**NOTE*:*** *ONE OF THE FOLLOWING DISCLAIMERS IS TO BE COMPLETED AND ATTACHED TO SALES AGREEMENT WHEN THIRD PARTY BUYER IS PURCHASING A BUILDING FROM MODOT. USE THE APPLICABLE DISCLAIMER IN SITUATIONS 2A, 2B, AND 2C.*

**REQUIRED DISCLAIMER LANGUAGE WHEN INSPECTION REVEALS**

**PRESENCE OF ASBESTOS CONTAINING MATERIAL (ACM)**

The Commission has notified purchaser that the property contains approximately             square feet,            linear feet of friable: approximately          square feet of non-friable category II; and approximately              square feet,          linear feet of non-friable category I Asbestos Containing Material (hereinafter, "ACM"). Said ACM is located                                   . Purchaser acknowledges that (s)he has been notified of the existence and precise location of the above-referenced ACM. In addition, purchaser acknowledges that (s)he has agreed to purchase the property despite the existence of said ACM. The Commission has inspected the subject property and represents that to the best of its knowledge, the ACM. as listed above, is the only ACM discovered. Upon execution of this Agreement, all responsibility for removal and other handling of the property shall be the responsibility of the purchaser. Purchaser agrees to indemnify and save harmless the Commission, its agents, employees and assigns from every expense, liability or paymentarising out of the above-referenced ACM or any ACM hereinafter discovered.

**REQUIRED DISCLAIMER LANGUAGE WHEN INSPECTION REVEALS**

**THAT ASBESTOS CONTAINING MATERIAL (ACM) IS NOT PRESENT**

The Commission has inspected the property and represents that, to the best of its knowledge, no ACM is present. Purchaser agrees to indemnify and save harmless the Commission, its agents, employees and assigns from every expense, liability or payment arising out of any ACM hereinafter discovered.