

**SELLER REFUSAL/STATEMENT REGARDING CONDITION OR DISCLOSURE REPORT**

1 Seller's/Owner's Name(s): THE HOWARDS GROVE SCHOOL DISTRICT  
2 Entity Name (if any): \_\_\_\_\_  
3 Name & Title of Authorized Representative for Seller Entity: \_\_\_\_\_  
4 Property Address: 506 Kennedy Avenue, Howards Grove, WI 53083

5 Listing Agent and Listing Firm: Matt Kapellen Pleasant View Realty

6 Wis. Admin. Code § REEB 24.07(1) requires Listing Agent to make inquiries of Seller regarding the condition of  
7 the Property and request that Seller provide a written response to the inquiry. Wis. Stat. § 709.02 indicates that a  
8 property owner shall provide a Real Estate Condition Report (RECR) when the property includes 1-4 dwelling  
9 units and a Vacant Land Disclosure Report (VLDR) when the property does not include any buildings.

10 Listing Agent provided Seller with the following condition/disclosure report(s) and asked Seller to complete  
11 it/them: (~~Real Estate Condition Report~~) (~~Vacant Land Disclosure Report~~) (~~Seller Disclosure Report – Commercial~~)  
12 (Other: \_\_\_\_\_) **STRIKE AND COMPLETE AS APPLICABLE**

13 **CHECK LINE 14 OR LINE 20, AS APPLICABLE:**

14  **SELLER REFUSAL TO COMPLETE**

15 Seller hereby acknowledges that Seller has refused to provide Listing Agent with a completed RECR, VLDR or  
16 other seller's disclosure report for the Property. Seller understands this refusal may be disclosed to potential  
17 purchasers and has been advised that Seller's refusal to provide this report does not release Seller from any  
18 disclosure obligations under the Wisconsin Statutes or common law. Seller should consult with legal counsel  
19 regarding Seller's disclosure obligations in an "as-is" sale.

20  **SELLER NOT REQUIRED TO COMPLETE REPORT**

21 Seller hereby asserts that Seller is not required to complete a condition or disclosure report for the Property  
22 because **CHECK BELOW AS APPLICABLE:**

- 23  Seller is a personal representative of an estate and has never occupied the Property.
- 24  Seller is a trustee and has never occupied the Property.
- 25  Seller is a conservator and has never occupied the Property.
- 26  Seller is a fiduciary appointed by or subject to supervision by a court and has never occupied the Property.
- 27  The Property includes 1 to 4 dwelling units but has not been inhabited.
- 28  The transfer is exempt from the real estate transfer fee under Wis. Stat. § 77.25.

29 Wisconsin real estate licensees have a legal duty to disclose material adverse facts and information suggesting  
30 the possibility of material adverse facts to all parties. Listing Agent shall accordingly disclose any condition Listing  
31 Agent becomes aware of to prospective purchasers.

32 This form was delivered to Seller by Matt Kapellen on \_\_\_\_\_  
33 Agent for Firm Print Name ▲ Date ▲

34 Seller's/Owner's Signature: Shannon L. Keltner Date: 6/18/24  
 35 Seller's/Owner's Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
 36 Seller's/Owner's Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
 37 Seller's/Owner's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

38 This form was delivered to Buyer by \_\_\_\_\_ on \_\_\_\_\_  
39 Agent for Firm Print Name ▲ Date ▲

40 Acknowledgment of Receipt by Buyers: \_\_\_\_\_  
41 Initials ▲ Date ▲

42 Buyer's acknowledgment of receipt of this form does not constitute waiver of any right that Buyer may have based  
43 on not receiving a completed condition or disclosure report from Seller.

**SELLER DISCLOSURE REPORT - COMMERCIAL**

THIS DISCLOSURE REPORT CONCERNS THE REAL PROPERTY LOCATED AT 506 Kennedy Avenue IN THE  
Village (CITY) (VILLAGE) (TOWN) OF Howards Grove, COUNTY OF  
Sheboygan STATE OF WISCONSIN. THIS REPORT IS A DISCLOSURE OF THE CONDITION OF THAT  
PROPERTY AS OF June (MONTH) 18 (DAY) 2024 (YEAR).

When listing a property Wis. Admin. Code § REEB 24.07(1)(b) requires licensees to inspect the property and to “make inquiries of the seller on the condition of the structure, mechanical systems and other relevant aspects of the property. The licensee shall request that the seller provide a written response to the licensee’s inquiry.” This Seller Disclosure Report is a tool designed to help the licensee fulfill this license law duty.

This is not a warranty of any kind by the owner or any agents representing any party in this transaction and is not a substitute for any inspections, testing or warranties that the parties may wish to obtain. This is not a disclosure report required by Wis. Stat. Ch. 709 and the owner is voluntarily providing this information.

**NOTICE TO PARTIES REGARDING ADVICE OR INSPECTIONS**

Real estate licensees may not provide advice or opinions concerning whether or not an item is a defect for the purposes of this report or concerning the legal rights or obligations of parties to a transaction. The parties may wish to obtain professional advice or inspections of the property and to include appropriate provisions in a contract between them with respect to any advice, inspections, defects, or warranties.

**A. OWNER’S INFORMATION**

- A1. In this form, “aware” means the “owner(s)” have notice or knowledge.
- A2. In this form, “defect” means a condition that would have a significant adverse effect on the value of the property; that would significantly impair the health or safety of future occupants of the property; or that if not repaired, removed, or replaced would significantly shorten or adversely affect the expected normal life of the premises.
- A3. In this form, “owner” means the person or persons, entity, or organization that owns the above-described real property.
- A4. The owner represents that to the best of the owner’s knowledge, the responses to the following questions have been accurately checked as “yes,” “no,” or “not applicable (N/A)” to the property being sold. If the owner responds to any question with “yes,” the owner shall provide an explanation of the reason why the response to the question is “yes” in the area provided following each group of questions.
- A5. The owner discloses the following information with the knowledge that, even though this is not a warranty, prospective buyers may rely on this information in deciding whether and on what terms to purchase the property. The owner hereby authorizes the owner’s agents and the agents of any prospective buyer to provide a copy of this report, and to disclose any information in the report, to any person in connection with any actual or anticipated sale of the property.

**B. STRUCTURAL AND MECHANICAL**

	YES	NO	N/A
B1. Are you aware of defects in the roof?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
B2. Are you aware of defects in the electrical system, including defects in solar panels and systems?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
B3. Are you aware of defects in part of the plumbing system?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
B4. Are you aware of defects in the heating and air conditioning system (including the air filters and humidifiers), fire safety, security or lighting?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
B5. Are you aware of defects in the basement or foundation (including cracks, seepage, and bulges)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
B6. Are you aware of defects in any structure or structural components on the property (including walls)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
B7. Are you aware of defects in mechanical equipment included in the sale either as fixtures or personal property?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
B8. Are you aware of rented items located on the property or items affixed to or closely associated with the property?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
B9. Explanation of “yes” responses _____			

C. ENVIRONMENTAL

	YES	NO	N/A
C1. Are you aware of the presence of unsafe levels of mold?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
C2. Are you aware of a defect caused by unsafe concentrations of, or unsafe conditions relating to, radon, radium in water supplies, high voltage electric (100 KV or greater) or steel natural gas transmission lines located on but not directly serving the property, lead in paint, lead in soil, pesticides, or other potentially hazardous or toxic substances on the property?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
C3. Are you aware of the presence of asbestos or asbestos-containing materials on the property?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
C4. Are you aware of the presence of or a defect caused by unsafe concentrations of, unsafe conditions relating to, or the storage of hazardous or toxic substances on neighboring properties?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
C5. Are you aware of current or previous termite, powder post beetle, or carpenter ant infestations or defects caused by animal, reptile, or insect infestations, including infestations impacting trees?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
C6. Are you aware of water quality issues caused by unsafe concentrations of or unsafe conditions relating to lead?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
C7. Are you aware of the manufacture of methamphetamine or other hazardous or toxic substances on the property?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
C8. Are you aware of governmental investigation or private assessment/audit (of environmental matters) ever being conducted?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
C9. Explanation of "yes" responses _____			
_____			
_____			

D. STORAGE TANKS

	YES	NO	N/A
D1. Are you aware of underground or aboveground fuel storage tanks on or previously located on the property for storage of flammable or combustible liquids, including but not limited to gasoline and heating oil?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
D2. Are you aware of defects in the underground or aboveground fuel storage tanks on or previously located on the property?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
D3. Explanation of "yes" responses _____			
_____			
_____			

E. TAXES, SPECIAL ASSESSMENTS, PERMITS, ETC.

	YES	NO	N/A
E1. Have you received notice of property tax increases, other than normal annual increases, or are you aware of a pending property reassessment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
E2. Are you aware that remodeling was done that may increase the property's assessed value?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
E3. Are you aware of pending special assessments?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
E4. Are you aware that the property is located within a special purpose district, such as a drainage district, that has the authority to impose assessments against the real property located within the district?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
E5. Are you aware of any proposed construction of a public project that may affect the use of the property?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
E6. Are you aware of any remodeling, replacements, or repairs affecting the property's structure or mechanical systems that were done or additions to this property that were made during your period of ownership without the required permits?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
E7. Are you aware of any land division involving the property for which a required state or local permit was not obtained?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
E8. Explanation of "yes" responses _____			
_____			
_____			

F. LAND USE

	YES	NO	N/A
F1. Are you aware of any zoning code violations with respect to the property?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
F2. Are you aware of the property or any portion of the property being located in a floodplain, wetland, or shoreland zoning area, or of flooding, drainage problems, standing water or other water problems affecting the property?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
F3. Are you aware of nonconforming uses of the property or nonconforming structures on the property?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
F4. Are you aware of conservation easements on the property?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
F5. Are you aware of restrictive covenants or deed restrictions on the property?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
F6. Are you aware of nonowners having rights to use part of the property, including, but not limited to, rights-of-way and easements other than recorded utility easements?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

	YES	NO	N/A
F7. Are you aware of the property being subject to a mitigation plan required under administrative rules of the Wisconsin Department of Natural Resources related to county shoreland zoning ordinances?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
F8. <u>Use Value.</u>			
a. Are you aware of all or part of the property having been assessed as agricultural land under Wis. Stat. s. 70.32 (2r) (use value assessment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Are you aware of the property having been assessed a use-value assessment conversion charge relating to this property? (Wis. Stat. s. 74.485 (2))	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. Are you aware of the payment of a use-value assessment conversion charge having been deferred relating to this property? (Wis. Stat. s. 74.485 (4))	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
F9. Is all or part of the property subject to or in violation of a farmland preservation agreement?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
F10. Is all or part of the property subject to, enrolled in, or in violation of the Forest Crop Law, Managed Forest Law, the Conservation Reserve Program, or a comparable program?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
F11. Are you aware of a dam that is totally or partially located on the property or that an ownership in a dam that is not located on the property will be transferred with the property because it is owned collectively by members of a homeowners' association, lake district, or similar group? (If "yes," contact the Wisconsin Department of Natural Resources to find out if dam transfer requirements or agency orders apply.)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
F12. Are you aware of boundary or lot line disputes, encroachments, or encumbrances affecting the property?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
F12a. Are you aware of any private road agreements or shared driveway agreements relating to the property?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
F13. Are you aware there is not legal access to the property?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
F14. Are you aware of federal, state, or local regulations requiring repairs, alterations, or corrections of an existing condition? This may include items such as orders to correct building code violations.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
F15. Are you aware of a pier attached to the property that is not in compliance with state or local pier regulations? See <a href="http://dnr.wi.gov/topic/waterways">http://dnr.wi.gov/topic/waterways</a> for more information.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
F16. Are you aware of one or more burial sites or archeological artifacts on the property? (For information regarding the presence, preservation, and potential disturbance of burial sites, contact the Wisconsin Historical Society at 800-342-7834 or <a href="http://www.wihist.org/burial-information">www.wihist.org/burial-information</a> ).	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
F17. Explanation of "yes" responses _____			

**G. ADDITIONAL INFORMATION**

	YES	NO	N/A
G1. Are you aware of a structure on the property that is designated as a historic building or that all or any part of the property is in a historic district?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
G2. Are you aware of any agreements that bind subsequent owners of the property, such as a lease agreement or an extension of credit from an electric cooperative?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
G2a. Are you aware of any right of first refusal, recorded or not, on all or any portion of the property?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
G3. Are you aware of defects in a well on the property or in a well that serves the property, including unsafe well water?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
G4. Are you aware of a joint well serving the property including any defect related to a joint well serving the property?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
G5. Are you aware that a septic system or other private sanitary disposal system serves the property including defects in the septic system or other private sanitary disposal system on the property or any out-of-service septic system that serves the property and that is not closed or abandoned according to applicable regulations?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
G6. Are you aware of an "LP" tank on the property, including defects? (If "yes," specify in the additional information space whether the owner of the property either owns or leases the tank.)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
G7. Are you aware of material damage from fire, wind, floods, earthquake, expansive soils, erosion or landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
G8. Are you aware of nearby airports, freeways, railroads or landfills, or significant odor, noise, water intrusion or other irritants emanating from neighboring property?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
G9. Are you aware of any shared usages such as shared fences, walls, driveways, or signage, or any defect relating to the shared use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
G10. Are you aware of leased parking?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
G10a. Does the property currently have internet service? If so, who is your provider? _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
G10b. Does the property have an electric vehicle charging system and station or installed wiring for a future system or station? Is the system or station affixed to the property?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
G10c. Does the property have accessibility features? See <a href="https://www.ada.gov/resources/title-iii-primer/">https://www.ada.gov/resources/title-iii-primer/</a> .	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
G11. Are you aware of other defects affecting the property?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
G12. The owner has owned the property for _____ years.			

G13. Explanation of "yes" responses \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Note: Any sales contract provision requiring inspection of a residential dumbwaiter or elevator must be performed by a state-licensed elevator inspector.

**OWNER'S CERTIFICATION**

The owner certifies that the information in this report is true and correct to the best of the owner's knowledge as of the date on which the owner signs this report.

Entity Name (if any): \_\_\_\_\_

Name & Title of Authorized Representative Signing for Entity: \_\_\_\_\_

Authorized Signature for Entity: \_\_\_\_\_ Date \_\_\_\_\_

Owner \_\_\_\_\_ Date \_\_\_\_\_

Owner \_\_\_\_\_ Date \_\_\_\_\_

Owner \_\_\_\_\_ Date \_\_\_\_\_

Owner \_\_\_\_\_ Date \_\_\_\_\_

Owner \_\_\_\_\_ Date \_\_\_\_\_

**CERTIFICATION BY PERSON SUPPLYING INFORMATION**

A person other than the owner certifies that the person supplied information on which the owner relied for this report and that the information is true and correct to the best of the person's knowledge as of the date on which the person signs this report.

Person \_\_\_\_\_ Items \_\_\_\_\_ Date \_\_\_\_\_

Person \_\_\_\_\_ Items \_\_\_\_\_ Date \_\_\_\_\_

**BUYER'S ACKNOWLEDGEMENT**

The prospective buyer acknowledges that technical knowledge such as that acquired by professional inspectors may be required to detect certain defects such as the presence of asbestos, building code violations, and floodplain status.

I acknowledge receipt of a copy of this statement.

Entity Name (if any): \_\_\_\_\_

Name & Title of Authorized Representative Signing for Entity: \_\_\_\_\_

Authorized Signature for Entity: \_\_\_\_\_ Date \_\_\_\_\_

Prospective buyer \_\_\_\_\_ Date \_\_\_\_\_

Prospective buyer \_\_\_\_\_ Date \_\_\_\_\_

Prospective buyer \_\_\_\_\_ Date \_\_\_\_\_

Prospective buyer \_\_\_\_\_ Date \_\_\_\_\_

Prospective buyer \_\_\_\_\_ Date \_\_\_\_\_