



**STATE OF NORTH CAROLINA  
MINERAL AND OIL AND GAS RIGHTS MANDATORY DISCLOSURE STATEMENT**



**Instructions to Property Owners**

1. The Residential Property Disclosure Act (G.S. 47E) ("Disclosure Act") requires owners of certain residential real estate such as single-family homes, individual condominiums, townhouses, and the like, and buildings with up to four dwelling units, to furnish purchasers a Mineral and Oil and Gas Rights Disclosure Statement ("Disclosure Statement"). This form is the only one approved for this purpose.
2. A disclosure statement is not required for some transactions. For a complete list of exemptions, see G.S. 47E-2(a). **A DISCLOSURE STATEMENT IS REQUIRED FOR THE TRANSFERS IDENTIFIED IN G.S. 47E-2(b)**, including transfers involving the first sale of a dwelling never inhabited, lease with option to purchase contracts where the lessee occupies or intends to occupy the dwelling, and transfers between parties when both parties agree not to provide the Residential Property and Owner's Association Disclosure Statement.
3. You must respond to each of the following by placing a check  in the appropriate box.

**MINERAL AND OIL AND GAS RIGHTS DISCLOSURE**

Mineral rights and/or oil and gas rights can be severed from the title to real property by conveyance (deed) of the mineral rights and/or oil and gas rights from the owner or by reservation of the mineral rights and/or oil and gas rights by the owner. If mineral rights and/or oil and gas rights are or will be severed from the property, the owner of those rights may have the perpetual right to drill, mine, explore, and remove any of the subsurface mineral and/or oil or gas resources on or from the property either directly from the surface of the property or from a nearby location. With regard to the severance of mineral rights and/or oil and gas rights, Seller makes the following disclosures:

		Yes	No	No Representation
_____ Buyer Initials	1. Mineral rights were severed from the property by a previous owner.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
_____ Buyer Initials	2. Seller has severed the mineral rights from the property.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
_____ Buyer Initials	3. Seller intends to sever the mineral rights from the property prior to transfer of title to the Buyer.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
_____ Buyer Initials	4. Oil and gas rights were severed from the property by a previous owner.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
_____ Buyer Initials	5. Seller has severed the oil and gas rights from the property.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
_____ Buyer Initials	6. Seller intends to sever the oil and gas rights from the property prior to transfer of title to Buyer.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	

**Note to Purchasers**

If the owner does not give you a Mineral and Oil and Gas Rights Disclosure Statement by the time you make your offer to purchase the property, or exercise an option to purchase the property pursuant to a lease with an option to purchase, you may under certain conditions cancel any resulting contract without penalty to you as the purchaser. To cancel the contract, you must personally deliver or mail written notice of your decision to cancel to the owner or the owner's agent within three calendar days following your receipt of this Disclosure Statement, or three calendar days following the date of the contract, whichever occurs first. However, in no event does the Disclosure Act permit you to cancel a contract after settlement of the transaction or (in the case of a sale or exchange) after you have occupied the property, whichever occurs first.

Property Address: 733 Morgan St Eden, 27288

Owner's Name(s): ARC Real Estate LLC.

*Owner(s) acknowledge having examined this Disclosure Statement before signing and that all information is true and correct as of the date signed.*

Owner Signature: \_\_\_\_\_ Date \_\_\_\_\_, \_\_\_\_

Owner Signature: \_\_\_\_\_ Date \_\_\_\_\_, \_\_\_\_

*Purchaser(s) acknowledge receipt of a copy of this Disclosure Statement; that they have examined it before signing; that they understand that this is not a warranty by owner or owner's agent; and that the representations are made by the owner and not the owner's agent(s) or subagent(s).*

Purchaser Signature: \_\_\_\_\_ Date \_\_\_\_\_, \_\_\_\_

Purchaser Signature: \_\_\_\_\_ Date \_\_\_\_\_, \_\_\_\_

**VACANT LAND DISCLOSURE STATEMENT**

**Note:** Use this form to fulfill Seller’s required disclosures in the Offer to Purchase and Contract – Vacant Lot/Land Form 12-T.

Property: 733 Morgan St Eden, 27288  
 Buyer: \_\_\_\_\_  
 Seller: ARC Real Estate LLC.

Buyer understands and agrees that this Disclosure Statement is not a substitute for professional inspections, and that this document does not relieve Buyer of their duty to conduct thorough Due Diligence on the Property. Any representations made by Seller in this Disclosure Statement are true to the best of Seller’s knowledge, and copies of any documents provided by Seller are true copies, to the best of Seller’s knowledge. Buyer is strongly advised to have all information confirmed and any documents substantiated during the Due Diligence Period.

If Seller checks “yes” for any question below, Seller is affirming actual knowledge of either: (1) the existence of documentation or information related to the Property; or (2) a problem, issue, characteristic, or feature existing on or associated with the Property. If Seller checks “no” for any question below, Seller is stating they have no actual knowledge or information related to the question. If Seller checks “NR,” meaning no representation, Seller is choosing not to disclose whether they have knowledge or information related to the question.

<b>A. Physical Aspects</b>	Yes	No	NR
1. Non-dwelling structures on the Property ..... <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
If yes, please describe: _____			
2. Current or past soil evaluation test (agricultural, septic, or otherwise)..... <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
3. Caves, mineshafts, tunnels, fissures or open or abandoned wells ..... <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
4. Erosion, sliding, soil settlement/expansion, fill or earth movement ..... <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
5. Communication, power, or utility lines..... <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
6. Pipelines (natural gas, petroleum, other)..... <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
7. Landfill operations or junk storage ..... <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/> Previous <input type="checkbox"/> Current <input type="checkbox"/> Planned <input type="checkbox"/> Legal <input type="checkbox"/> Illegal			
8. Drainage, grade issues, flooding, or conditions conducive to flooding ..... <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
9. Gravesites, pet cemeteries, or animal burial pits..... <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
10. Rivers, lakes, ponds, creeks, streams, dams, or springs ..... <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
11. Well(s)..... <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/> Potable <input type="checkbox"/> Non-potable      Water Quality Test? <input type="checkbox"/> yes <input type="checkbox"/> no			
depth _____; shared (y/n) _____; year installed _____; gal/min _____			
12. Septic System(s)..... <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
If yes: Number of bedrooms on permit(s) _____			
Permit(s) available? <input type="checkbox"/> yes <input type="checkbox"/> no <input type="checkbox"/> NR			
Lift station(s)/Grinder(s) on Property? <input type="checkbox"/> yes <input type="checkbox"/> no <input type="checkbox"/> NR			
Septic Onsite? <input type="checkbox"/> yes <input type="checkbox"/> no <input type="checkbox"/> Details: _____			
Tank capacity _____			
Repairs made (describe): _____			
Tank(s) last cleaned: _____			
If no: Permit(s) in process? <input type="checkbox"/> yes <input type="checkbox"/> no <input type="checkbox"/> NR			
Soil Evaluation Complete? <input type="checkbox"/> yes <input type="checkbox"/> no <input type="checkbox"/> NR			
Other Septic Details: _____			



**This form approved by:**  
**NC REALTORS®**

Seller Initials ARC      Buyer Initials \_\_\_\_\_

**STANDARD FORM 142**  
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13. Commercial or industrial noxious fumes, odors, noises, etc. on or near Property.....
- If yes, please describe: \_\_\_\_\_

**B. Legal/Land Use Aspects**

1. Current or past title insurance policy or title search.....
2. Copy of deed(s) for property.....
3. Government administered programs or allotments .....
4. Rollback or other tax deferral recaptures upon sale.....
5. Litigation or estate proceeding affecting ownership or boundaries .....
6. Notices from governmental or quasi-governmental authorities related to the property....
7. Private use restrictions or conditions, protective covenants, or HOA.....
- If yes, please describe: \_\_\_\_\_
8. Recent work by persons entitled to file lien claims .....
- If yes, have all such persons been paid in full .....
- If not paid in full, provide lien agent name and project number: \_\_\_\_\_
9. Jurisdictional government land use authority:  
 County: \_\_\_\_\_ City: \_\_\_\_\_
10. Current zoning: \_\_\_\_\_
11. Fees or leases for use of any system or item on property .....
12. Location within a government designated disaster evacuation zone (e.g., hurricane, nuclear facility, hazardous chemical facility, hazardous waste facility).....
13. Access (legal and physical) other than by direct frontage on a public road  
 Access via easement.....
- Access via private road .....
- If yes, is there a private road maintenance agreement?  yes  no
14. Solar panel(s), windmill(s), cell tower(s).....
- If yes, please describe: \_\_\_\_\_

**C. Survey/Boundary Aspects**

1. Current or past survey/plat or topographic drawing available .....
2. Approximate acreage: \_\_\_\_\_
3. Wooded Acreage \_\_\_\_\_; Cleared Acreage \_\_\_\_\_
4. Encroachments .....
5. Public or private use paths or roadways rights of way/easement(s).....
- Financial or maintenance obligations related to same .....
6. Communication, power, or other utility rights of way/easements .....
7. Railroad or other transportation rights of way/easements.....
8. Conservation easement .....
9. Property Setbacks.....
- If yes, describe: \_\_\_\_\_
10. Riparian Buffers (i.e., stream buffers, conservation districts, etc.).....
11. Septic Easements and Repair Fields .....
12. Any Proposed Easements Affecting Property .....
13. Beach Access Easement, Boat Access Easement, Docking Permitted .....
- If yes, please describe: \_\_\_\_\_

**D. Agricultural, Timber, Mineral Aspects**

Yes	No	NR
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- 1. Agricultural Status (e.g., forestry deferral) .....
- 2. Licenses, leases, allotments, or usage permits (crops, hunting, water, timber, etc.).....               
If yes, describe in detail: \_\_\_\_\_
- 3. Forfeiture, severance, or transfer of rights (mineral, oil, gas, timber, development, etc.)               
If yes, describe in detail: \_\_\_\_\_
- 4. Farming on Property:  owner or  tenant .....
- 5. Presence of vegetative disease or insect infestation.....
- 6. Timber cruises or other timber related reports .....
- 7. Timber harvest within past 25 years .....               
If yes, monitored by Registered Forester? .....               
If replanted, what species: \_\_\_\_\_               
Years planted: \_\_\_\_\_
- 8. Harvest impact (other than timber) .....               
If yes, describe in detail: \_\_\_\_\_

**E. Environmental Aspects**

- 1. Current or past Phase I, Phase II or Phase III Environmental Site Assessment(s).....
- 2. Underground or above ground storage tanks .....               
If yes, describe in detail: \_\_\_\_\_
- 3. Abandoned or junk motor vehicles or equipment of any kind .....
- 4. Past illegal uses of property (e.g., methamphetamine manufacture or use).....
- 5. Federal or State listed or protected species present.....               
If yes, describe plants and/or animals: \_\_\_\_\_
- 6. Government sponsored clean-up of the property .....
- 7. Groundwater, surface water, or well water contamination  Current  Previous .....
- 8. Previous commercial or industrial uses.....
- 9. Wetlands, streams, or other water features .....               
Permits or certifications related to Wetlands .....               
Conservation/stream restoration.....
- 10. Coastal concern (tidal waters, unbuildable land, flood zone, CAMA, Army Corp., etc.)               
If yes, describe in detail: \_\_\_\_\_
- 11. The use or presence on the property, either stored or buried, above or below ground, of:
  - i. Asbestos, Benzene, Methane, Pesticides, Radioactive Material .....               
If yes, describe in detail: \_\_\_\_\_
  - ii. Other fuel/chemical.....
  - iii. Paint  Lead based paint  Other paint/solvents .....
  - iv. Agricultural chemical storage .....

**F. Utilities**

Check all currently available on the Property and indicate the provider.

- Water (describe): City \_\_\_\_\_
- Sewer (describe): City \_\_\_\_\_
- Gas (describe): \_\_\_\_\_
- Electricity (describe): \_\_\_\_\_
- Cable (describe): \_\_\_\_\_

