

**ACT 250 DISCLOSURE STATEMENT
VERMONT NATURAL RESOURCES BOARD
MONTPELIER, VERMONT 05602**

NOTE: IF THIS TRANSACTION DOES NOT INVOLVE THE PARTITION OR DIVISION OF LAND BY A PERSON, THIS ACT 250 DISCLOSURE STATEMENT IS NOT REQUIRED. REFER TO 10 V.S.A. § 6001(14)(a) and (b) FOR THE DEFINITION OF "PERSON".

1. SUBDIVIDER'S (TRANSFEROR) FULL NAME(S) MAILING ADDRESS

NAME OF CONTACT PERSON FOR SUBDIVIDER MAILING ADDRESS TELEPHONE NO.

2. BUYER'S (TRANSFeree) FULL NAME(S) MAILING ADDRESS

3. DESCRIPTION OF PROPERTY

TOWN ROAD NUMBER OF ACRES

4. State the total number of lots or parcels the Subdivider intends to create as part of this partition or division of land.
NUMBER OF LOTS _____

5. Has the Subdivider divided or partitioned any other land within the past five years which is located within the same town or district or is located within five miles (if in a different district)?

See map. Lots within the same town? NO YES NUMBER OF LOTS _____
 Lots within the same district? NO YES NUMBER OF LOTS _____
 Lots within five miles? NO YES NUMBER OF LOTS _____

6. Have the Subdivider's parents or children (natural or adoptive) or spouse or any trust, corporation, or other entity affiliated with the Subdivider, divided or partitioned any other land within the past five years which is located within the same town or district or is located within five miles (if in a different district) of the land being partitioned?

NO YES IF "YES," COMPLETE THE FOLLOWING ABOUT THE FAMILY MEMBER

NAME	ADDRESS	RELATIONSHIP
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7. Did the Subdivider profit or derive any consideration or financial benefit from the partition or division of the land of that family member or other entity as listed in #6 above.

NO YES IF "YES," COMPLETE THE FOLLOWING ABOUT THE FAMILY MEMBER

NAME	ADDRESS	RELATIONSHIP
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8. Will any family member or entity listed in #6 above derive any profit or consideration, or acquire any other beneficial interest from the partition or division of the land subject to this statement? (Read instructions before answering.)

NO YES IF "YES," LIST THE FAMILY MEMBER BELOW.

NAME OF FAMILY MEMBER

RELATIONSHIP TO SUBDIVIDER

9. List below in the space provided the name of all individuals and entities affiliated with the subdivider(s) in the partition or division of the subject land, as that affiliation is conditioned and limited according to the definition of "person" in 10 V.S.A. § 6001(14).

NAME

NATURE OF AFFILIATION

10. List below any partition or division of land by any individuals or entities now or previously affiliated with the Subdivider(s) for benefit or profit which has occurred within the preceding five years (including this transaction) and which is located within five miles of the land being divided or partitioned, within the jurisdictional area of the District Environmental Commission (see District Map), or within the same town.

NAME

LOCATION (TOWN)

DESCRIPTION OF LAND

NO. OF LOTS

DATE CREATED

11. NOTICE THAT AN ACT 250 PERMIT MAY BE REQUIRED

As the Subdivider(s) of this property, I/we hereby notify the buyer that an Act 250 permit may be required prior to this partition or division of the property. Failure to obtain an Act 250 permit in violation of 10 V.S.A. § 6081 may result in prosecution under the Environmental Enforcement Act, 10 V.S.A. Chapter 200.

Prior to the partition or division of the land in question, the buyer may submit to the District Coordinator this Disclosure Statement and other relevant information and should request a jurisdictional opinion from the District Coordinator as to the applicability of Act 250 to this proposed partition or division of land.

12. If an Act 250 permit has been issued for the land being partitioned, enter the Land Use Permit Number _____.

I/we the Subdivider(s) hereby swear and affirm that this Disclosure Statement is true and complete to the best of my/our knowledge. Knowing falsification of any statement contained herein is punishable pursuant to the provisions of 10 V.S.A. § 6003; 10 V.S.A. Chapters 201 and 211; and 13 V.S.A. § 3016.

DATE: _____

Signature(s) of Subdivider(s)

ACT 250 DISCLOSURE STATEMENT

GENERAL INSTRUCTIONS

Prior to the division or partition of land, the seller or other person dividing or partitioning the land shall prepare an “Act 250 Disclosure Statement.” A person who is dividing or partitioning land, but is not selling it, shall file a copy of the statement with the town clerk, who shall record it in the land records. The seller who is dividing or partitioning land as part of the sale shall provide the buyer with the statement within ten days of entering into a purchase and sale agreement for the sale or exchange of land, or at the time of transfer of title, if no purchase and sale agreement was executed, and shall file a copy of the statement with the town clerk, who shall record it in the land records. Failure to provide the statement as required shall, at the buyer’s option, render the purchase and sales agreement unenforceable. Do not send Act 250 Disclosure Statement to the Natural Resources Board.

LINE-BY-LINE INSTRUCTIONS

1. - 7. Subdivider(s) and Buyer(s) Be sure to enter the full names and mailing addresses of all Subdivider(s) and Buyer(s). Be certain to complete all items.
8. Benefit to Family Members from Subdivider’s Transactions Indicate by checking “yes” or “no” whether any family member listed in #6 will derive any profit or consideration, or acquire any other beneficial interest from the partition or division of the land which is the subject of this Disclosure Statement. If the family member receives financial support from the subdivider(s), or if the subdivider(s) receive financial support from the family member, there is a presumption of financial benefit and that person should be listed. If, however, a child is emancipated and is not receiving financial support from the parent, there is no presumption of benefit and that family member should not be listed.
9. Affiliated Persons This includes all persons who are affiliated with the Subdivider in the partition or division of the land in question (i.e. derive a profit, consideration or other beneficial interest from the subdivision). However, some individuals and entities are presumed not to be affiliated with the Subdivider in the subdivision, unless there is substantial evidence of an intent to evade the purposes of Act 250. These include:
 - (i) A stockholder in a corporation subdividing land, where the stockholder and the stockholder’s spouse, children, parents and siblings own less than 5% of the outstanding shares of the corporation.
 - (ii) A court-appointed guardian, licensed attorney, real estate broker or salesperson, engineer or land surveyor, unless the compensation or benefit which they receive for their duties indicates more than an agency relationship with the Subdivider.
 - (iii) A chartered lending institution which financed the Subdivider’s purchase or ownership of the land, provided the financing rate is not substantially higher than the prevailing lending rates in the community.
10. Affiliated Land Transactions List all lots or parcels of land partitioned or divided for the purpose of resale by the persons identified in item #9 above within the preceding five years and within the same jurisdictional area of the District Environmental Commission or within five miles of the land being divided if the previously divided land is in another district (see map on our website). Subdivided lots or parcels which were conveyed by these persons prior to July 1, 1987, and which are more than five miles away from the land being partitioned or divided, need not be listed. List the full name of the person, the town in which the land is located, a brief description of the land (i.e. undeveloped land, residential subdivision, lot number, etc.), the number of acres, and the date the lot or parcel was created. Dates for creation of lots or parcels can include the date a plot plan is filed in the town land records, the date a subdivision permit or wastewater and potable water supply permit by the state or delegated municipality is issued, the date a local subdivision or zoning permit is issued, or in the absence of any of the above, the date of the legal conveyance of the lot, whichever is first.
11. Notice That An Act 250 Permit May be Required With this statement buyers are on notice that the partition or division of land which is the subject of this Disclosure Statement may be subject to the permit requirements of Act 250. The buyer should request a jurisdictional opinion from the District Coordinator serving the district in which the land is located regarding the applicability of Act 250 to this transaction by submitting the Disclosure Statement to the coordinator at the appropriate Regional Office (see map on our website).
12. Act 250 Permit Number Enter the Act 250 Land Use Permit Number for this land, if one has been issued.