Do you have a certificate of survey in your possession? ☐ **Yes** ☒ **No**
21. If "Yes", who completed the survey? _____ When? _____
22. Are there any property markers on the Property? ☐ **Yes** ☒ **No**
23. If "Yes", give details: _____
24. _____
25. Is the Property located on a public or private road? ☒ **Public** ☐ **Private** ☐ **Public: no maintenance**
26. Are there any private or non-dedicated roadways that you are responsible for? ☐ **Yes** ☒ **No**
27. Are there any rivers, lakes, ponds, streams or springs running through the
28. Property or along a boundary line? ☐ **Yes** ☒ **No**

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35. **FLOOD INSURANCE:**

36. Do you know which zone the Property is located in? ☐ Yes ☒ No ☐ N/A

37. If "Yes", which zone? _____

38. Have you ever had a flood insurance policy? ☐ Yes ☒ No

39. If "Yes", is the policy in force? ☐ Yes ☒ No

40. If "Yes", what is the annual premium? \$ _____

41. If "Yes", who is the insurance carrier? _____

42. Have you ever had a claim with a flood insurance carrier or FEMA? ☐ Yes ☒ No

43. If "Yes", please explain: _____

44. _____

45. **NOTE:** Whether or not Seller currently carries flood insurance, it may be required in the future. Flood
46. insurance premiums are increasing, and in some cases will rise by a substantial amount over the premiums
47. previously charged for flood insurance for the Property. As a result, Buyer should not rely on the premiums
48. paid for flood insurance on this Property previously as an indication of the premiums that will apply after
49. Buyer completes their purchase.

50. Is the Property located in a drainage district, County or Judicial Drainage System? ☐ Yes ☒ No

51. Is the Property drain tiled? ☐ Yes ☒ No

52. Is there a private drainage system on the Property? ☐ Yes ☒ No

53. Are the encroachments? ☐ Yes ☒ No

54. Please provide clarification or further explanation for all applicable "Yes" responses above.

55.

56.

57.

58. **GENERAL CONDITION:**

59. Are there any structures, improvements or emblements (e.g., crops) included in
60. the sale? ☐ Yes ☒ No

61. If "Yes", list all items: _____

62. _____

63. Are there any abandoned or junk motor vehicles, equipment of any kind or debris
64. included in the sale? ☐ Yes ☒ No

65. If "Yes", list all items: _____

66. _____

67. Are there any drainage issues, flooding, or conditions conducive to flooding? ☒ Yes ☐ No

68. Has there been any damage by wind, fire, flood, hail, or other cause(s)? ☐ Yes ☒ No

69. If "Yes", give details of what happened and when: surface flooding from fall 2025 & spring 2026 rains

70. _____

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71. Were there any previous structures on the Property? ☐ Yes ☒ No
72. Are there any settling, erosion or soil movement problems on or
73. affecting the Property? ☒ Yes ☐ No
74. Are there any gravel pits, caves, sink holes or mineshafts on or
75. affecting the Property? ☐ Yes ☒ No
76. Please provide clarification or further explanation for all applicable "Yes" responses above.
77. Heavy rains from last spring washed the land in the drainage ditches a bit.
- 78.
- 79.

80. **USE RESTRICTIONS:**

81. Do any of the following types of covenants, conditions, reservations of rights or use, or restrictions affect the
82. use or future of the Property?
83. Are there easements, other than utility or drainage easements? ☐ Yes ☒ No
84. Are there any public or private use paths or roadway rights of
85. way/easement(s)? ☐ Yes ☒ No
86. Are there any ongoing financial maintenance or other obligations related to
87. the Property that the buyer will be responsible for? ☐ Yes ☒ No
88. Are there any communication, power, wind, pipeline (utility or drainage),
89. or other utility rights of way/easement(s)? ☐ Yes ☒ No
90. Are there any railroad or other transportation rights of way/easement(s)? ☐ Yes ☒ No
91. Is there subdivision or other recorded covenants, conditions, or restrictions? ☐ Yes ☒ No
92. Are there association requirements or restrictions? ☐ Yes ☒ No
93. Is there a right of first refusal to purchase? ☐ Yes ☒ No
94. Is the Property within the boundaries of a Native American reservation? ☐ Yes ☒ No
95. Are there any Department of Natural Resources restrictions? ☐ Yes ☒ No
96. Is the Property located in a watershed district? ☐ Yes ☒ No
97. Is the Property enrolled in any federal, state, or local governmental programs?
98. (e.g., Disability, CRP, Tax Credit, Conservation programs, etc.) ☒ Yes ☐ No
99. Are there any USDA Wetland Determinations? ☐ Yes ☒ No
100. Are there any USDA Highly Erodible Land Determinations? ☒ Yes ☐ No
101. Are there any conservation practices installed (e.g., terracing, waterways,
102. control structures)? ☐ Yes ☒ No
103. Are there any third parties which have an interest in the mineral rights? ☐ Yes ☒ No
104. Is there any forfeiture or transfer of rights (e.g., mineral, timber,
105. development, etc.)? ☐ Yes ☒ No
106. Are there any historical registry restrictions? ☐ Yes ☒ No
107. Please provide clarification or further explanation for all applicable "Yes" responses above.
108. 98. Renter has the land insured and enrolled in USDA government programs.
- 109.
- 110.

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111. Have you ever received notice from any person or authority as to any breach of any of these covenants,
112. conditions, reservations, or restrictions? ☐ Yes ☒ No
113. If "Yes", please explain: _____
114. _____
115. Is the Property currently rented? ☒ Yes ☐ No
116. If "Yes", is there a written lease? ☒ Yes ☐ No
117. If "Yes", please provide a copy of the lease if in your possession or provide information:
118. Lease start date: 05/01/2026 Lease end date: 10/01/2026
119. Number of acres leased 120
120. Price/acre: \$80 Term of lease: _____
121. Renter's name: Neil Ackerman Phone number: _____
122. May the renter be contacted for information on the Property? ☐ Yes ☒ No
123. Are there any plans for a new road, expansion of an existing road, airport, trail,
124. affect by railroad or other improvement that may affect this Property? ☐ Yes ☒ No
125. If "Yes", please explain: _____
126. _____
127. Are there any zoning violations, nonconforming uses or unusual restrictions on the
128. Property that would affect future construction or remodeling? ☐ Yes ☒ No
129. **SUBSURFACE SEWAGE TREATMENT SYSTEM DISCLOSURE:**
130. Seller ☐ Does ☒ Does Not know of a subsurface sewage
131. treatment system on or serving the above-described real property. (If "Does", see **Private Sewer Disclosure**
132. **Statement and Private Sewer System-Well Location Map.**)
133. ☐ There is an abandoned subsurface sewage treatment system on the above-described real property.
134. (See **Private Sewer Disclosure Statement and Private Sewer System-Well Location Map.**)
135. **WELL DISCLOSURE STATEMENT:**
136. Seller ☐ Does ☒ Does Not know of one or more wells located on the property?
137. (If "Does", see **Well Disclosure Statement and Private Sewer System-Well Location Map.**)
138. Are there any wells serving the property that are not located on the property? ☐ Yes ☐ No
139. If "Yes", how many properties or residences does the shared well serve? _____
140. Is there a maintenance agreement for the shared well? ☐ Yes ☐ No
141. If "Yes", what is the annual maintenance fee? \$ _____
142. Is there a well on or serving the property that contains contaminated water? ☐ Yes ☐ No
143. To your knowledge, is the Property in a Special Well Construction Area? ☐ Yes ☐ No
144. Additional comments: _____
145. _____

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146. Are any of the following presently existing within the Property?

- | | | | |
|------|--|------------------------------|--|
| 147. | Connection to public water? Current provider _____ | ☐ Yes | ☒ No |
| 148. | Connection to public sewer? | ☐ Yes | ☒ No |
| 149. | Connection to private water system off-property? | ☐ Yes | ☒ No |
| 150. | Connection to electric utility? Current provider _____ | ☐ Yes | ☒ No |
| 151. | Connection to pipelines (natural gas, petroleum, other)? | ☐ Yes | ☒ No |
| 152. | Connection to communication, power, or utility lines? | ☐ Yes | ☒ No |
| 153. | Connection to telephone? | ☐ Yes | ☒ No |
| 154. | Connection to fiber optic? | ☐ Yes | ☒ No |
| 155. | Connection to cable? | ☐ Yes | ☒ No |

156. **ENVIROMENTAL CONCERNS:**

157. Are there any buried storage tanks or buried debris or waste on the Property? ☒ Yes ☐ No

158. If "Yes", give details: rock piles

159. _____

160. Are there any hazardous or toxic substances or wastes in, on or affecting
161. the Property?

☐ Yes ☒ No

162. If "Yes", give details: _____

163. _____

164. Have any soil tests been performed? ☐ Yes ☒ No

165. When? _____ By whom? _____

166. Attach copies of results if in your possession.

167. Are there any soil problems? ☐ Yes ☒ No

168. If "Yes", give details: _____

169. _____

170. Are there any dead or diseased trees? ☐ Yes ☒ No

171. If "Yes", give details: _____

172. _____

173. Are there any insect/animal/pest infestations? ☐ Yes ☒ No

174. If "Yes", give details: _____

175. _____

176. Are there any animal burial pits? ☐ Yes ☒ No

177. If "Yes", give details: _____

178. _____

179. Are there any potential environmental hazards (e.g., fuel or chemical storage tanks,
180. contaminated soil or water) on the land?

☐ Yes ☒ No

181. If "Yes", give details: _____

182. _____

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183. Did the land at one time abut or was located in close proximity to a gas station, refuse disposal
184. site, toxic substance site, junk yard or other pollution situation? ☐ Yes ☒ No
185. If "Yes", give details: _____
186. _____
187. Is the Property located in or near an agricultural area? ☒ Yes ☐ No
188. If "Yes", the Property may be subjected to normal and accepted agricultural practices and operations
189. including, but not limited to, noise, dust, day and nighttime operation of farm machinery; the raising and
190. keeping of livestock; and storage and application of manure, fertilizers, soil amendments, herbicides and
191. pesticides associated with normal agricultural operation.
192. Are there any landfills or waste disposal sites within two (2) miles of the Property? ☐ Yes ☒ No
193. If "Yes", give details:
194.
195.
196. Is there any governmental sponsored clean-up of the Property? ☐ Yes ☒ No
197. If "Yes", give details:
198.
199.
200. Are there currently or have previously been any orders issued on the Property by any governmental authority
201. ordering the remediation of a public health nuisance on the Property? ☐ Yes ☒ No
202. If "Yes", Seller certifies that all orders ☐ Have ☐ Have Not been completed. If "Have" attach documentation.
203. Other:
204.
205.
206. **RADON DISCLOSURE:**
207. Every buyer of any interest in real property is notified that the property may present exposure to
208. dangerous levels of indoor radon gas that may place occupants at risk of developing radon-induced lung
209. cancer. Radon, a Class A human carcinogen, is the leading cause of lung cancer in nonsmokers and the second
210. leading cause overall.
211. **PREFERENTIAL PROPERTY TAX TREATMENT:**
212. Is the Property subject to any preferential property tax status or any other credits
213. affecting the Property (e.g., Disability, CRP, Conservation programs, etc.)? ☐ Yes ☒ No
214. If "Yes", would these terminate upon the sale of the Property? ☐ Yes ☐ No
215. Explain: _____
216. _____

INITIAL(S): BUYER _____ **Date** _____ **BUYER** _____ **DATE** _____

217. **FOREIGN INVESTMENT IN REAL PROPERTY TAX ACT ("FIRPTA"):**

218. Section 1445 of the Internal Revenue Code provides that a transferee ("Buyer") of a United States real property
 219. interest must be notified in writing and must withhold tax if the transferor ("Seller") is a foreign person and no
 220. exceptions from FIRPTA withholding apply. Buyer and Seller agree to comply with FIRPTA requirements under
 221. Section 1445 of the Internal Revenue Code. Seller shall represent and warrant, under the penalties of perjury,
 222. whether Seller is a "foreign person" (as the same is defined within FIRPTA), prior to closing. Any
 223. representations made by Seller with respect to this issue shall survive the closing and delivery of the deed.

224. Buyer and Seller shall complete, execute, and deliver, on or before closing, any instrument, affidavit, or
 225. statement reasonably necessary to comply with the FIRPTA requirements, including delivery of their respective
 226. federal taxpayer identification numbers or Social Security numbers.

227. Due to the complexity and potential risks of failing to comply with FIRPTA, including the Buyers responsibility
 228. for withholding the applicable tax, Buyer and Seller should seek legal and tax advice regarding FIRPTA
 229. compliance, as the respective licensee's representing or assisting either party will be unable to assure either
 230. party whether the transaction is exempt from FIRPTA withholding requirements.

231. Seller represents and warrants, under penalty of perjury, that Seller ☐ IS ☒ IS NOT a foreign person (i.e., a
 232. non-resident alien individual, foreign corporation, foreign partnership, foreign trust, or foreign estate for
 233. purposes of income taxation. (see lines 218-230) This representation and warranty shall survive the closing of
 234. the transaction and delivery of the deed.

235. **METHAMPHETAMINE PRODUCTION DISCLOSURE:**

236. ☒ Seller Is Not aware of any methamphetamine production that has occurred on the Property.

237. ☐ Seller Is aware that methamphetamine production has occurred on the Property.

238. If "Is" explain:

239.

240.

241.

242.

243. **NOTICE REGARDING AIRPORT ZONING REGULATION:**

244. The Property may be in or near an airport safety zone with zoning regulations adopted by the governing body
 245. that may affect the Property. Such zoning regulation are filed with the county recorder in each county where
 246. the zoned areas are located. If you would like to determine if such zoning regulations affect the Property, you
 247. should contact the county recorder where the zoned area is located.

248. **NOTICES/OTHER DEFECTS/MATERIAL FACTS:**

249. Notices: Seller ☐ Has ☒ Has Not received a notice regarding any proposed improvement project from any
 250. assessing authorities, the cost of which may be assessed against the Property.

251. If "Has", please attach and/or explain: _____

252. _____

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253. **OTHER DEFECTS/MATERIAL FACTS:**

254. Are there any other material facts that could adversely and significantly effect an ordinary buyer's enjoyment

255. of the Property or any intended use of the Property? ☒ Yes ☐ No

256. If "Yes", explain: Water from flooding has a hard time draining from the property.

257. _____

258. **ADDITIONAL COMMENTS:**

259.

260.

261.

262. **This Disclosure Statement is not a warranty or a guarantee of any kind by Seller or Broker/Licensee**
 263. **representing or assisting any party in the transaction and is not a suitable substitute for any inspections**
 264. **or warranties Buyer may wish to obtain. The information disclosed is given to the best of the**
 265. **Seller's knowledge.**

266. **SELLER'S STATEMENT: (TO BE SIGNED AT TIME OF LISTING)**

267. Seller(s) hereby states the condition of the property to be as stated above and authorizes any Agent(s)
 268. representing any parties in this transaction to provide a copy of this statement to any person or entity
 269. in connection with any actual or anticipated sale of the property. Seller(s) hereby acknowledges that the
 270. information provided in this document is true and accurate to the best of Seller's knowledge as of the date listed
 271. below. Seller(s) is obligated to continue to notify Buyer in writing of any facts that differ from the facts disclosed
 272. here (new or changed) of which Seller is aware that occur up to the time of closing. To disclose new or changed facts,
 273. please use the **Amendment to Vacant Land Disclosure Statement**.

274.  Brandon Herda 08/11/26
 275. Seller Signature Date Seller Signature Date
 Brandon Herda

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

277. Buyer(s) acknowledges receipt of this **Vacant Land Disclosure Statement**. Buyer(s) acknowledges that real
 278. estate licensees representing the sale of this property has not made statements concerning the condition of the
 279. property other than those listed in this **Vacant Land Disclosure Statement**. Buyer(s) acknowledges that Buyer(s)
 280. has been advised to verify the information listed in this statement independently.
 281. **Buyer(s) acknowledges and understands that this document is not intended to be a warranty of any kind or a**
 282. **substitute for any inspection of the property Buyer may wish to obtain.**

283. _____
 284. Buyer Signature Date Buyer Signature Date

BROKERS AND THEIR LICENSEES INVOLVED IN THIS REAL ESTATE TRANSACTION MAKE NO REPRESENTATIONS
 HEREIN AND ARE NOT RESPONSIBLE FOR ANY CONDITIONS STATED ON THIS DISCLOSURE.