



Seller's Property Condition Disclosure
North Dakota Real Estate Commission
SFN 62358 (07/2025)

1120 College Dr Ste 204
Bismarck ND 58501
Phone: (701) 328-9749
Email: ndrec@nd.gov
Website: realestatend.org

North Dakota law requires a written property disclosure for the sale, exchange, or purchase of real property if:

The real property is a residential dwelling with no more than 4 units located in North Dakota being sold or exchanged by the owner.

Except as otherwise provided in an offer to purchase agreement, before the parties sign the final agreement for the sale, exchange, or purchase of real property, the seller shall make a written disclosure to the prospective buyer.

The written disclosure must include all material facts the seller is aware could adversely and significantly affect an ordinary buyer's use and enjoyment of the property or any intended use of the property of which the seller is aware.

If any party to the transaction is represented by a real estate salesperson or broker, the disclosure must use this written disclosure form or substantially similar form and must include latent defects, general condition, environmental issues, structural systems, and mechanical issues regarding the property. If the parties are not represented by real estate salesperson or broker, the seller may use this form.

This law does not apply to transactions for the sale, exchange, or purchase of real property made: (1) pursuant to a court order; (2) between government agencies; (3) by a mortgagor in default for a mortgagee; (4) pursuant to a foreclosure sale; (5) by a mortgagee or a beneficiary of a deed of trust acquired the real property by a foreclosure, deed in lieu of foreclosure, or collateral assignment of beneficial interest; (6) by a fiduciary administering a decedent's estate, guardianship, conservatorship, or trust; (7) between co-owners of the real property; (8) to a spouse, child, parent, sibling, grandchild, or grandparent; or (9) if the real property is newly constructed residential real property with no previous occupancy.

This form is designed to guide you, the seller, in making the legally required disclosures and to assist you to avoid inadvertent nondisclosures of material facts as required by statute. You must disclose all material facts that are required by law, even if not specifically asked in this form. Additional space for disclosure is provided on the last page of this form, and you may attach any additional information as necessary.

Refer to *North Dakota Century Code 47-10-02.1* for more detail on requirements of the statute.

Name(s) of seller(s) G.J. Fleck Trust		Date 8-14-25	
Address of property being sold 205 1st Ave E.	City Arnegard	State N.D.	ZIP Code 58835
How long have you owned the property? Number of years: 90 Number of months:	How long have you occupied the property? 24	Dates of occupancy ?	

Initials of seller

TF

Initials of buyer

A. Structure

UNK=unknown

		YES	NO	UNK
1	What is the age of the structure? <u> ?</u> # of years <u> ?</u> # of months			
2	Has the structure been altered? (for example, additions, altered roof lines, changes to load-bearing walls)			✓
	If "Yes," please specify what was done, when and by whom.			
3	During your ownership, has there been work on the property which required building permits?		✓	
	If "Yes," was a permit obtained?			
4	Has the property been damaged by fire, smoke, wind, floods, hail, snow, frozen pipes, or broken water line?		✓	
	If "Yes," explain:			
5	Does the roof leak or has it leaked in the past?		✓	
	If "Yes," explain:			
6	Has there been any damage from condensation or ice buildup?		✓	
	If "Yes," explain:			
7	Is there any dry rot in the structure?		✓	
	If "Yes," explain:			
8	Has the siding been damaged?		✓	
	If "Yes," explain:			
9	Has the flooring or floors been damaged?		✓	
	If "Yes," explain:			
10	Has there been damage to windows?		✓	
	If "Yes," explain:			
11	Has there been damage to doors?		✓	
	If "Yes," explain:			
12	Are the rain gutters and downspouts functional?	✓		
	If "No," explain:			

Initials of seller _____

Initials of buyer _____

UNK=unknown

A. Structure, <i>continued</i>		YES	NO	UNK
13	Has there been damage to the roof or shingles? If "Yes," explain:		<input checked="" type="checkbox"/>	
14	Have you been paid for damage claims by insurance coverage? If "Yes," explain:		<input checked="" type="checkbox"/>	
15	Has there been any water damage to the structure? If "Yes," explain:		<input checked="" type="checkbox"/>	
16	Are there cracks in the floor or walls of the basement? If "Yes," explain:		<input checked="" type="checkbox"/>	
17	Is a drain or sump pump installed and working properly? If "No," explain:			<input checked="" type="checkbox"/>
18	Are there cracks in the driveway, garage floor, sidewalks, patio, or other outside hard surface areas? If "Yes," explain:			N/A
19	Are there additional property conditions that have not been described above (for example, uneven floors, material cracks or settling, shifting, deterioration, or other problems with the foundation, floors, or walls)? If "Yes," explain:		<input checked="" type="checkbox"/>	
20	Has there been any other damage to the interior or exterior of the structure from any cause? If "Yes," explain:		<input checked="" type="checkbox"/>	

B. Water and Sewer	
1	<div> What is the source of household water? <input type="checkbox"/> City <input checked="" type="checkbox"/> Well <input type="checkbox"/> Rural </div> <div> What is the type of sewer system? <input checked="" type="checkbox"/> City <input type="checkbox"/> Septic tank with drain field </div>
2	Is the sewer system in working order? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unknown If "No," explain:

Initials of seller _____

Initials of buyer _____

UNK=unknown

B. Water and Sewer, <i>continued</i>		YES	NO	UNK
3	Have you had problems such as back up, leakage, or other problems with sewer or septic systems?		✓	
	If "Yes," explain:			
4	Have there been any plumbing leaks?			
	If "Yes," explain: <i>Up stairs toilet leaks</i>			
5	Are the toilets functioning properly?		✓	
	If "No," explain: <i>Up stairs toilet leaks</i>			
6	Have you had clogged drains?		✓	
	If "Yes," explain:			
7	Is there a water well/s on the property?	✓		
8	Are there any shut off, disconnected, or abandoned wells, underground water, or sewer tanks on the property?		✓	

UNK=unknown

C. Electrical and Mechanical		YES	NO	UNK
1	Are there any electrical outlets, switches, and utilities not in proper working order?		✓	
	If "Yes," explain:			
2	Have you had any problems with the electrical system?		✓	
	If "Yes," explain:			
3	Have you had any problem with the heating system?		✓	
	If "Yes," explain:			
4	Have you had any problem with the water heater?		✓	
	If "Yes," explain:			
5	Have you had any problem with the air conditioning?			<i>N/A</i>
	If "Yes," explain:			
6	Have you had any problems with the fireplace? (Mark NA in "NO" if the property does not include a fireplace.)			<i>N/A</i>
	If "Yes," explain:			

Initials of seller _____

Initials of buyer _____

		UNK=unknown		
D. Environmental Conditions		YES	NO	UNK
1	Are there underground storage tanks?		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
2	Are there asbestos-containing materials in the property?		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
	If "Yes," explain:			
3	Are there any lead hazards (such as lead paint, lead pipes, lead in soil)?			<input checked="" type="checkbox"/>
	If "Yes," attach all available records and reports about lead-based hazards.			
4	Has the property been tested for radon?		<input checked="" type="checkbox"/>	
	<p>RADON GAS IS A NATURALLY OCCURRING RADIOACTIVE GAS THAT, WHEN IT HAS ACCUMULATED IN A BUILDING IN SUFFICIENT QUANTITIES, MAY PRESENT HEALTH RISKS TO PERSONS WHO ARE EXPOSED TO IT OVER TIME. LEVELS OF RADON THAT EXCEED FEDERAL GUIDELINES HAVE BEEN FOUND IN BUILDINGS ON RESIDENTIAL REAL PROPERTY IN NORTH DAKOTA. ADDITIONAL INFORMATION REGARDING RADON AND RADON TESTING MAY BE OBTAINED FROM YOUR LOCAL PUBLIC HEALTH UNIT OR THE STATE DEPARTMENT OF ENVIRONMENTAL QUALITY.</p> <p>If "Yes," when (exact or approximate date/s)? _____</p> <p>If "Yes," attach a copy of the test results reasonably available to or in the seller's possession, and evidence of mitigation to the buyer before executing an agreement to sell or transfer the property.</p> <p>Signatures directly below acknowledge that 1) the seller disclosed to the buyer in writing any knowledge the seller has of radon concentrations on the property, and 2) the buyer received this written disclosure.</p> <p>Signature of seller _____ Signature of buyer _____</p> <p>See NDCC 47-10-02.2 for details.</p>			
5	Are there or have there been any rodent, animal, or insect infestations?		<input checked="" type="checkbox"/>	
	If "Yes," explain:			
6	Are there or have there been pets on the property?		<input checked="" type="checkbox"/>	
	If "Yes," explain:			
7	Are there drainage or flood issues?		<input checked="" type="checkbox"/>	
	If "Yes," explain:			

Initials of seller _____

Initials of buyer _____

D. Environmental Conditions, <i>continued</i>		UNK=unknown		
		YES	NO	UNK
8	Has there been flooding on the property?		<input checked="" type="checkbox"/>	
	If "Yes," explain:			
9	Is the property in a flood zone?		<input checked="" type="checkbox"/>	
	If "Yes," explain:			
10	Are you aware of any manufacture, storage, or use of methamphetamines on the property?		<input checked="" type="checkbox"/>	
	If "Yes," explain:			
11	Is there visible evidence, or are you aware of mold growth in basement, closets, bathrooms, or any other areas of the property?		<input checked="" type="checkbox"/>	
	If "Yes," explain:			

E. Land Use		UNK=unknown		
		YES	NO	UNK
1	Is the property subject to any deed restrictions, covenants, or reservations?		<input checked="" type="checkbox"/>	
	If "Yes," explain:			
2	Is the property subject to any easements, shared driveways, party walls, or encroachments from or on adjacent property?		<input checked="" type="checkbox"/>	
	If "Yes," explain:			
3	Are there any existing leases?		<input checked="" type="checkbox"/>	
	If "Yes," explain:			
4	Is there a homeowners' association that has authority over the property?		<input checked="" type="checkbox"/>	
	If "Yes," explain:			

Initials of seller _____

Initials of buyer _____

This form continues on the next 2 pages.

Initials of seller_____

Initials of buyer_____

F. Systems and Appliances

Mark "Yes" if listed item is in working order, "No" if it does not work, and "NA" if not applicable. * Use the space at the end of the list to provide explanations for any items that do not work, and to provide any other comments.

		In working order:					In working order:		
		YES	NO*	NA			YES	NO*	NA
1	Air conditioner			✓	26	Landscape lighting			✓
2	Air exchanger			✓	27	Lawn sprinkler system			✓
3	Attic fan			✓	28	Microwave oven			✓
4	Bathroom vent fans			✓	29	Oven	✓		
5	Built-in vacuum system			✓	30	Plumbing systems		✓	
6	Carbon monoxide detectors			✓	31	Plumbing fixtures & mechanisms		✓	
7	Ceiling fans	✓			32	Pool		✓	✓
8	Clothes washer	✓			33	Range	✓		
9	Clothes dryer	✓			34	Range exhaust hood	✓		
10	Central heating system				35	Refrigerator	✓		
11	Dehumidifier			N/A	36	Satellite dish			✓
12	Dishwasher			N/A	37	Sauna			✓
13	Doorbell	✓			38	Security system			✓
14	Drain tile system			N/A	39	Septic tank			✓
15	Electrical systems	✓			40	Smoke detectors	✓		
16	Fireplace			N/A	41	Steam room/shower			✓
17	Freezer			N/A	42	Sump pump			✓
18	Gas grill			N/A	43	Television cable			✓
19	Garbage disposal			N/A	44	Trash compactor			✓
20	Garage door opener			N/A	45	Washer & dryer hookups	✓		
21	Heating stove			N/A	46	Water heater	✓		
22	Hot tub			N/A	47	Water treatment systems	✓		
23	Humidifier			N/A	48	Window air conditioners			✓
24	Internet cable			N/A	49	Window treatments			✓
25	In-wall speakers			N/A	50	Other			✓

* Use the space below to explain or comment on items on the list directly above. Identify listed items by number as well as by item name.

Initials of seller _____

Initials of buyer _____

ADDITIONAL DISCLOSURES:

This space is provided for any additional disclosures not included above and for further explanation. Attach additional pages and documents as necessary.

As the seller you are required to disclose all material facts of which you are aware that could adversely and significantly affect an ordinary buyer's use and enjoyment of the property or any intended use of the property you are aware.

This written disclosure must include latent defects, general condition, environmental issues, structural systems, and mechanical issues regarding the property. ***You must make the written disclosure in good faith and based upon the best of your knowledge at the time of the disclosure.***

ACKNOWLEDGEMENTS:

The Seller acknowledges that this disclosure was made in good faith and based upon the best of the Seller's knowledge at the date listed below.

Seller <i>Nathaniel F. Leek Co. Trustee</i>	Date <i>8-14-25</i>
Seller	Date

The Buyer/Prospective Buyer acknowledges receipt of this Property Condition Statement. The Buyer acknowledges that Buyer has been advised to verify the information listed in this statement independently. THE BUYER ACKNOWLEDGES AND UNDERSTANDS THAT THIS DOCUMENT IS NOT INTENDED TO BE A WARRANTY OF ANY KIND OR A SUBSTITUTE FOR ANY INSPECTION OF THE PROPERTY THE BUYER MAY WISH TO OBTAIN.

Buyer	Date
Buyer	Date

Brokerage firm(s) that represent(s) or assist(s) a party/parties to the transaction shall retain a copy of the written disclosure completed and signed by the seller and signed by the prospective buyer.

Initials of seller _____

Initials of buyer _____

WELL DISCLOSURE STATEMENT

For use in North Dakota only

This form approved by the Fargo-Moorhead Association of REALTORS® which disclaims any liability arising out of the use or misuse of this form.

1 Date: 8-14-25

Page 1 of _____

2 Address 205 First Ave E

3 City Arnegard County Mckenzie State ND Legally described as _____

4 _____

5 Location Map ☐ is ☒ is not attached.

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

8 THE FOLLOWING WELLS ARE LOCATED ON THE ABOVE DESCRIBED REAL PROPERTY:

	Well No. (If Applicable)	Well Depth	Year of Const.	Well Type	IN USE	NOT IN USE	SEALED	DATE LAST TESTED
11	Well 1	<u>?</u>	<u>?</u>	<u>?</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<u>?</u>
12	Well 2	_____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____
13	Well 3	_____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____

14 Are you in possession of test results? ☐ Yes (attached) ☒ No

15 Is there a well on the property containing contaminated water? ☐ Yes ☐ No N/A

16 OTHER WELL INFORMATION:

17 Comments:

18

19

20

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

22 When was the well sealed? N/A

23 Who sealed the well? N/A

24 WELL TYPE: Use one of the following terms to describe the well type.

- 25 • WATER WELL: A water well is any type of well used to extract groundwater for private or public use. Examples
26 of water wells are: domestic wells, drive-point wells, dug wells, remedial wells and municipal wells.
- 27 • IRRIGATION WELL: An irrigation well is a well used to irrigate agricultural lands. These are typically large-
28 diameter wells connected to a large pressure distribution system.
- 29 • MONITORING WELL: A monitoring well is a well used to monitor groundwater contamination. The well is
30 typically used to access groundwater for the extraction of samples.
- 31 • DEWATERING WELL: A dewatering well is a well used to lower groundwater levels to allow for construction or
32 use of underground spaces.
- 33 • INDUSTRIAL/COMMERCIAL WELL: An industrial/commercial well is a nonpotable well used to extract
34 groundwater for any nonpotable use, including groundwater thermal exchange wells (heat pumps and heat loops).

35 INITIAL(S): SELLER MP DATE 8-14-25 BUYER _____ DATE _____

SELLER _____ DATE _____ BUYER _____ DATE _____

36 ADDRESS: _____ Page 2

37 WELL USE STATUS: Indicate the use status of each well.


- 38 • IN USE: A well is "in use" if the well is operated on a daily, regular or seasonal basis. A well in use includes a well
39 that operates for the purpose of irrigation, fire protection or emergency pumping.
- 40 • NOT IN USE: A well is "not in use" if the well does not meet the definition of "in use" above and has not been
41 sealed by a licensed well contractor.
- 42 • SEALED: A well is "sealed" if a licensed contractor has completely filled a well by pumping grout material
43 throughout the entire bore hole after removal of any obstructions from the well. A well is "capped" if it has a metal
44 or plastic cap or cover which is threaded, bolted or welded into the top of the well to prevent entry into the well. A
45 "capped" well is not a "sealed" well.
- 46 If the well has been sealed by someone other than a licensed well contractor or a licensed well sealing contractor,
47 check the well status as "not in use."

48 If you have questions please contact the North Dakota Department of Health at 701-328-4619.

49 Use Location Map form to show the location of well(s) and/or subsurface sewage treatment system on the real property.

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

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

56  8-14-25
57 Seller Signature _____ Date _____ Seller Signature _____ Date _____

*****THE FOLLOWING TO BE SIGNED AT TIME OF PURCHASE AGREEMENT*****

58 **BUYER'S ACKNOWLEDGEMENT OF RECEIPT:**

59 Buyer/Prospective Buyer acknowledges receipt of this Seller's Disclosure. Buyer acknowledges that real estate licensees representing
60 the sale of this property have not made statements concerning the condition of the property other than those listed in this Seller's
61 Disclosure. Buyer acknowledges that Buyer has been advised to verify the information listed in this statement independently. Buyer
62 acknowledges and understands that this document is not intended to be a warranty of any kind or a substitute for any
63 inspection of the property Buyer may wish to obtain.

64 _____
65 Buyer Signature _____ Date _____ Buyer Signature _____ Date _____

66 **SELLER'S STATEMENT OF CHANGES SINCE DATE DISCLOSURE WAS ORIGINALLY COMPLETED:** the date
67 below, Seller of the property hereby states that the material facts stated above are the same, except for the changes as indicated
68 below: (If no changes have occurred, please note "NONE" in space provided.)
69
70

71 _____
72 Seller Signature _____ Date _____ Seller Signature _____ Date _____

73 **BUYER'S ACKNOWLEDGEMENT OF CHANGES: (TO BE SIGNED AFTER SELLER'S STATEMENT)**

74 *Note: Buyer's signature only needed if changes were noted in Seller's Statement above.*

75 _____
76 Buyer Signature _____ Date _____ Buyer Signature _____ Date _____

DISCLOSURE OF INFORMATION ON LEAD-BASED PAINT AND/OR LEAD-BASED PAINT HAZARDS

This form approved by the Fargo-Moorhead Association of REALTORS® which disclaims any liability arising out of the use or misuse of this form.

Date: _____ Page _____ of _____

Addendum to Purchase Agreement dated _____, 20_____, pertaining to the purchase and sale of the property at _____.

Lead Warning Statement

Every purchaser of any interest in residential real property on which a residential dwelling was built prior to 1978 is notified that such property may present exposure to lead from lead-based paint that may place young children at risk of developing lead poisoning. Lead poisoning in young children may produce permanent neurological damage, including learning disabilities, reduced intelligence quotient, behavioral problems, and impaired memory. Lead poisoning also poses a particular risk to pregnant women. The seller of any interest in residential real property is required to provide the buyer with any information on lead-based paint hazards from risk assessments or inspections in the seller's possession and notify the buyer of any known lead-based paint hazards. A risk assessment or inspection for possible lead-based paint hazards is recommended prior to purchase.

Seller's Disclosure

(a) Presence of lead-based paint and/or lead-based paint hazards (check one):

☐ Known lead-based paint and/or lead-based paint hazards are present in the housing (explain). _____

☐ Seller has no knowledge of lead-based paint and/or lead-based paint hazards in the housing.

(b) Records and reports available to the seller (check one):

☐ Seller has provided the purchaser with all available records and reports pertaining to lead-based paint and/or lead-based paint hazards in the housing (list documents below). _____

☒ Seller has no reports or records pertaining to lead-based paint and/or lead-based paint hazards in the housing.

Purchaser's Acknowledgment (initial)

(c) _____ Purchaser has received copies of all information listed above.

(d) _____ Purchaser has received the pamphlet *Protect Your Family from Lead in Your Home*.

(e) Purchaser has (check one):

☐ received a 10-day opportunity (or mutually agreed upon period) to conduct a risk assessment or inspection for the presence of lead-based paint and/or lead-based paint hazards; or

☐ waived the opportunity to conduct a risk assessment or inspection for the presence of lead-based paint and/or lead-based paint hazards.

Agent's Acknowledgment (initial)

(f) _____ Agent has informed the seller of the seller's obligations under 42 U.S.C. 4852(d) and is aware of his/her responsibility to ensure compliance.

Certification of Accuracy

The following parties have reviewed the information above and certify, to the best of their knowledge, that the information they have provided is true and accurate.

Seller Signature _____ Date _____ Buyer Signature _____ Date _____

Seller Signature _____ Date _____ Buyer Signature _____ Date _____

Agent _____ Date _____ Agent _____ Date _____