

# 122 W. 7th Street Burke, SD 49,900



**HOME TYPE:** Residential single family

**LIVING AREA:** 1356 sq ft

**LOT SIZE:** L-shaped, 8800 sq ft

**YEAR BUILT:** 1947, original home has been added on

**SIDING:** Stucco and Wood

**BASEMENT:** Unfinished, part size (9' X 15')

**GARAGE:** Attached (14' X 22')

**ROOF:** Asphalt, new roof and gutters

**PORCH:** Screened front porch

**INTERIOR:** Clean carpet thru most of the home, large kitchen with side island

**EXTERIOR:** Chain linked fenced yard, underground storm shelter

**# OF BEDROOMS:** 3 bedrooms

**# OF BATHS:** 2 (1 full and 3/4)

**PERSONAL PROPERTY:** Refrigerator, range (electric), dishwasher, washer, dryer

**HEATING:** Cove heat in kitchen and bathrooms, electric heat in bedrooms, propane forced air furnace with dehumidifier

**COOLING:** Window air conditioner

**WATER HEATER:** Electric

**SYSTEMS:** 220

**TAXES:** \$976.13



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605-842-3212



# SELLER'S PROPERTY CONDITION DISCLOSURE STATEMENT

RESIDENTIAL – SDCL 43-4-44

Seller(s) Dale Roggow

Property Address 122 W 7th St, Burke, SD 57523

This Disclosure Statement concerns the real property identified above and offered for sale. This disclosure is required by law to be completed by sellers of real property and given to potential buyers. This form can have important legal consequences. If you do not understand this form, you should seek advice from a competent source.

Seller states that the information contained in this disclosure fully reflects the Seller's knowledge of the matters disclosed as of the date affixed to the form. If any material fact changes prior to closing, the seller MUST disclose that change in a written amendment to this disclosure statement and give the same to the buyer.

This statement is a DISCLOSURE OF THE CONDITION OF THE ABOVE-DESCRIBED PROPERTY in compliance with South Dakota law § 43-4-38. It is NOT A WARRANTY of ANY KIND by the Seller or anyone representing any party in a transaction. It is NOT A SUBSTITUTE FOR ANY INSPECTIONS OR WARRANTIES either party may wish to obtain.

Seller hereby authorizes any agent representing any party in this transaction to provide a copy of this statement to any person or entity in connection with any actual or anticipated sale of the property.

If the answer to any of the following requires more space for explanation, please fully explain in comments or on an attached separate sheet.

## I. LOT OR TITLE INFORMATION

1. When did you purchase or build the home? March 30 / 2017  
Month Year

	LOT OR TITLE INFORMATION	Yes	No	Do Not Know	N/A	Comments
2.	Are there any recorded liens or financial instruments against the property, other than a first mortgage?		✓			
3.	Are there any unrecorded liens or financial instruments against the property, other than a first mortgage; or have any materials or services been provided in the past one hundred twenty days that would create a lien against the property under chapter 44-9?		✓			
4.	Are there any easements which have been granted in connection with the property (other than normal utility easements for public water and sewer, gas and electric service, telephone service, cable television service, drainage, and sidewalks)?			✓		
5.	Are there any problems related to establishing the lot lines/boundaries?		✓			
6.	Do you have a location survey in your possession or a copy of the recorded plat?		✓			If yes, attach a copy.
7.	Are you aware of any encroachments or shared features, from or on adjoining property (i.e. fences, driveway, sheds, outbuildings, or other improvements)?	✓				
8.	Are you aware of any covenants or restrictions affecting the use of the property in accordance with local law?		✓			If yes, attach a copy.
9.	Are you aware of any current or pending litigation, foreclosure, zoning, building code or restrictive covenant violation notices, mechanic's liens, judgments, special assessments, zoning changes, or changes that could affect your property?		✓			
10.	Is the property currently occupied by the owner?		✓			
11.	Does the property currently receive the owner-occupied tax reduction pursuant to SDCL 10-13-39?		✓			

Seller DR / Seller \_\_\_\_\_

Buyer \_\_\_\_\_ / Buyer \_\_\_\_\_

LOT OR TITLE INFORMATION		Yes	No	Do Not Know	N/A	Comments
12.	Is the property currently part of a property tax freeze for any reason?		✓			
13.	Is the property leased?		✓			
14.	If leased, does the property use comply with applicable local ordinances?				✓	
15.	Does this property or any portion of this property receive rent?		✓			If yes, how much \$ _____ and how often _____
16.	Do you pay any mandatory fees or special assessments to a homeowners' or condominium association?		✓			If yes, what are the fees or assessments? \$ _____ per _____ (i.e. annually, semi-annually, monthly) Payable to whom: _____ For what purpose: _____
17.	Are you aware if the property has ever had water in either the front, rear, or side yard more than forty-eight hours?		✓			
18.	Is the property located in a flood plain?		✓			
19.	Are federally protected wetlands located upon any part of the property?		✓			
20.	Are you aware of any private transfer fee obligations, as defined pursuant to § 43-4-48, that would require a buyer or seller of the property to pay a fee or charge upon the transfer of the property, regardless of whether the fee or charge is a fixed amount or is determined as a percentage of the value of the property?		✓			If yes, what are the fees or charges? \$ _____ per _____ (i.e. annually, semi-annually, monthly)

Additional Comments

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## II. STRUCTURAL INFORMATION

STRUCTURAL INFORMATION		Yes	No	Do Not Know	N/A	Comments
1.	Are you aware of any water penetration in the walls, windows, doors, basement, or crawl space?	✓				Bedroom wall + repaired
2.	Have any water damage related repairs been made?	✓				
3.	Are there any unrepaired water-related damages that remain?		✓			
4.	Are you aware if drain tile is installed on the property?		✓			
5.	Are you aware of any interior cracked walls, ceilings or floors, or cracks or defects in exterior driveways, sidewalks, patios, or other hard surface areas?	✓				dull bathroom + Bedroom closets
6.	Type of roof covering: <u>Asphalt shingles</u>					
7.	Age of roof covering, if known: <u>June 2021</u>					New shingles
8.	Are you aware of any roof leakage, (past) or present?	✓				Replaced shingles
9.	Have any roof repairs been made, when and by whom?	✓				Replaced shingles June 2021
10.	Is there any existing unrepaired damage to the roof?		✓			
11.	Are you aware of insulation in ceiling/attic?		✓			
12.	Are you aware of insulation in walls?		✓			
13.	Are you aware of insulation in the floors?		✓			
14.	Are you aware of any pest infestation or damage, either past or present?		✓			
15.	Are you aware of the property having been treated or repaired for any pest infestation or damage?		✓			If yes, who treated it and when?
16.	Are you aware of any work upon the property which required a building, plumbing, electrical, or any other permit?		✓			

Seller DR / Seller \_\_\_\_\_

Buyer \_\_\_\_\_ / Buyer \_\_\_\_\_



STRUCTURAL INFORMATION		Yes	No	Do Not Know	N/A	Comments
17.	Was a permit obtained for work performed upon the property?			✓		
18.	Was the work approved by an inspector as required by local or state ordinance?			✓		
19.	Are you aware of any past or present damage to the property (i.e. fire, smoke, wind, floods, hail, or snow)?	✓				tornado August 2019
20.	Have any insurance claims been made for damage to the property?	✓				
21.	Was an insurance payment received for damage to the property?	✓				
22.	Has the damage to the property been repaired?	✓				
23.	Are there any unrepaired damages to the property from the insurance claim?	✓				
24.	Are you aware of any problems with sewer blockage or backup, past or present?		✓			
25.	Are you aware of any drainage, leakage, or runoff from any sewer, septic tank, storage tank, or drain on the property into any adjoining lake, stream, or waterway?		✓			

Additional Comments

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### III. SYSTEMS/UTILITIES INFORMATION

SYSTEMS/UTILITIES INFORMATION		Working	Not Working	None	Not Included	Comments
1.	Air conditioning System <i>Central air - Working</i>					Age of System, if known: <i>window air - Never used</i>
2.	Air Exchanger			✓		
3.	Air Purifier			✓		
4.	Attic Fan			✓		
5.	Bathroom Whirlpool and Controls			✓		
6.	Burglar Alarm & Security System			✓		
7.	Ceiling Fan			✓		
8.	Central Air - Electric	✓				
9.	Central Air - Water Cooled			✓		
10.	Cistern			✓		
11.	Dishwasher	?				<i>Never used</i>
12.	Disposal			✓		
13.	Doorbell		X			
14.	Fireplace			✓		
15.	Fireplace Insert			✓		
16.	Garage Door(s)	✓				
17.	Garage Door Opener(s)	✓				
18.	Garage Door Control(s)	✓				
19.	Garage Wiring	✓				
20.	Home Heating System(s) Type: <i>forced air/electric</i>	✓				Age of System, if known: <i>—</i>
21.	Hot Tub and Controls			✓		
22.	Humidifier	✓				
23.	In Floor Heat			✓		
24.	Intercom			✓		
25.	Light Fixtures	✓				
26.	Microwave			✓		
27.	Microwave Hood			✓		
28.	Plumbing and Fixtures	✓				
29.	Pool and Equipment			✓		
30.	Propane Tank - Select One: Leased <u>Owned</u>					
31.	Radon System	✓				

Seller DR / Seller \_\_\_\_\_

Buyer \_\_\_\_\_ / Buyer \_\_\_\_\_



SYSTEMS/UTILITIES INFORMATION		Working	Not Working	None	Not Included	Comments
32.	Sauna			✓		
33.	Septic/Leaching Field			✓		
34.	Sewer Systems/Drains	✓				
35.	Smart Home System			✓		Smart Home System includes:
36.	Smoke/Fire Alarm	✓				
37.	Solar House – Heating			✓		
38.	Sump Pump(s)			✓		
39.	Switches and Outlets	✓				
40.	Underground Sprinkler and Heads	?				Never used
41.	Vent Fan – Kitchen			✓		
42.	Vent Fan – Bathroom			✓		
43.	Water Heater, Select One: <u>Electric</u> Gas	✓				Age of System, if known:
44.	Water Purifier, Select One: Leased Owned			✓		
45.	Water Softener, Select One: Leased Owned			✓		
46.	Well and Pump			✓		
47.	Wood Burning Stove			✓		

Additional Comments

work bench in garage + chest freezer not included.  
 dish washer, window air, wall heater below window air and wall heater (lower one) in bathroom – never used

IV. HAZARDOUS CONDITIONS

Are you aware of any existing hazardous conditions of the property and are you aware of any tests having been performed? If the answer is yes to any of the questions below, please explain in additional comments or on an attached separate sheet.

HAZARDOUS CONDITIONS	Existing Conditions		Tests Performed		Comments
	Yes	No	Yes	No	
1. Methane Gas		✓			
2. Lead Paint		✓			
3. Radon Gas (House)	OR NOT	✓	✓		
4. Radon Gas (Well)		✓			
5. Radioactive Materials		✓			
6. Landfill, Mineshaft		✓			
7. Expansive Soil		✓			
8. Mold	OR NOT	✓		✓	Hall bedroom – sprayed for mold
9. Toxic Materials		✓			
10. Urea Formaldehyde Foam Insulations		✓			
11. Asbestos Insulation		✓			
12. Buried Fuel Tanks		✓			
13. Chemical Storage Tanks		✓			
14. Fire Retardant Treated Plywood		✓			
15. Production of Methamphetamines		✓			
16. Use of Methamphetamines		✓			

V. MISCELLANEOUS INFORMATION

MISCELLANEOUS INFORMATION		Yes	No	Do Not Know	NA	Comments
1.	Is the street or road located at the end of the driveway to the property public or private? Public <input checked="" type="checkbox"/> Private <input type="checkbox"/>					
2.	Is there a written road maintenance agreement? If yes, attach a copy of the maintenance agreement.		✓			
3.	Has the fireplace/wood stove/chimney flue been cleaned? If yes, please provide date of service.				✓	

Seller DN / Seller \_\_\_\_\_

Buyer \_\_\_\_\_ / Buyer \_\_\_\_\_







### Bill of Sale/Personal Property Agreement

This agreement is attached to an offer to purchase real property. Upon the successful completion of the attached contract dated \_\_\_\_\_ this contract will become legally binding.

For good and valuable consideration, we, the seller(s), agree to sell the following items of personal property left in "AS IS" condition and without warranty:

	Included			Included		
	Working	Not Working	Not included	Working	Not Working	Not included
Refrigerator	✓					
Wall Oven			✓			
Dishwasher		?				
Microwave			✓			
Range Hood			✓			
Range – Gas or <u>Electric</u>	✓					
Disposal			✓			
Washer	✓					
Dryer	✓					
Garage Door Opener # 1	✓					
Curtains/Drapes	✓					
Blinds/Shades	✓					
Water Softener Leased/Owned			✓			
<u>Heating System</u> Owned or Leased	✓					
<u>A/C System</u> Owned or Leased	✓					
Freezer						✓
Ceiling Fans #						✓
Propane Tank- <u>leased/owned</u>	✓					
Smoke/Fire alarms #	✓					
Sump Pump #						✓
Fireplace Insert						✓
Water Purifier leased/owned						✓
Wood Burning Stove						✓
Hot Tub						✓
Basketball Hoop & Backboard						✓
Pool & Equipment						✓
Solar Htg Panels						✓
Well Pump						✓

Comments: \_\_\_\_\_  
 \_\_\_\_\_

This agreement is subject to the Seller(s) and Buyer(s) closing the sale of Seller(s) Property located at:

\_\_\_\_\_

On or before \_\_\_\_\_

Seller: Dale Roggen Date: 12/17/21 Seller: \_\_\_\_\_ Date: \_\_\_\_\_

Buyer: \_\_\_\_\_ Date: \_\_\_\_\_ Buyer: \_\_\_\_\_ Date: \_\_\_\_\_



**Disclosure of Information on Lead-Based Paint and/or Lead-Based Paint Hazards**

**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 (i) or (ii) below):
- (i)  Known lead-based paint and/or lead-based paint hazards are present in the housing (explain).
- \_\_\_\_\_
- (ii)  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 (i) or (ii) below):
- (i)  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).
- \_\_\_\_\_
- (ii)  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 (i) or (ii) below):
- (i)  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
- (ii)  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. 4852d 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.

<u>Dale Ruggin</u>	<u>12/17/2021</u>	_____	_____
Seller	Date	Seller	Date
_____	_____	_____	_____
Purchaser	Date	Purchaser	Date
<u>Lin Shippy</u>	<u>12/17/2021</u>	_____	_____
Agent	Date	Agent	Date





# RADON ANALYSIS REPORT

1675 North Commerce Parkway, Weston, FL 33326 (954) 384-4446

TEST ID NUMBER: 1081577  
DATE RECEIVED: 02/06/2017  
REPORT DATE: 02/09/2017

RANDY SACHTJEN  
318 FRANKLIN ST  
BURKE, SD 57523

**TEST LOCATION**  
122 W 7TH ST  
GREGORY  
BURKE, SD 57523

This is a confidential report of the radon samples that were submitted to our laboratory for measurements of radon-222 levels. The results represent the amount of radon that was present in the air during the time of sampling. The radon is measured in our laboratory using the liquid scintillation method (EPA 402-R-92-004). This report will not be released to anyone without your permission except as required by individual state laws and guidelines.

## HERE ARE YOUR TEST RESULTS

VIAL #	ROOM TESTED	DATE OPENED	DATE CAPPED	DATE ANALYZED	RADON LEVEL
3250839	1ST FLOOR LIVING ROOM	Jan 30, 2017 8:30 AM	Feb 03, 2017 8:30 AM	Feb 08, 2017 10:39 PM	4.4 pCi/L
3290436	1ST FLOOR LIVING ROOM	Jan 30, 2017 8:30 AM	Feb 03, 2017 8:30 AM	Feb 08, 2017 10:50 PM	4.6 pCi/L

**AVERAGE RADON LEVEL (average result of two tests) : 4.5 pCi/L**

### THE EPA RECOMMENDS THAT YOU FIX YOUR HOME IF THE RADON LEVEL IS 4 PICOCURIES (PCi/L) OR HIGHER.

Please read the EPA Citizen's Guide to Radon at [www.epa.gov/radon/pubs/citguide.html](http://www.epa.gov/radon/pubs/citguide.html). Residents of New Jersey should read "Radon Testing and Mitigation: The Basics" at <http://njradon.org/download/mitbas.pdf>. Radon levels less than 4 pCi/L still pose a risk. You may want to take additional measurements because radon levels can vary with the seasons. You may also want to consider doing a long term test to determine the average radon concentrations over a longer period of time. If the radon level is 4.0 pCi/L or higher you should perform either a long-term test or a second short-term test. If the radon level is higher than 10 pCi/L you should perform a second short-term test immediately. **If you would like to learn how to lower your radon levels, or have other questions, please contact your state radon office at (800) 438-3367.**

#### LIMITATIONS OF DATA AND PRODUCT LIABILITY

PRO-LAB expressly disclaims any and all liability for any special, incidental, or consequential damages resulting directly or indirectly from the improper use of or improper interpretation of the radon product or its results. Any delays in receipt of the test sample by PRO-LAB shall be the sole responsibility of the purchaser and their legal remedy shall be limited to recourse with their chosen carrier. Additionally, PRO-LAB shall not be responsible for the improper placement of the test canister nor shall PRO-LAB be liable for results derived directly or indirectly from the improper placement of said test canister. PRO-LAB, its agents, its retailers, its distributors, and the manufacturers' sole liability are limited to the cost for the replacement of the test canister itself only.

Malissa Sears, RMS  
NEHA-NRPP CERT# 104126RT  
AARST ID#779

James E. McDonnell IV  
NEHA-NRPP ID# 103456RT  
AARST ID#558

PRO-LAB NEHA ID# 101461AL