

## OPEN RANGE DISCLOSURE

### Open Range Disclosure – [Form 551](#)

The Open Range disclosure informs the buyer of property adjacent to open land that livestock grazing on the adjacent land may be permitted to enter the property. The disclosure also informs the buyer that the property may be subject to county or State rights of way. [NRS 113.065](#).

### When Is the Open Range Disclosure Required?

When improved or unimproved property for sale is adjacent to:

- a) public lands;
- b) pre-existing R.S. 2477 rights of ways;
- c) existing easements that may be unrecorded, undocumented or unsurveyed.

### Who must provide the Disclosure?

The seller of the property adjacent to open range must provide the disclosure to the prospective buyer of the property.

[NRS 113.065](#) requires the seller to:

- Disclose to the purchaser information regarding grazing on open range;
- Retain a copy of the disclosure document signed by the purchaser acknowledging the date of receipt by the purchaser of the original document;
- Provide a copy of the signed disclosure document to the purchaser; and
- Record, in the office of the county recorder in the county where the property is located, the original disclosure document that has been signed by the purchaser.

### When must the Disclosure be provided?

The prospective buyer must receive and sign the disclosure form acknowledging the original date of receipt of the disclosure **before the sales agreement is signed**.

### What should the licensee do?

The listing agent of a property that has open range or unimproved land adjacent to the listed property should be alerted to investigate county or State records for information about the

adjoining land, or advise the seller to do so.

If records do not reveal any easements or rights of way, the licensee should counsel the seller to exercise caution by disclosing the possibility that roaming livestock, rights of way or easements could exist that would affect the prospective buyer's use and enjoyment of the property. The Open Range disclosure is recommended regardless of whether the adjoining land is fenced off or unfenced.

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