

BUYER OF REAL PROPERTY:

2). Article 1.5 (commencing with Section 1102) of Chapter 2 of Title 4 of Part 4 of Division 2 of the Civil Code

DECLARATION ACKNOWLEDGING RIGHT TO FARM

Disclosure statement to the prospective transferee pursuant to Article 1.5 (commencing with Section 1102) of [Chapter 2](#) of Title 4 of Part 4 of Division 2 of the Civil Code disclosing this chapter and the nature of its provisions. The disclosure statement shall be in substantially the following form:

LOCAL OPTION

REAL ESTATE TRANSFER DISCLOSURE STATEMENT

THIS DISCLOSURE STATEMENT CONCERNS THE REAL PROPERTY SITUATED IN THE UNINCORPORATED AREA OF THE COUNTY OF BUTTE, STATE OF CALIFORNIA, DESCRIBED AS (Address and Assessor's Parcel Number(s)). THIS STATEMENT IS A DISCLOSURE OF THE CONDITION OF THE ABOVE DESCRIBED PROPERTY IN COMPLIANCE WITH [SECTION 35-9](#) OF THE BUTTE COUNTY CODE AS OF (date). IT IS NOT A WARRANTY OF ANY KIND BY THE SELLER(S) OR ANY AGENT(S) REPRESENTING ANY PRINCIPAL(S) IN THIS TRANSACTION, AND IS NOT A SUBSTITUTE FOR ANY INSPECTIONS OR WARRANTIES THE PRINCIPAL(S) MAY WISH TO OBTAIN.

SELLERS INFORMATION

The Seller discloses the following information with the knowledge that even though this is not a warranty, prospective Buyers may rely on this information in deciding whether and on what terms to purchase the subject property. Seller hereby authorizes any agent(s) representing any principal(s) 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.

THE FOLLOWING ARE REPRESENTATIONS MADE BY THE SELLER(S) AS REQUIRED BY THE COUNTY OF BUTTE, AND ARE NOT THE REPRESENTATIONS OF THE AGENT(S), IF ANY. THIS INFORMATION IS A DISCLOSURE AND IS NOT INTENDED TO BE PART OF ANY CONTRACT BETWEEN THE BUYER AND SELLER.

The County of Butte permits the operation of properly conducted agricultural operations on agricultural land within the unincorporated area of Butte County and has declared this County policy in the Butte County Right to Farm Ordinance (Butte County Code, [Chapter 35](#)) to conserve, protect, enhance, and encourage such operations. Residents or users of property located near an agricultural operation on agricultural land may at times be subject to inconvenience or discomfort arising from that operation, including, without limitation:

“ Noise, odors, fumes, dust, smoke, insects, operation of machinery during any time of day or night, storage and disposal of manure, and ground or aerial application of fertilizers, soil amendments, seeds, and pesticides.”

One (1) or more of these inconveniences or discomforts may occur as result of any properly conducted agricultural operation on agricultural land. The County of Butte has determined in the Butte County Right to Farm Ordinance that inconvenience or discomfort arising from a properly conducted agricultural operation on agricultural land will not be considered a nuisance for purposes of the Butte County Code or County regulations, and that residents or users of nearby property should be prepared to accept such inconvenience or discomfort as a normal and necessary aspect of living in a county with a strong rural character and an active agricultural sector. For more information about the Butte County Right to Farm Ordinance, please contact the Butte County Agricultural Commissioner's office at 316 Nelson Ave., Oroville, CA 95965 or the Department of Development Services at 7 County Center Drive, Oroville, CA 95965.

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

Seller _____ Date; _____ daterule;

Seller _____ Date; _____ daterule;

BUYER(S) AND SELLER(S) MAY WISH TO OBTAIN PROFESSIONAL ADVICE AND/OR INSPECTIONS OF THE PROPERTY AND TO PROVIDE FOR APPROPRIATE PROVISIONS IN A CONTRACT BETWEEN BUYER(S) AND SELLER(S) WITH RESPECT TO ANY ADVICE/INSPECTIONS/DEFECTS.

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

Seller _____ Date; _____ daterule;

Seller _____ Date; _____ daterule;

Buyer _____ Date; _____ daterule;

Buyer _____ Date; _____ daterule;

Agent (Broker Representing Seller) _____ By _____ Date; _____ daterule;
(Associate, Licensee or Broker Signature)

Agent (Broker Obtaining the Offer) _____ By _____ Date; _____ daterule;
(Associate, Licensee or Broker Signature)

A REAL ESTATE BROKER IS QUALIFIED TO ADVISE ON REAL ESTATE. IF YOU DESIRE LEGAL ADVICE, CONSULT YOUR ATTORNEY.

If a prospective transferee refuses to sign the general disclosures and disclaimers advisory or disclosure statement required by subsection (a), the transferor may comply with the requirements of this section by delivering the advisory or statement to the prospective transferee as provided in subsection (a) and affixing and signing the following declaration to the advisory or statement:

"I, (name) have delivered a copy of the foregoing (*general disclosures and disclaimers advisory/disclosure statement*) as required by [Section 35-9](#) of the Butte County Code to: (transferee's name) , who has refused to sign.

I declare the foregoing to be true.
Date: _____; daterule; Signature: _____ Print Name: _____