



# VACANT LAND DISCLOSURE STATEMENT

Date: 12/27/2024

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This seller's disclosure statement concerns the real property located in the City of Morehead, County of Rowan, State of KY, described as American Legion Way (Tract 1) 40351

**NOTICE TO SELLER:** Each Seller is obligated to disclose to a buyer all known facts that materially and adversely affect the value of the property being sold and that are not readily observable. This disclosure statement is designed to assist Seller in complying with disclosure requirements and to assist Buyer in evaluating the property being considered. The listing real estate broker, the selling real estate broker and their respective agents will also rely upon this information when they evaluate, market and present Seller's property to prospective buyers.

**NOTICE TO BUYER:** This is a disclosure of Seller's knowledge of the condition of the property as of the date signed by Seller and is not a substitute for any inspections, tests or other investigation or warranties that Buyer may wish to obtain. It is not a warranty of any kind by Seller or a warranty or representation by listing broker, the selling broker, or their agents.

## A. SURVEY, EASEMENT, FLOODING

- When did you purchase this land? 08/07/2020
- Has the land been surveyed? ☒ Yes or ☐ No If yes, year surveyed 2024
- What company or person performed the survey? Name: Curd Surveying & Land Consulting, Inc.  
Address: 136 East Second Street City/State/Zip Morehead, KY 40351  
Phone: 606-462-3399
- Is there a survey available? ☒ Yes ☐ No or ☐ Unknown
- If this is platted land, has a certificate of survey been completed? ☐ Yes or ☐ No  
If yes, by whom? When?
- Are there any encroachments or boundary line disputes? ☐ Yes ☒ No or ☐ Unknown
- Are there any easements other than utility or drainage easements? ☒ Yes ☐ No or ☐ Unknown
- Is the property in a designated 100 year flood plain or wetland area? ☐ Yes ☒ No or ☐ Unknown
- Has there ever been a flood or other disaster at the property? ☐ Yes ☒ No or ☐ Unknown
- Have there every been any drainage problems affecting this property or adjacent properties?  
☐ Yes ☒ No or ☐ Unknown
- Is the property in an earthquake zone? ☐ Yes ☒ No or ☐ Unknown
- Give details if any of questions 5 through 10 were answered "YES" There is an Access Easement
- Are there any navigation easements? ☐ Yes ☒ No or ☐ Unknown

## B. USE RESTRICTIONS

- Do any of the following types of covenants, conditions, or restrictions affect the land:
  - Subdivision or other recorded covenants, conditions, or restrictions? ☐ Yes ☒ No or ☐ Unknown
  - A right of first refusal to purchase? ☐ Yes ☒ No or ☐ Unknown
  - Local municipality? ☐ Yes ☐ No or ☒ Unknown
- If any of the above questions (B1) are answered "YES" do you have written copies of these covenants, conditions, or restrictions? ☐ Yes ☐ No or ☐ Unknown  
List which documents you have: \_\_\_\_\_
- Have you ever received notice from any person or authority as to any breach of any of these covenants, conditions or restrictions? ☐ Yes ☒ No or ☐ Unknown  
If "YES", describe: \_\_\_\_\_

## C. CONDITION OF THE PROPERTY

- Are there any structure improvements, or personal property located in the sale? ☐ Yes or ☒ No  
If "YES" list all items: \_\_\_\_\_
- Are there any defects or problems with any of these items? ☐ Yes ☒ No or ☐ Unknown  
If "YES" describe all problems and defects: \_\_\_\_\_
- Are there any abandoned wells, buried storage tanks, or buried debris or waste on the property?  
☐ Yes ☒ No or ☐ Unknown If "YES" give details: \_\_\_\_\_
- Is there any hazardous or toxic substance (including radon) in or on this property or any adjacent property?  
☐ Yes ☒ No or ☐ Unknown  
If "YES" give details: \_\_\_\_\_

Initials:

 

Date:

Time:

IF YOU DO NOT UNDERSTAND THIS DOCUMENT, PLEASE CONSULT AN ATTORNEY

5. Have any soil tests been performed? ☐ Yes ☒ No or ☐ Unknown  
When? \_\_\_\_\_ By Whom? \_\_\_\_\_  
Results: \_\_\_\_\_
6. Does the property have any fill or uncompacted soils? ☐ Yes ☒ No or ☐ Unknown  
If "YES" describe location and depth \_\_\_\_\_
7. Are there any settling or soil movement problems on this property or any adjacent property?  
a. ☐ Yes ☒ No or ☐ Unknown  
If "YES" give details: \_\_\_\_\_
8. Are there any dead or diseased trees on the property? ☐ Yes ☒ No or ☐ Unknown  
If "YES" give details: \_\_\_\_\_

#### D. UTILITIES

1. Have any percolation tests been performed? ☐ Yes ☒ No or ☐ Unknown  
When? \_\_\_\_\_ By Whom? \_\_\_\_\_  
Results: \_\_\_\_\_
2. Are any of the following presently existing within the property?  
a. Connection to public water ☐ Yes ☒ No or ☐ Unknown  
b. Connection to public sewer ☐ Yes ☒ No or ☐ Unknown  
c. Connection to private water system off property ☐ Yes ☒ No or ☐ Unknown  
d. A water well ☐ Yes ☒ No or ☐ Unknown  
e. Septic tank ☐ Yes ☒ No or ☐ Unknown  
f. Connection to electricity ☐ Yes ☒ No or ☐ Unknown  
g. Connection to natural gas services ☐ Yes ☒ No or ☐ Unknown
3. Are any of the following presently existing at the boundary of the property?  
a. Public water system access ☒ Yes ☐ No or ☐ Unknown  
b. Private water system access ☐ Yes ☒ No or ☐ Unknown  
c. Electric service access ☒ Yes ☐ No or ☐ Unknown  
d. Natural gas access ☐ Yes ☐ No or ☒ Unknown  
e. Telephone system access ☒ Yes ☐ No or ☐ Unknown
4. Have any utility access charges been paid? ☐ Yes ☐ No or ☒ Unknown  
If "YES" which charges have been paid? \_\_\_\_\_

#### E. OTHER MATTERS

1. Is there a Homeowners Association? ☐ Yes ☒ No or ☐ Unknown
2. If yes, what are the dues or assessments? \_\_\_\_\_ paid \_\_\_\_\_ monthly/yearly
3. Is there road maintenance? ☒ Public ☐ Private or ☐ Unknown
4. Are there any recorded maintenance agreements? ☐ Yes ☒ No or ☐ Unknown
5. Is there a bus or other public transportation system? ☐ Yes ☒ No or ☐ Unknown  
Where is the pick up? \_\_\_\_\_
- Is there anything else that may materially and adversely affect the value or desirability of the property, e.g., pending claims or litigation, notice from any governmental authority for violation of any law or regulation, proposed zoning changes, street changes, threat of condemnation, or neighborhood noise or nuisance?  
☐ Yes ☒ No or ☐ Unknown  
If "YES" give details: \_\_\_\_\_

#### F. SELLER'S STATEMENT (To be signed at time of listing)

The undersigned Seller represents that the information set forth in the foregoing disclosure statement is accurate and complete. Sellers do not intend this disclosure statement to be a warranty or guaranty of any kind. Seller hereby authorizes that this information be provided to prospective buyers of this property and to the real estate brokers and sales people. Seller understands and agrees that Seller will notify in writing immediately if any information set forth in this disclosure statement becomes inaccurate or incorrect in any way through the passage of time or the discovery of additional information.

Seller Troy Poage, Member, LNU, LLC dotloop verified 12/30/24 1:57 PM EST CODE:6YEG-D6F2-W92N Seller Jonathan Poage, Member, LNU, LLC dotloop verified 12/30/24 2:03 PM EST QUQA-B2HC-YN0T-NV0F

#### G. BUYER'S RECEIPT AND ACKNOWLEDGMENT (To be signed at time of purchase agreement)

I carefully inspected the property. I have been advised to have the property examined by professional inspectors and to investigate every aspect of the property which could be important to me. I acknowledge that neither any Broker or Agent involved in this transaction is an expert at detecting the condition of the property or its suitability for my intended use.

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I understand that unless stated otherwise in my contract with Seller, the property is being sold in its present condition only, without warranties or guarantees of any kind by Seller or any Broker or Agent. I state that no representations concerning the condition of the property are being relied upon by me except as disclosed or stated within the sales contract.

Buyer

Buyer