

**MONTANA ASSOCIATION OF REALTORS®  
PROPERTY DISCLOSURE STATEMENT (LAND)**



Date: 05/04/2022

Property: NHN Tract 1E River Road West, Plains, MT 59859

Seller(s): Tungsten Holdings, Inc

Seller Agent: Deborah Warren

Concerning adverse material facts, Montana law provides that a seller agent is obligated to:

- disclose to a buyer or the buyer agent any adverse material facts that concern the property and that are known to the seller agent, except that the seller agent is not required to inspect the property or verify any statements made by the seller; and
- disclose to a buyer or the buyer agent when the seller agent has no personal knowledge of the veracity of information regarding adverse material facts that concern the property.

The Seller Agent identified above is providing the attached Owner's Property Disclosure Statement (Land) that has been completed and signed by the Seller(s), if one has been made available to the Seller Agent by the Seller(s). Regardless of whether Seller(s) has/have provided Seller Agent with an Owner's Property Disclosure Statement (Land), **except as set forth below**, the Seller Agent has no personal knowledge:

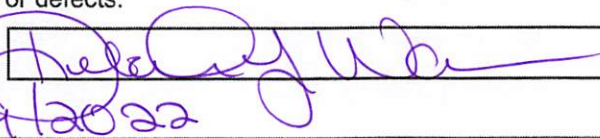
- (i) about adverse material facts that concern the Property or
- (ii) regarding the veracity (accuracy) of any information regarding adverse material facts that concern the Property

Yellowstone Pipeline Easement and pipeline crosses the property.

Access road to the property is a privately maintained road.

Very large Bonneville Power lines cross the property.

Information regarding adverse material facts that concern the Property and that are known to the Seller Agent, if any, is set forth above. However, the Seller Agent is not required to inspect the Property or verify any statements made by the Seller(s). Buyer(s) is/are therefore encouraged to obtain professional advice, inspections or both of the Property and to provide for appropriate provisions in a Buy-Sell Agreement between the Buyer(s) and Seller(s) with respect to any advice, inspections or defects.

Seller Agent Signature: 

Dated: 6/29/2022

Buyer and Buyer Agent acknowledge receipt of this Property Disclosure Statement (Land).

Buyer Agent:

Buyer Agent Signature:

Dated:

Buyer Signature:

Dated:

OWNER'S PROPERTY DISCLOSURE STATEMENT (LAND)  
MONTANA ASSOCIATION OF REALTORS® STANDARD FORM



Date: 05/04/2022

The undersigned Owner is the owner of certain real property located at NHN Tract 1E River Road West  
, in the City of Plains,  
County of Sanders, Montana, which real property is legally described as:  
Tract 1E of COS 3067 Malone Creek Subdivision. Located in Section 26, T21N, R28W, P.M.M.

(hereafter the "Property"). Owner executes this Disclosure Statement to disclose to prospective buyers all adverse material facts which concern the Property. Montana law defines an adverse material fact as a fact that should be recognized as being of enough significance as to affect a person's decision to enter into a contract to buy or sell real property and may be a fact that materially affects the value of the Property, that affects the structural integrity of the Property, or that presents a documented health risk to occupants of the Property.

OWNER'S DISCLOSURE

- ☐ Owner has never been to the Property.  
☒ Owner has not been to the Property since 2019 (date).

The Owner declares that the Owner has prepared this Disclosure Statement and any attachments thereto based on any adverse material facts known to the Owner. Owner hereby authorizes providing a copy of this Statement to any person or entity in connection with any actual or anticipated sale of the Property. Owner further agrees to indemnify and hold any and all real estate agents involved, directly or indirectly, in the purchase and sale of the Property, harmless from all claims for damages based upon the disclosures made in this Disclosure Statement along with the failure of the Owner to disclose any adverse material facts known to the Owner.

This information is a disclosure by the Owner of known adverse material facts concerning the Property as of the above date. It is not a warranty or representation of any kind by the Owner and it is not a contract between Owner and buyer. This disclosure statement is not a substitute for any inspections the buyer may wish to obtain.

Please describe any adverse material facts concerning the items listed, or other components, fixtures or matters. If space is inadequate, please use the attached Addendum to Owner's Property Disclosure Statement.

Easements (written or unwritten):

See attached easement documents: Vol 37, Pg 175; Vol 40, Pg 593; Vol 55, Pg 7; Vol 56, Pg 58; Vol 60, Pg 387; Vol 77, Pg 326; Vol 84, Pg 141; Vol 94, Pg 668; Vol 94, Pg 938; Vol 101, Pg 648; Micro No. 9753; Rec No 212413; Vol 101, Pg 648; Vol 101, Pg 649

Boundaries or property lines:

Encroachments or similar matters that may affect your interest in the subject Property including but not limited to buildings, fences, etc.:

Access to the Property:

Buyer's Initials

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Owner's Property Disclosure Statement (Land), April 2021  
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Owner's Initials

50 Settling, slippage, sliding or other soil problems:  
51 \_\_\_\_\_  
52 \_\_\_\_\_  
53 \_\_\_\_\_  
54 Flooding, drainage or grading problems:  
55 \_\_\_\_\_  
56 \_\_\_\_\_  
57 \_\_\_\_\_  
58 Location of the Property in a flood plain, shoreline master plan, wetland or other environmentally sensitive area or work  
59 conducted by Seller in or around any natural bodies of water:  
60 A portion of the property is in the located in the Floodplain.  
61 \_\_\_\_\_  
62 \_\_\_\_\_  
63 a. Water rights and private wells:  
64 \_\_\_\_\_  
65 \_\_\_\_\_  
66 \_\_\_\_\_  
67 b. Public or Community water systems:  
68 \_\_\_\_\_  
69 \_\_\_\_\_  
70 \_\_\_\_\_  
71 Restrictive Covenants and Deed restrictions:  
72 \_\_\_\_\_  
73 \_\_\_\_\_  
74 \_\_\_\_\_  
75 Septic system approval or existing septic system:  
76 See attached Septic Permit and As-built  
77 \_\_\_\_\_  
78 \_\_\_\_\_  
79 Major damage to the Property from fire, earthquakes, floods, slides, etc.:  
80 \_\_\_\_\_  
81 \_\_\_\_\_  
82 \_\_\_\_\_  
83 Zoning or Historic District violations, non-conforming uses:  
84 \_\_\_\_\_  
85 \_\_\_\_\_  
86 \_\_\_\_\_  
87 Neighborhood noise problems or other nuisances:  
88 \_\_\_\_\_  
89 \_\_\_\_\_  
90 \_\_\_\_\_  
91 Property Owner's association obligations (dues, lawsuits, transfer fees, initiation fees, etc.):  
92 \_\_\_\_\_  
93 \_\_\_\_\_  
94 \_\_\_\_\_  
95 Notice of abatement or citations against the Property:  
96 \_\_\_\_\_  
97 \_\_\_\_\_  
98 \_\_\_\_\_  
99 Lawsuits or legal proceedings (including foreclosures and bankruptcies) affecting or threatening the Property:  
100 \_\_\_\_\_  
101 \_\_\_\_\_  
102 \_\_\_\_\_  
103 Waste dump or disposal or landfill or gravel pit or commercial use in the vicinity of the Property, existing or proposed,  
104 which may cause smoke, smell, noise or other nuisance, annoyance or pollution:  
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Street or utility improvement planned that may affect or be assessed against the Property:

Zoning or land use change planned or being considered by the city or county:

Proposed increase in tax assessment value or property owner's association dues for the Property:

Underground storage tanks or class II injection wells:

Property leases including post-closing short-term rental obligations, crop share agreements, mineral leases or reservations:

Conservation Easements (existing or proposed):

Landfill (compacted or otherwise) on the Property or any portion thereof:

Environmental issues affecting the Property:

Pests, rodents:

Noxious Weeds:

Airport affected area:

Other matters as set forth below.

Easements Cont: Vol 102, Pg 74; Vol 102, Pg 787; Vol 104, Pg 492; Vol 104, Pg 493; Vol 104, Pg 501; Micro No. 18531; Rec No 223343; Micro No 69701, Rec No. 284418.

Buyer's Initials

Owner's Initials

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Owner certifies that the information herein is true, correct and complete to the best of the Owner's knowledge and belief as of the date signed by Owner.

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Owner's Signature	Date

Owner's Signature	Date

  
Buyer's Initials

**BUYER'S ACKNOWLEDGEMENT**

Subject Property Address: NHN Tract 1E River Road West, Plains, MT 59859

Buyer(s) understand that the foregoing disclosure statement sets forth any adverse material facts concerning the Property that are known to the Owner. **The disclosure statement does not provide any representations or warranties concerning the Property, nor does the fact this disclosure statement fails to note an adverse material fact concerning a particular feature, fixture or element imply that the same is free of defects.**

Buyer(s) is/are encouraged to obtain professional advice, inspections or both of the Property and to provide for appropriate provisions in a contract between buyer(s) and owner(s) with respect to any advice, inspections or defects. **Buyer(s) are not relying upon this property disclosure statement for buyer(s)' determination of the overall condition of the Property in lieu of other inspections, reports or advice.**

I/WE ACKNOWLEDGE RECEIPT OF A COPY OF THIS STATEMENT.

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Buyer's Signature Date

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Buyer's Signature Date

**NOTE:** Unless otherwise expressly stated the term "Days" means calendar days and not business days. Business days are defined as all days except Sundays and holidays. Any performance which is required to be completed on a Saturday, Sunday or holiday can be performed on the next business day.