



## AGRICULTURAL DISTRICT DISCLOSURE FORM AND NOTICE

***As this is a legally binding contract, it is recommended you consult an Attorney before signing.***

Seller: James W. Ekberg, Kathleen C. Ekberg

Regarding property located at: 125 Mayhem Pond Drive

City: Gilboa State: NY ZIP: \_\_\_\_\_

Listing Firm: Canaan Realty

When any purchase and sale contract is presented for the sale, purchase, or exchange of real property located partially or wholly within an agricultural district established pursuant to the provisions of article 25-aa of the Agricultural and Markets law, the prospective Seller shall present to the prospective Buyer a disclosure notice which states the following:

***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 be 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 Agriculture and Markets Law.***

Such disclosure notice shall be signed by the prospective Seller and Buyer prior to the sale, purchase or exchange of such real property.

Receipt of such disclosure notice shall be recorded on a property transfer report form prescribed by the state board of real property services as provided for in section three hundred thirty-three of the real property law.

Initial the following:

JCE JWE The aforementioned property IS located in an agricultural district.

\_\_\_\_\_ The aforementioned property IS NOT located in an agricultural district.

Received and acknowledged:

|                     |      |   |      |
|---------------------|------|---|------|
| Buyer               | Date | <div>AuthentiSIGN</div> <div>James W Ekberg 08/12/2021</div> <div>8/12/2021 5:01:07 PM EDT</div>    | Date |
| Buyer               | Date | <div>AuthentiSIGN</div> <div>Kathleen C Ekberg 08/12/2021</div> <div>8/12/2021 5:00:32 PM EDT</div> | Date |
| Buyers Agent/Broker | Date | <div>Allen F. Olmsted 08/13/2021</div> <div>8/13/2021 4:29:34 PM EDT</div>                          | Date |

**Allen Olmsted**



## UNCAPPED NATURAL GAS WELL DISCLOSURE FORM AND NOTICE

for property commonly known as: ,, 125 Mayham Pond Drive, Gilboa

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.*

Initial the following:

JWE KCE 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.

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

Dated: 08/12/2021 Seller: James W Ekberg  
8/12/2021 5:01:18 PM EDT

Dated: 08/12/2021 Seller: Kathleen C Ekberg  
8/12/2021 5:05:36 PM EDT

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.

Property Address 125 Mayham Pond Drive, Gilboa

Seller James W. Ekberg Seller Kathleen C. Ekberg  
(Print/Type) (Print/Type)

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.

Purchaser has received and read this disclosure notice. 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.

Seller: James W Ekberg Date: 08/12/2021  
8/12/2021 5:01:31 PM EDT  
Seller: Kathleen C Ekberg Date: 08/12/2021  
8/12/2021 5:05:42 PM EDT  
Purchaser: Date:  
Purchaser: Date:



# Division of Licensing Services



New York State  
Department of State, Division of Licensing Services  
(518) 474-4429  
[www.dos.ny.gov](http://www.dos.ny.gov)

New York State  
Division of Consumer Rights  
(888) 392-3644

## New York State Housing and Anti-Discrimination Disclosure Form

Federal, State and local Fair Housing Laws provide comprehensive protections from discrimination in housing. It is unlawful for any property owner, landlord, property manager or other person who sells, rents or leases housing, to discriminate based on certain protected characteristics, which include, but are not limited to **race, creed, color, national origin, sexual orientation, gender identity or expression, military status, sex, age, disability, marital status, lawful source of income or familial status**. Real estate professionals must also comply with all Fair Housing Laws.

### Real estate brokers and real estate salespersons, and their employees and agents violate the Law if they:

- Discriminate based on any protected characteristic when negotiating a sale, rental or lease, including representing that a property is not available when it is available.
- Negotiate discriminatory terms of sale, rental or lease, such as stating a different price because of race, national origin or other protected characteristic.
- Discriminate based on any protected characteristic because it is the preference of a seller or landlord.
- Discriminate by "steering" which occurs when a real estate professional guides prospective buyers or renters towards or away from certain neighborhoods, locations or buildings, based on any protected characteristic.
- Discriminate by "blockbusting" which occurs when a real estate professional represents that a change has occurred or may occur in future in the composition of a block, neighborhood or area, with respect to any protected characteristics, and that the change will lead to undesirable consequences for that area, such as lower property values, increase in crime, or decline in the quality of schools.
- Discriminate by pressuring a client or employee to violate the Law.
- Express any discrimination because of any protected characteristic by any statement, publication, advertisement, application, inquiry or any Fair Housing Law record.

### YOU HAVE THE RIGHT TO FILE A COMPLAINT

If you believe you have been the victim of housing discrimination you should file a complaint with the New York State Division of Human Rights (DHR). Complaints may be filed by:

- Downloading a complaint form from the DHR website: [www.dhr.ny.gov](http://www.dhr.ny.gov);
- Stop by a DHR office in person, or contact one of the Division's offices, by telephone or by mail, to obtain a complaint form and/or other assistance in filing a complaint. A list of office locations is available online at: <https://dhr.ny.gov/contact-us>, and the Fair Housing HOTLINE at (844)-862-8703.

You may also file a complaint with the NYS Department of State, Division of Licensing Services. Complaints may be filed by:

- Downloading a complaint form from the Department of State's website  
[https://www.dos.ny.gov/licensing/complaint\\_links.html](https://www.dos.ny.gov/licensing/complaint_links.html)
- Stop by a Department's office in person, or contact one of the Department's offices, by telephone or by mail, to obtain a complaint form.
- Call the Department at (518) 474-4429.

There is no fee charged to you for these services. It is unlawful for anyone to retaliate against you for filing a complaint.



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### New York State Housing and Anti-Discrimination Disclosure Form

For more information on Fair Housing Act rights and responsibilities please visit  
<https://dhr.ny.gov/fairhousing> and <https://www.dos.ny.gov/licensing/fairhousing.html>.

This form was provided to me by Allen T. Olmsted (print name of Real Estate Salesperson/  
Broker) of Canaan Realty (print name of Real Estate company, firm or brokerage)

(I)(We) James Ekberg & Kathleen Ekberg

(Buyer/Tenant/Seller/Landlord) acknowledge receipt of a copy of this disclosure form:

Buyer/Tenant/Seller/Landlord Signature  James W Ekberg Date: 08/12/2021  
Authentisign  
8/12/2021 5:01:38 PM EDT

Buyer/Tenant/Seller/Landlord Signature  Kathleen C Ekberg Date: 08/12/2021  
Authentisign  
8/12/2021 5:05:45 PM EDT

Real Estate broker and real estate salespersons are required by New York State law to provide you with this Disclosure.