



# UPSTATE COUNTRY REALTY

It's Better Upstate

## UPSTATE COUNTRY REALTY MULTIPLE DISCLOSURE FORM

PROPERTY: 1449 Southside Dr. Davenport NY

### I. UTILITY ELECTRIC SERVICE AVAILABILITY/SURCHARGE DISCLOSURE

This property

**DOES** have utility electric service available to it.

**DOES NOT** have utility electric service available to it.

This property

**IS** subject to an electric, gas, and/or water utility surcharge.

**IS NOT** subject to an electric, gas, and/or water utility surcharge.

This type of surcharge is \_\_\_\_\_

The purpose of this surcharge is \_\_\_\_\_

The amount of this surcharge is \_\_\_\_\_

The surcharge is payable: Monthly Yearly or Other Basis \_\_\_\_\_

*This disclosure must be given to prospective purchasers or their agents prior to acceptance of a purchase offer. This disclosure is pursuant to Chapter 216 of the Laws of 1992. Effective 1/2/1994*

### II. AGRICULTURAL DISTRICT DISCLOSURE

This property

**IS OR MAY BE** located in an agricultural district.

**IS NOT** located, partially or wholly, in an agricultural district.

*It is the policy of this state and this community to conserve, protect, and encourage the development and improvement of agricultural land for the production of food and other products, and also for its natural and ecological value. This disclosure notice is to inform prospective residents that the property they are about to acquire lies partially or wholly within an agricultural district and that farming activities occur within the district. Such farming activities may include, but not limited to, activities that cause noise, dust and odors. Prospective residents are also informed that the location of property within an agricultural district may impact the ability to access water and/or sewer services for such property under certain circumstances. Prospective purchasers are urged to contact the New York State Department of Agriculture and Markets to obtain additional information or clarification regarding their rights and obligations under Article 25-AA of the Agricultural and Markets Law.*

### III. UNCAPPED NATURAL GAS WELL DISCLOSURE FORM & NOTICE

*As the seller of residential real property, you are required by law to disclose the existence of an UNCAPPED NATURAL GAS WELL on your property of which you have actual knowledge and to disclose such fact to any purchaser of your property prior to entering into a contract for the sale of such property.*

*Section 242(3) of the Real Property Law states as follows:*

*Any person, firm, company, partnership or corporation offering to sell real property on which uncapped natural gas wells are situated, and of which such person, firm, company, partnership or corporation has actual knowledge, shall inform any purchaser of the existence of these wells prior to entering into a contract for the sale/purchase of such property.*

**I HAVE NO** actual knowledge of any uncapped natural gas well(s) on the aforementioned property.

**I HAVE** actual knowledge of an uncapped natural gas well(s) on the aforementioned property.

### IV. SELLER'S OIL AND GAS LEASE DISCLOSURES

*Oil and/or Gas leases are a valid objection to title. Seller makes the following representations with knowledge that the Buyer, Buyer's attorney, title insurance company and real estate agents are relying on the truth and accuracy of Seller's representations. Liability for such representations shall survive the closing and shall not merge with any deed.*

Seller(s) initials below confirm the appropriate representation for each statement: Seller

**HAS NEVER** signed an Oil and/or Gas lease affecting this property.

**HAS** signed an Oil and/or Gas lease affecting this property.

Seller

**HAS NEVER** received any rent, bonus, payment, royalty, or other compensation for an Oil and/or Gas lease affecting this property.

**HAS** received any rent, bonus, payment, royalty, or other compensation for an Oil and/or Gas lease affecting this property.

Seller

**HAS NO** knowledge of an Oil and/or Gas lease (whether signed by Seller or predecessor in title) affecting this property.

**HAS** knowledge of an Oil and/or Gas lease (whether signed by Seller or predecessor in title) affecting this property.

**V. Disclosure Regarding Oil, Gas, Mineral and Timber Rights**

The owner of real property has a variety of rights that can convey with property when the property is sold to another. These rights include surface rights (the rights to build or plant crops upon the ground) and certain subsurface rights (the right to extract materials from below the ground). Among the various subsurface rights, are the rights to explore for, and remove oil, gas and various minerals such as coal, sand and gravel.

Surface and subsurface rights are often transferred together; however these rights can transfer separately. Despite the best intention of Sellers, property owners are often not aware of the extent of the oil, gas and mineral rights they may or may not own. Determining who owns the various rights to oil, gas and minerals can be complex and should only be done by an attorney and/or title company with expertise in this area. Purchasers of real property are strongly encouraged to have their rights to oil, gas and minerals examined before moving forward with a purchase and sale agreement.

**Oil, Gas, Mineral and Timber Rights to Property:**

- Seller owns all and has not leased any oil, gas, mineral and/or timber rights.
- Seller does not own the rights to oil, gas and/or minerals.
- Seller does not own the rights to timber.
- Some oil, gas, mineral and/or timber rights have been leased by the Seller or previous owner. Seller has attached copies of all written oil, gas, mineral and/or timber rights leases and other documents (e.g. leases, royalty agreements) within the Seller's possession to this disclosure.

**Seller Reservation of Oil, Gas, Mineral and Timber Rights: (Check all that apply)**

- Seller will not reserve any future rights to oil, gas, minerals and timber.
- Seller is reserving **all** rights to oil, gas, and/or mineral rights and will not convey these rights to the

Purchaser:

Explain: \_\_\_\_\_

\_\_\_\_\_ Seller is reserving **certain oil, gas, and mineral rights** and will convey these rights to the Purchaser as follows: \_\_\_\_\_

\_\_\_\_\_ Seller is reserving rights to **timber** as follows: \_\_\_\_\_

\_\_\_\_\_ Other: \_\_\_\_\_

**This is a Disclosure Only.**

**Any negotiations pertaining to transfer of oil, gas, mineral and/or timber rights will be set forth in an addendum to the Purchase and Sale of Real Estate.**

**VI. STATE OF NEW YORK AFFIDAVIT OF COMPLIANCE OF CARBON MONOXIDE DETECTOR INSTALLATION**

NY State law requires a Carbon Monoxide alarm be provided in all single, multiple family, condominium, and newly built dwellings offered for sale.

Placement:


- At least one per dwelling
- Place in the immediate vicinity of bedrooms on the lowest floor level
- Place in bedroom that has any fuel burning appliance or system in it
- At least one carbon monoxide alarm shall be provided on each floor level containing sleeping units.

Not required in any dwellings using no solid fuel appliances or systems including woodstoves, and no motor vehicle related occupancy is located in or attached to such dwelling.

I currently have a Carbon Monoxide Detector in place.

I will be installing a Carbon Monoxide Detector prior to Listing.

**I have received and read this disclosure notice. I authorize my agent to provide a copy of this disclosure notice to any prospective purchaser.**

Seller: 

Purchaser: \_\_\_\_\_

Date 4/16/24

Date \_\_\_\_\_

Seller: \_\_\_\_\_

Purchaser: \_\_\_\_\_

Date \_\_\_\_\_

Date \_\_\_\_\_