

**SELLER'S PROPERTY
DISCLOSURE STATEMENT**

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1. Date February 8, 2010

2. Page 1 of _____ pages

3. THE INFORMATION DISCLOSED IS GIVEN TO THE BEST OF SELLER'S KNOWLEDGE.

4. **NOTICE:** This Disclosure Statement satisfies the disclosure requirements of MN Statutes 513.52 through 513.60. Under Minnesota law, Sellers of residential property, with limited exceptions listed on page nine (9), are obligated to disclose to prospective Buyers all material facts of which Seller is aware that could adversely and significantly affect an ordinary Buyer's use or enjoyment of the property or any intended use of the property of which Seller is aware. MN Statute 513.58 requires Seller to notify Buyer in writing as soon as reasonably possible, but in any event before closing, if Seller learns that Seller's disclosure was inaccurate. Seller has disclosure alternatives allowed by MN Statutes. See *Seller's Disclosure Alternatives* form for further information regarding disclosure alternatives. This disclosure is not a warranty or a guarantee of any kind by Seller or licensee representing or assisting any party in the transaction.

13. **INSTRUCTIONS TO BUYER:** Buyers are encouraged to thoroughly inspect the property personally or have it inspected by a third party, and to inquire about any specific areas of concern. **NOTE:** If Seller answers NO to any of the questions listed below, it does not necessarily mean that it does not exist on the property. NO may mean that Seller is unaware that it exists on the property.

17. **INSTRUCTIONS TO SELLER:** (1) Complete this form yourself. (2) Consult prior disclosure statement(s) and/or inspection report(s) when completing this form. (3) Describe conditions affecting the property to the best of your knowledge. (4) Attach additional pages, with your signature, if additional space is required. (5) Answer all questions. (6) If any items do not apply, write "NA" (not applicable).

21. Property located at 1801 W Farm Road,
22. City of Orono, County of Hennepin, State of Minnesota.

23. A. GENERAL INFORMATION:

24. (1) When did you **Acquire** **Build** the home? 1990
(Check one.)

25. (2) Type of title evidence: Abstract Registered (Torrens)

26. Location of Abstract: _____

27. To your knowledge, is there an existing Owner's Title Insurance Policy? Yes No

28. (3) Have you occupied this home continuously for the past 12 months? Yes No

29. If "No," explain: _____

30. (4) Is the home suitable for year-round use? Yes No

31. (5) To your knowledge, is the property located in a designated flood plain? Yes No

32. (6) Are you in possession of prior seller's disclosure statement(s)? (If "Yes," please attach.) Yes No

33. (7) Is the property located on a public or a private road? Public Private

34. (8) For property abutting a lake, stream or river, does the property meet the minimum local government lot size requirements? Yes No Unknown

36. If "No," or "Unknown," Buyer should consult the local zoning authority.

37. Are you aware of any
38. (9) encroachments? Yes No

39. (10) association, covenants, historical registry, reservations or restrictions that affect or
40. may affect the use or future resale of the property? Yes No

41. (11) easements, other than utility or drainage easements? Yes No

42. (12) Comments: _____

43. **ORIGINAL COPY TO LISTING BROKER; COPIES TO SELLER, BUYER, SELLING BROKER.**

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46. Property located at 1801 W Farm Road Orono

47. B. GENERAL CONDITION: To your knowledge, have any of the following conditions previously existed or do they currently exist?

49. (1) Has there been any damage by wind, fire, flood, hail or other cause(s)? [] Yes [x] No

50. If "Yes," give details of what happened and when:

51. _____

52. _____

53. _____

54. (2) (a) Has/Have the structure(s) been altered? (e.g., additions, altered roof lines, changes to load-bearing walls) [x] Yes [] No

55. If "Yes," please specify what was done, when and by whom (owner or contractor):

57. Entire house remodeled in 1991-92. Addition added in 1991-92

58. Carriage House converted from stable - 1991 New flooring, counter tops in kitchen and other items done in 2009.

60. (b) Has any work been performed on the property? (e.g., additions to the property, wiring, plumbing, retaining wall, general finishing.) [x] Yes [] No

62. If "Yes," please explain: all electric is new in 1992. all plumbing redone in 1992 - Decking added on front deck 2009

63. _____

65. _____

66. (c) Were appropriate permits pulled for any work performed on the property? [x] Yes [] No

67. (3) Has there been any damage to flooring or floor covering? [] Yes [x] No

68. If "Yes," give details of what happened and when: Some flooring is dated to original house (1870) but meticulously maintained

69. _____

70. _____

72. (4) Are you aware of any insect/animal/pest infestation? [] Yes [x] No

73. (5) Do you have or have you previously had any pets? [] Yes [] No

74. If "Yes," indicate type CAT and number 1

75. (6) Comments: - CAT resides in Carriage House garage except on very cold nights.

77. _____

78. House was built in 1870 - additions and winterized in 1930 - totally

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updated and added half of sq. ft. in 1991-92.

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83. C. STRUCTURAL SYSTEMS: To your knowledge, have any of the following conditions previously existed or do they
84. currently exist?

85. (ANSWERS APPLY TO ALL STRUCTURES, SUCH AS GARAGE AND OUTBUILDINGS.)

86. (1) THE BASEMENT, CRAWLSPACE, SLAB:

- | | | | | | | |
|-----|-------------------------|---|--|----------------------|---|--|
| 87. | (a) cracked floor/walls | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No | (e) leakage/seepage | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| 88. | (b) drain tile problem | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | (f) sewer backup | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| 89. | (c) flooding | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | (g) wet floors/walls | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| 90. | (d) foundation problem | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | (h) other | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No |

91. Give details to any questions answered "Yes":

92. (a) floors are old! were part of original structure
93. so over the years some cracks have appeared.
94. The house was the first house in the area so was
95. built on the highest hill so there has
96. never been water in the basement

98. (h) In the 1930's when the first furnace was put in
99. there was a fire in the basement. Some of the
100. beams are charred. They have been tested for strength,
101. and are as strong as any 6" square
102. beams. Sillpost was added to level the
103. flooring above.

101. (2) THE ROOF: To your knowledge,
- | | | | |
|------|---|---|--|
| 102. | (a) what is the age of the roofing material? | <u>17</u> years | |
| 103. | (b) has there been any interior or exterior damage? | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| 104. | (c) has there been interior damage from ice buildup? | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| 105. | (d) has there been any leakage? | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| 106. | (e) have there been any repairs or replacements made to the roof? | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No |

107. Give details to any questions answered "Yes": Tree limbs have fallen on
108. the roof. Cedar shake replacements were installed.

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121. D. APPLIANCES, HEATING, PLUMBING, ELECTRICAL AND OTHER MECHANICAL SYSTEMS:

122. NOTE: This section refers only to the working condition of the following items. Answers apply to all such
 123. items unless otherwise noted in comments below. Personal property is included in the sale ONLY IF
 124. specifically referenced in the Purchase Agreement.

125. Cross out only those items not physically located on the property.

In Working Order		In Working Order		In Working Order	
Yes No		Yes No		Yes No	
127.					
128.	Air-conditioning <u>2 UNITS</u> <input checked="" type="checkbox"/> <input type="checkbox"/>	Garbage disposal <u>(2)</u> <input checked="" type="checkbox"/> <input type="checkbox"/>	Trash Compactor <input type="checkbox"/> <input checked="" type="checkbox"/>		
129.	<input checked="" type="checkbox"/> Central <input type="checkbox"/> Wall <input type="checkbox"/> Window	Heating system (central) <u>(2)</u> <input checked="" type="checkbox"/> <input type="checkbox"/>	TV antenna system <input checked="" type="checkbox"/> <input type="checkbox"/> <i>NOT used</i>		
130.	Air exchange system <input checked="" type="checkbox"/> <input type="checkbox"/>	Heating system (supplemental) <input checked="" type="checkbox"/> <input type="checkbox"/>	TV cable system <input checked="" type="checkbox"/> <input type="checkbox"/>		
131.	Carbon Monoxide Detector <input checked="" type="checkbox"/> <input type="checkbox"/>	Incinerator <input type="checkbox"/> <input checked="" type="checkbox"/>	TV satellite dish <input type="checkbox"/> <input checked="" type="checkbox"/>		
132.	Ceiling fan <u>S</u> <input checked="" type="checkbox"/> <input type="checkbox"/>	Intercom <u>(Phone)</u> <input type="checkbox"/> <input checked="" type="checkbox"/>	<input type="checkbox"/> Rented <input type="checkbox"/> Owned		
133.	Dishwasher <u>(2)</u> <input checked="" type="checkbox"/> <input type="checkbox"/>	Lawn sprinkler system <input type="checkbox"/> <input checked="" type="checkbox"/>	TV satellite receiver <input type="checkbox"/> <input type="checkbox"/>		
134.	Doorbell <input checked="" type="checkbox"/> <input type="checkbox"/>	Microwave <u>(2)</u> <input checked="" type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> Rented <input type="checkbox"/> Owned		
135.	Drain tile system <input type="checkbox"/> <input checked="" type="checkbox"/>	Plumbing <input checked="" type="checkbox"/> <input type="checkbox"/>	Washer <u>(3)</u> ^{2 in main} _{1 in Carriage} <input checked="" type="checkbox"/> <input type="checkbox"/>		
136.	Dryer <u>(3- 2 in main 1 in Carriage)</u> <input checked="" type="checkbox"/> <input type="checkbox"/>	Pool and equipment <input type="checkbox"/> <input checked="" type="checkbox"/>	Water heater <u>3</u> <input checked="" type="checkbox"/> <input type="checkbox"/>		
137.	Electrical system <input checked="" type="checkbox"/> <input type="checkbox"/>	Range/oven <u>(2)</u> <input checked="" type="checkbox"/> <input type="checkbox"/>	Water treatment system <input checked="" type="checkbox"/> <input type="checkbox"/>		
138.	Exhaust system <u>S</u> <input checked="" type="checkbox"/> <input type="checkbox"/>	Range hood <u>(2)</u> <input checked="" type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> Rented <input checked="" type="checkbox"/> Owned		
139.	Fire sprinkler system <input type="checkbox"/> <input checked="" type="checkbox"/>	Refrigerator <u>(3)</u> <input checked="" type="checkbox"/> <input type="checkbox"/>	Windows <input checked="" type="checkbox"/> <input type="checkbox"/>		
140.	Fireplace <u>#3 + WBS</u> <input checked="" type="checkbox"/> <input type="checkbox"/>	Security system <input checked="" type="checkbox"/> <input type="checkbox"/>	Window treatments <input checked="" type="checkbox"/> <input type="checkbox"/>		
141.	Fireplace mechanisms <input checked="" type="checkbox"/> <input type="checkbox"/>	<input checked="" type="checkbox"/> Rented <input type="checkbox"/> Owned	Wood-burning stove <input checked="" type="checkbox"/> <input type="checkbox"/>		
142.	Furnace humidifier <u>(2)</u> <input checked="" type="checkbox"/> <input type="checkbox"/>	Smoke detectors (battery) <input checked="" type="checkbox"/> <input type="checkbox"/>	Other <u>SAUNA</u> <input checked="" type="checkbox"/> <input type="checkbox"/>		
143.	Freezer <input checked="" type="checkbox"/> <input type="checkbox"/>	Smoke detectors (hardwired) <input checked="" type="checkbox"/> <input type="checkbox"/>	Other <u>Whirlpool tubs</u> <input checked="" type="checkbox"/> <input type="checkbox"/> <u>(2)</u>		
144.	Garage door opener (GDO) <input checked="" type="checkbox"/> <input type="checkbox"/> <i>FOR BOTH GARAGES</i>	Solar collectors <input type="checkbox"/> <input checked="" type="checkbox"/>	Other <u>Wet bar</u> <input checked="" type="checkbox"/> <input type="checkbox"/>		
145.	Garage auto reverse <u>1</u> <input checked="" type="checkbox"/> <input type="checkbox"/>	Sump pump <input type="checkbox"/> <input checked="" type="checkbox"/>	Other <u>Full attic</u> <input checked="" type="checkbox"/> <input type="checkbox"/>		
146.	GDO remote <input checked="" type="checkbox"/> <input type="checkbox"/>	Toilet mechanisms <input checked="" type="checkbox"/> <input type="checkbox"/>	Other <u>Wired for sound</u> <input type="checkbox"/> <input type="checkbox"/> <i>Don't use</i>		

147. Comments: _____
 148. _____

149. E. SUBSURFACE SEWAGE TREATMENT SYSTEM DISCLOSURE:

150. (A subsurface sewage treatment system disclosure is required by MN Statute 115.55.) (Check appropriate box.)

151. Seller certifies that Seller DOES DOES NOT know of a subsurface sewage treatment system on or serving
 -----(Check one.)-----

152. the above-described real property. (If answer is DOES, and the system does not require a state permit, see
 153. Subsurface Sewage Treatment System Disclosure Statement.)

154. There is a subsurface sewage treatment system on or serving the above-described real property.
 155. (See Subsurface Sewage Treatment System Disclosure Statement.)

156. There is an abandoned subsurface sewage treatment system on the above-described real property.
 157. (See Subsurface Sewage Treatment System Disclosure Statement.) *Abandoned when we connected to city sewer*

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162. **F. PRIVATE WELL DISCLOSURE:** (A well disclosure and Certificate are required by MN Statute 103I.235.)
163. (Check appropriate box.)

164. Seller certifies that Seller does not know of any wells on the above-described real property.

165. Seller certifies there are one or more wells located on the above-described real property.
166. (See Well Disclosure Statement.) Well "pulled", new pipes, new pump in 2004

167. Are there any wells serving the above-described property that are not located on the property? Yes No

168. To your knowledge, is this property in a Special Well Construction Area? Yes No

169. G. PROPERTY TAX TREATMENT:

170. **Valuation Exclusion Disclosure** (Required by MN Statute 273.11, Subd. 16.)
171. (Check appropriate box.)

172. There IS IS NOT an exclusion from market value for home improvements on this property. Any
.....(Check one.)
173. valuation exclusion shall terminate upon sale of the property, and the property's estimated market value for
174. property tax purposes shall increase. If a valuation exclusion exists, Buyers are encouraged to look into the
175. resulting tax consequences.

176. Additional comments: _____

177. _____

178. _____

179. Preferential Property Tax Treatment

180. Is the property subject to any preferential property tax status or any other credits affecting the property?

181. (e.g., Disability, Green Acres, CRP, RIM, Rural Preserve) Yes No

182. If "Yes," would these terminate upon the sale of the property? Yes No

183. Explain: _____

184. _____

185. _____

186. H. METHAMPHETAMINE PRODUCTION DISCLOSURE:

187. (A Methamphetamine Production Disclosure is required by MN Statute 152.0275, Subd. 2 (m).)

188. Seller is not aware of any methamphetamine production that has occurred on the property.

189. Seller is aware that methamphetamine production has occurred on the property.

190. (See Methamphetamine Production Disclosure Statement.)

191. **I. NOTICE REGARDING AIRPORT ZONING REGULATIONS:** The property may be in or near an airport safety
192. zone with zoning regulations adopted by the governing body that may affect the property. Such zoning regulations
193. are filed with the county recorder in each county where the zoned area is located. If you would like to determine
194. if such zoning regulations affect the property, you should contact the county recorder where the zoned area is
195. located.

196. J. NOTICE REGARDING CARBON MONOXIDE DETECTORS:

197. MN Statute 299F.51 requires Carbon Monoxide Detectors to be located within ten (10) feet from all sleeping
198. rooms. Carbon Monoxide Detectors may or may not be personal property and may or may not be included in the
199. sale of the home.

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204. K. CEMETERY ACT:

205. MN Statute 307.08 prohibits any damage or illegal molestation of human remains, burials or cemeteries. A person
206. who intentionally, willfully and knowingly destroys, mutilates, injures, disturbs or removes human skeletal remains
207. or human burial grounds is guilty of a felony.

208. To your knowledge, are you aware of any human remains, burials or cemeteries located
209. on the property? Yes No

210. If "Yes," please explain: _____

211. _____
212. All unidentified human remains or burials found outside of platted, recorded or identified cemeteries and in contexts
213. which indicate antiquity greater than 50 years shall be dealt with according to the provisions of MN Statute 307.08,
214. Subd. 7.

215. L. ENVIRONMENTAL CONCERNS:

216. To your knowledge, have any of the following environmental concerns previously existed or do they currently exist
217. on the property?

- | | | | | | |
|------------------------------------|------------------------------|--|----------------------------|------------------------------|--|
| 218. Asbestos? | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | Mold? | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| 219. Diseased trees? | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | Radon? | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| 220. Formaldehyde? | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | Soil problems? | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| 221. Hazardous wastes/substances? | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | Underground storage tanks? | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| 222. Lead? (e.g., paint, plumbing) | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | Other? | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |

223. Are you aware if there are currently, or have previously been, any orders issued on the property by any governmental
224. authority ordering the remediation of a public health nuisance on the property? Yes No

225. If answer above is "Yes," seller certifies that all orders HAVE HAVE NOT been vacated.
_____ (Check one.) _____

226. Give details to any question answered "Yes": _____

227. _____

228. _____

229. M. OTHER DEFECTS/MATERIAL FACTS:

230. Are you aware of any other material facts that could adversely and significantly affect an ordinary buyer's use or
231. enjoyment of the property or any intended use of the property? Yes No

232. If "Yes," explain below: _____

233. _____

234. _____

235. _____

236. N. ADDITIONAL COMMENTS:

237. _____

238. _____

239. _____

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243. **O. WATER INTRUSION AND MOLD GROWTH:** Recent studies have shown that various forms of water intrusion
244. affect many homes. Water intrusion may occur from exterior moisture entering the home and/or interior moisture
245. leaving the home.

246. Examples of exterior moisture sources may be

- 247. • improper flashing around windows and doors,
- 248. • improper grading,
- 249. • flooding,
- 250. • roof leaks.

251. Examples of interior moisture sources may be

- 252. • plumbing leaks,
- 253. • condensation (caused by indoor humidity that is too high or surfaces that are too cold),
- 254. • overflow from tubs, sinks or toilets,
- 255. • firewood stored indoors,
- 256. • humidifier use,
- 257. • inadequate venting of kitchen and bath humidity,
- 258. • improper venting of clothes dryer exhaust outdoors (including electrical dryers),
- 259. • line-drying laundry indoors,
- 260. • houseplants—watering them can generate large amounts of moisture.

261. In addition to the possible structural damage water intrusion may do to the property, water intrusion may also result
262. in the growth of mold, mildew and other fungi. Mold growth may also cause structural damage to the property.
263. Therefore, it is very important to detect and remediate water intrusion problems.

264. Fungi are present everywhere in our environment, both indoors and outdoors. Many molds are beneficial to
265. humans. However, molds have the ability to produce mycotoxins that may have a potential to cause serious health
266. problems, particularly in some immunocompromised individuals and people who have asthma or allergies to
267. mold.

268. To complicate matters, mold growth is often difficult to detect, as it frequently grows within the wall structure. If you
269. have a concern about water intrusion or the resulting mold/mildew/fungi growth, you may want to consider having the
270. property inspected for moisture problems before entering into a purchase agreement or as a condition of your
271. purchase agreement. Such an analysis is particularly advisable if you observe staining or musty odors on the
272. property.

273. For additional information about water intrusion, indoor air quality, moisture or mold issues, go to the Minnesota
274. Association of REALTORS® web site at www.mnrealtor.com.

275. **ORIGINAL COPY TO LISTING BROKER; COPIES TO SELLER, BUYER, SELLING BROKER.**

MN: SPDS-7 (8/09)

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278. Property located at 1801 W Farm Road Orono

279. P. NOTICE REGARDING PREDATORY OFFENDER INFORMATION: Information regarding the predatory offender registry and persons registered with the predatory offender registry under MN Statute 243.166 may be obtained by contacting the local law enforcement offices in the community where the property is located or the Minnesota Department of Corrections at (651) 361-7200, or from the Department of Corrections web site at www.corr.state.mn.us.

284. LISTING BROKER AND LICENSEES MAKE NO REPRESENTATIONS AND ARE NOT RESPONSIBLE FOR ANY CONDITIONS EXISTING ON THE PROPERTY.

286. Q. SELLER'S STATEMENT:

287. (To be signed at time of listing.)
288. Seller(s) hereby states the material facts as stated above are true and accurate and authorizes any licensee(s) representing or assisting any party(ies) in this transaction to provide a copy of this Disclosure to any person or entity in connection with any actual or anticipated sale of the property.

291. [Signature] 2/20/2010 (Seller) (Date) (Seller) (Date)

292. R. BUYER'S ACKNOWLEDGEMENT:

293. (To be signed at time of purchase agreement.)
294. I/We, the Buyer(s) of the property, acknowledge receipt of this Seller's Property Disclosure Statement and agree that no representations regarding material facts have been made other than those made above.

296. (Buyer) (Date) (Buyer) (Date)

297. S. SELLER'S ACKNOWLEDGMENT:

298. (To be signed at time of purchase agreement.)
299. AS OF THE DATE BELOW, I/we, the Seller(s) of the property, state that the material facts stated above are the same, except for changes as indicated below, which have been signed and dated.

301.
302.
303.
304.
305.

306. (Seller) (Date) (Seller) (Date)

307. For purposes of the seller disclosure requirements of MN Statutes 513.52 through 513.60:
308. "Residential real property" or "residential real estate" means property occupied as, or intended to be occupied as, a
309. single-family residence, including a unit in a common interest community as defined in MN Statute 515B.1-103, clause
310. (10), regardless of whether the unit is in a common interest community not subject to chapter 515B.
311. The seller disclosure requirements of MN Statutes 513.52 through 513.60 apply to the transfer of any interest in
312. residential real estate, whether by sale, exchange, deed, contract for deed, lease with an option to purchase or any
313. other option.

314. ORIGINAL COPY TO LISTING BROKER; COPIES TO SELLER, BUYER, SELLING BROKER.

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317. **Exceptions**318. The seller disclosure requirements of MN Statutes 513.52 through 513.60 **DO NOT** apply to

- 319. (1) real property that is not residential real property;
- 320. (2) a gratuitous transfer;
- 321. (3) a transfer pursuant to a court order;
- 322. (4) a transfer to a government or governmental agency;
- 323. (5) a transfer by foreclosure or deed in lieu of foreclosure;
- 324. (6) a transfer to heirs or devisees of a decedent;
- 325. (7) a transfer from a cotenant to one or more other cotenants;
- 326. (8) a transfer made to a spouse, parent, grandparent, child or grandchild of Seller;
- 327. (9) a transfer between spouses resulting from a decree of marriage dissolution or from a property agreement incidental to that decree;
- 329. (10) a transfer of newly constructed residential property that has not been inhabited;
- 330. (11) an option to purchase a unit in a common interest community, until exercised;
- 331. (12) a transfer to a person who controls or is controlled by the grantor as those terms are defined with respect to a declarant under section 515B.1-103, clause (2);
- 333. (13) a transfer to a tenant who is in possession of the residential real property; or
- 334. (14) a transfer of special declarant rights under section 515B.3-104.

335. **Waiver**

336. The written disclosure required under sections 513.52 to 513.60 may be waived if Seller and the prospective Buyer
 337. agree in writing. Waiver of the disclosure required under sections 513.52 to 513.60 does not waive, limit or abridge
 338. any obligation for seller disclosure created by any other law.

339. **No Duty to Disclose**

- 340. A. There is no duty to disclose the fact that the property
 - 341. (1) is or was occupied by an owner or occupant who is or was suspected to be infected with Human
 - 342. Immunodeficiency Virus or diagnosed with Acquired Immunodeficiency Syndrome;
 - 343. (2) was the site of a suicide, accidental death, natural death or perceived paranormal activity; or
 - 344. (3) is located in a neighborhood containing any adult family home, community-based residential facility or nursing
 - 345. home.
- 346. B. **Predatory Offenders.** There is no duty to disclose information regarding an offender who is required to register
 347. under MN Statute 243.166 or about whom notification is made under that section, if Seller, in a timely manner,
 348. provides a written notice that information about the predatory offender registry and persons registered with the
 349. registry may be obtained by contacting the local law enforcement agency where the property is located or the
 350. Department of Corrections.
- 351. C. The provisions in paragraphs A and B do not create a duty to disclose any facts described in paragraphs A and B
 352. for property that is not residential property.
- 353. D. **Inspections.**
 - 354. (i) Except as provided in paragraph (ii), Seller is not required to disclose information relating to the real property
 - 355. if a written report that discloses the information has been prepared by a qualified third party and provided to
 - 356. the prospective buyer. For purposes of this paragraph, "qualified third party" means a federal, state or local
 - 357. governmental agency, or any person whom Seller or prospective buyer reasonably believes has the expertise
 - 358. necessary to meet the industry standards of practice for the type of inspection or investigation that has been
 - 359. conducted by the third party in order to prepare the written report.
 - 360. (ii) Seller shall disclose to the prospective buyer material facts known by Seller that contradict any information
 - 361. included in a written report under paragraph (i) if a copy of the report is provided to Seller.

362. **ORIGINAL COPY TO LISTING BROKER; COPIES TO SELLER, BUYER, SELLING BROKER.**

SUBSURFACE SEWAGE TREATMENT SYSTEM DISCLOSURE STATEMENT

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- 1. Date February 8, 2010
- 2. Page 1 _____ of pages: THE REQUIRED MAP IS
- 3. ATTACHED HERETO AND MADE A PART HEREOF

- 4. Property located at 1801 W Farm Road in the City of Orono
- 5. County of Hennepin State of Minnesota, legally described as follows or on
- 6. attached sheet (the "Property") _____

7. _____
8. This disclosure is not a warranty of any kind by Seller(s) or any licensee(s) representing or assisting any party(ies) in this transaction, and is not a substitute for any inspections or warranties the party(ies) may wish to obtain.

10. **BUYER(S) AND SELLER(S) MAY WISH TO OBTAIN PROFESSIONAL ADVICE AND/OR INSPECTIONS OF THE**
11. **SUBSURFACE SEWAGE TREATMENT SYSTEM AND TO PROVIDE FOR APPROPRIATE PROVISIONS IN A**
12. **CONTRACT BETWEEN BUYER(S) AND SELLER(S) WITH RESPECT TO ANY ADVICE/INSPECTION/DEFECTS.**

13. **SELLER'S INFORMATION:** The following Seller disclosure satisfies MN Statutes Chapter 115.55. Seller discloses
14. the following information with the knowledge that even though this is not a warranty, prospective Buyers may rely on
15. this information in deciding whether and on what terms to purchase the Property. The Seller(s) authorizes any
16. licensee(s) representing or assisting any party(ies) in this transaction to provide a copy of this statement to any person
17. or entity in connection with any actual or anticipated sale of the Property.

18. Unless Buyer and Seller agree to the contrary in writing before the closing of the sale, a Seller who fails to disclose
19. the existence or known status of a subsurface sewage treatment system at the time of sale, and who knew or had
20. reason to know of the existence or known status of the system, is liable to Buyer for costs relating to bringing the
21. system into compliance with subsurface sewage treatment system rules and for reasonable attorney fees for collection
22. of costs from Seller. An action under this subdivision must be commenced within two years after the date on which
23. Buyer closed the purchase of the real property where the system is located.

24. Legal requirements exist relating to various aspects of location and status of subsurface sewage treatment systems.
25. Buyer is advised to contact the local unit(s) of government, state agency or qualified professional which regulates
26. subsurface sewage treatment systems for further information about these issues.

27. The following are representations made by Seller(s) to the extent of Seller(s) actual knowledge. This information is a
28. disclosure and is not intended to be part of any contract between Buyer and Seller.

29. **SUBSURFACE SEWAGE TREATMENT SYSTEM DISCLOSURE:**

30. *(Check the appropriate box.)*

31. Seller certifies that Seller does not know of any subsurface sewage treatment system on or serving the above-
32. described real property. *(If this option is checked, then skip to the last line and sign and date this Statement.)*

33. Seller certifies that the following subsurface sewage treatment system is on or serving the above-described
34. Property.

35. Is the subsurface sewage treatment system(s) currently in use? Yes No

36. TYPE: *(Check appropriate box(es) and indicate location on attached MAP.)*

37. Septic Tank: with drain field with mound system seepage tank with open end

38. Is this system a straight-pipe system? Yes No Unknown

39. Sealed System (holding tank)

40. Other (Describe): System abandoned several years ago when city sewer was provided

41. **NOTE: If any water use appliance, bedroom or bathroom has been added to the Property, the system may**
42. **no longer comply with applicable sewage treatment system laws and rules.**

43. **ORIGINAL COPY TO LISTING BROKER; COPIES TO SELLER, BUYER, SELLING BROKER.**
over for MAP of when ABANDONED site was

45. Property located at 1801 W Farm Road Orono

46. Seller or transferor shall disclose to Buyer or transferee what Seller or transferor has knowledge of relative to the
47. compliance status of the subsurface sewage treatment system. _____

48. _____
49. _____

50. Any previous inspection report in Seller's possession must be attached to this Disclosure Statement.

51. When was the subsurface sewage treatment system installed? _____

52. Installer Name/Phone _____

53. Where is tank located? _____

54. What is tank size? _____

55. When was tank last pumped? _____

56. How often is tank pumped? _____

57. Where is the drain field located? _____

58. What is the drain field size? _____

59. Describe work performed to the subsurface sewage treatment system since you have owned the Property.

60. _____
61. _____

62. Date work performed/by whom: _____

63. _____

64. Is subsurface sewage treatment system entirely within Property boundary lines, including set back
65. requirements? _____ Is the system shared? _____ How many units on system? _____ Annual Fee? _____

66. Comments: _____
67. _____

68. On this Property: _____

69. _____

70. Approximate number of:

71. people using the subsurface sewage treatment system _____

72. showers/baths taken per week _____

73. wash loads per week _____

74. Distance between well and subsurface sewage treatment system? _____

75. Have you received any notices from any government agencies relating to the subsurface sewage treatment system?

76. (If "Yes", see attached notice.) Yes No

77. Are there any known defects in the subsurface sewage treatment system? Yes No

78. If "Yes", please explain: See comments on previous page

79. _____

80. _____

81. **ORIGINAL COPY TO LISTING BROKER; COPIES TO SELLER, BUYER, SELLING BROKER.**


Orono

83. Property located at 1801 W Farm Road

84. **SELLER'S STATEMENT:**

85. *(To be signed at time of listing.)*

86. I/We, Seller(s) of the Property acknowledge the above subsurface sewage treatment system disclosure and MAP
87. and authorize listing broker to disclose this information to prospective buyers.

88.  2/20/2010 _____
(Seller) (Date) (Seller) (Date)

89. **BUYER'S ACKNOWLEDGMENT:**

90. *(To be signed at time of purchase agreement.)*

91. I/We, the Buyer(s) of the Property acknowledge receipt of this Subsurface Sewage Treatment System Disclosure
92. Statement and MAP and agree that no representation regarding the condition of the subsurface sewage treatment
93. system have been made, other than those made above.

94. **LISTING BROKER AND LICENSEES MAKE NO REPRESENTATIONS AND ARE NOT RESPONSIBLE FOR ANY**
95. **CONDITIONS EXISTING IN THE SUBSURFACE SEWAGE TREATMENT SYSTEM.**

96. _____
(Buyer) (Date) (Buyer) (Date)

97. **SELLER'S ACKNOWLEDGMENT:**

98. *(To be signed at time of purchase agreement.)*

99. AS OF THE DATE OF THE ACCEPTANCE OF THE PURCHASE AGREEMENT, I/We, the Seller(s) of the above
100. Property, agree that the condition of the subsurface sewage treatment system is the same as noted above, except for
101. changes as indicated below which have been signed and dated.

- 102. _____
- 103. _____
- 104. _____
- 105. _____
- 106. _____
- 107. _____
- 108. _____
- 109. _____
- 110. _____
- 111. _____
- 112. _____
- 113. _____

114. _____
(Seller) (Date) (Seller) (Date)

115. **ORIGINAL COPY TO LISTING BROKER; COPIES TO SELLER, BUYER, SELLING BROKER.**

WELL DISCLOSURE STATEMENT

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4. Minnesota Statute 103I.235 requires that, before signing an agreement to sell or transfer real property, Seller must disclose information in writing to Buyer about the status and location of all known wells on the property. This requirement is satisfied by delivering to Buyer either a statement by Seller that Seller does not know of any wells on the property, or a disclosure statement indicating the legal description and county, and a map showing the location of each well. In the disclosure statement Seller must indicate, for each well, whether the well is in use, not in use or sealed.

9. Unless Buyer and Seller agree to the contrary in writing, before the closing of the sale, a Seller who fails to disclose the existence or known status of a well at the time of sale, and knew or had reason to know of the existence or known status of the well, is liable to Buyer for costs relating to sealing of the well and reasonable attorneys' fees for collection of costs from Seller, if the action is commenced within six years after the date Buyer closed the purchase of the real property where the well is located.

14. Legal requirements exist relating to various aspects of location and status of wells. Buyer is advised to contact the local unit(s) of government, state agency or qualified professional which regulates wells for further information about these issues.

17. **Instructions for completion of this form are on the reverse side.**

18. **PROPERTY DESCRIPTION:** Street Address: 1801 W Farm Road

19. Orono (City) Hennepin (County)

20. **LEGAL DESCRIPTION:**

21. _____

22. _____

23. _____

24. _____

25. _____

26. **WELL DISCLOSURE STATEMENT:**

27. *(Check appropriate box.)*

28. Seller certifies that Seller does not know of any wells on the above described real property.
29. *(If this option is checked, then skip to the last line and sign and date this Statement.)*

30. Seller certifies that the following wells are located on the above described real property.

	MN Unique Well No.	Well Depth	Year of Const.	Well Type	IN USE	NOT IN USE	SEALED
33. Well 1	_____	_____	_____	_____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
34. Well 2	_____	_____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
35. Well 3	_____	_____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

36. **NOTE:** See definition of terms "IN USE," "NOT IN USE," and "SEALED" on lines 89-100. If a well is not in use, it must be sealed by a licensed well contractor or a well owner must obtain a maintenance permit from the Minnesota Department of Health and pay an annual maintenance fee. Maintenance permits are not transferable. If a well is operable and properly maintained, a maintenance permit is not required.

41. **ORIGINAL COPY TO LISTING BROKER; COPIES TO SELLER, BUYER, SELLING BROKER.**

43. Property located at 1801 W Farm Road _____

44. **OTHER WELL INFORMATION:**

45. Date well water last tested for contaminants: _____ Test results attached? Yes No

46. Comments:

47. _____
48. _____
49. _____
50. _____
51. _____
52. _____

53. Contaminated Well: Is there a well on the property containing contaminated water? Yes No

54. **SEALED WELL INFORMATION:** For each well designated as sealed above, complete this section.

55. When was the well sealed? _____

56. Who sealed the well? _____

57. Was a Sealed Well Report filed with the Minnesota Department of Health? Yes No

58. **MAP: Complete the attached MAP showing the location of each well on the real property.**

59. This disclosure is not a warranty of any kind by Seller(s) or any licensee(s) representing or assisting any part(ies) in
60. this transaction and is not a substitute for any inspections or warranties the party(ies) may wish to obtain.

61. **CERTIFICATION BY SELLER: I certify that the information provided above is accurate and complete to the
62. best of my knowledge.**

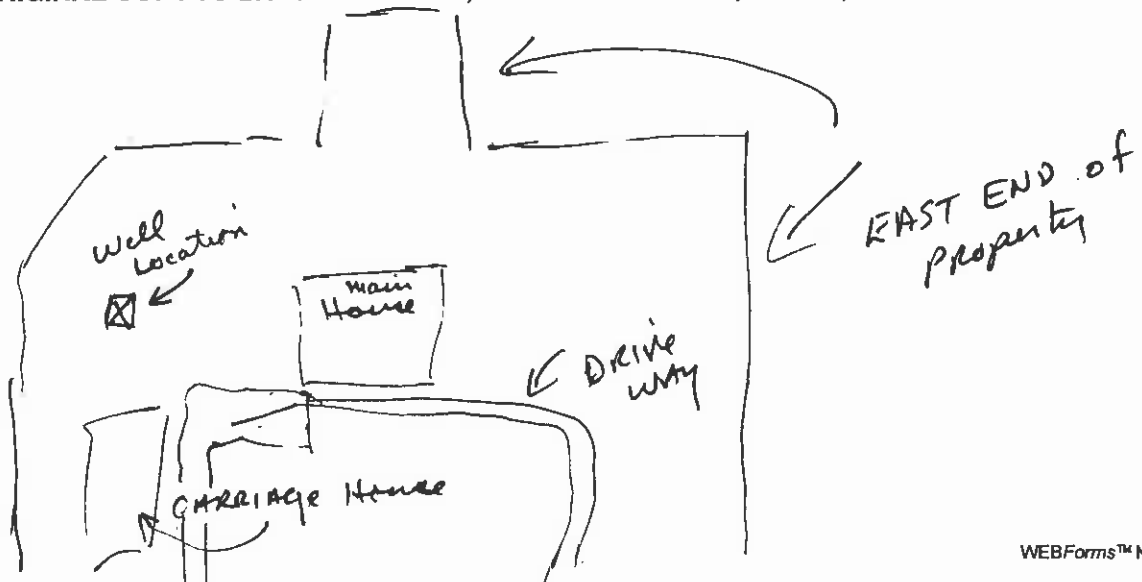
63. *[Signature]* 2/20/2010 _____
(Seller or Designated Representative) (Date) (Seller or Designated Representative) (Date)

64. **BUYER'S ACKNOWLEDGEMENT:**

65. _____
(Buyer) (Date) (Buyer) (Date)

66. **ORIGINAL COPY TO LISTING BROKER; COPIES TO SELLER, BUYER, SELLING BROKER.**

MN-WDS-1 (8/07)

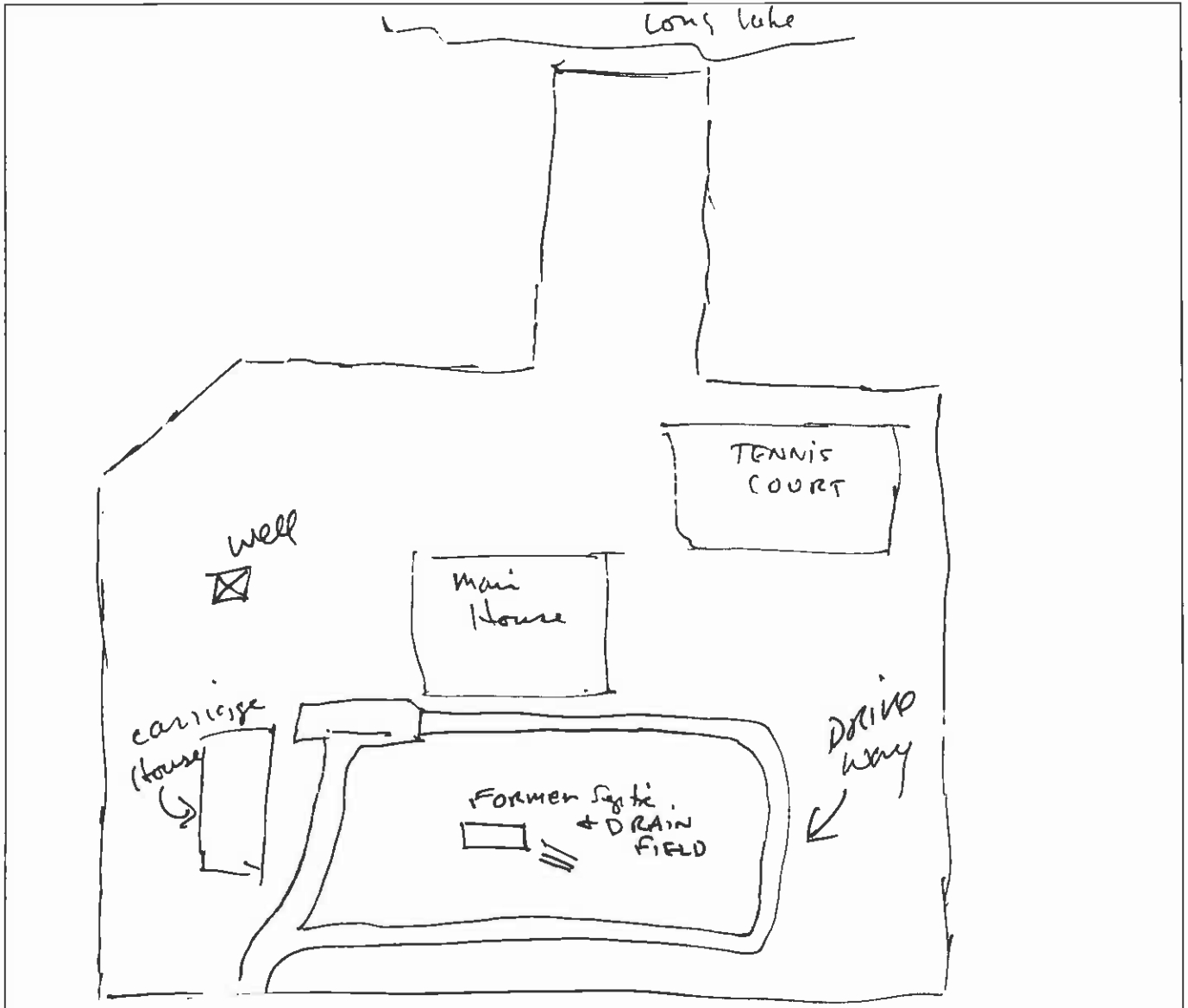


68. **INSTRUCTIONS FOR COMPLETING THE WELL DISCLOSURE STATEMENT**
69. **DEFINITION:** A "well" means an excavation that is drilled, cored, bored, washed, driven, dug, jetted or otherwise
70. constructed if the excavation is intended for the location, diversion, artificial recharge or acquisition of groundwater.
71. **MINNESOTA UNIQUE WELL NUMBER:** All new wells constructed AFTER January 1, 1975, should have been
72. assigned a Minnesota unique well number by the person constructing the well. If the well was constructed after this
73. date, you should have the unique well number in your property records. If you are unable to locate your unique well
74. number and the well was constructed AFTER January 1, 1975, contact your well contractor. If no unique well number
75. is available, please indicate the depth and year of construction for each well.
76. **WELL TYPE:** Use one of the following terms to describe the well type.
77. **WATER WELL:** A water well is any type of well used to extract groundwater for private or public use. Examples
78. of water wells are: domestic wells, drive-point wells, dug wells, remedial wells and municipal wells.
79. **IRRIGATION WELL:** An irrigation well is a well used to irrigate agricultural lands. These are typically
80. large-diameter wells connected to a large pressure distribution system.
81. **MONITORING WELL:** A monitoring well is a well used to monitor groundwater contamination. The well is
82. typically used to access groundwater for the extraction of samples.
83. **DEWATERING WELL:** A dewatering well is a well used to lower groundwater levels to allow for construction
84. or use of underground spaces.
85. **INDUSTRIAL/COMMERCIAL WELL:** An industrial/commercial well is a nonpotable well used to extract
86. groundwater for any nonpotable use, including groundwater thermal exchange wells (heat pumps and heat
87. loops).
88. **WELL USE STATUS:** Indicate the use status of each well. CHECK ONLY ONE (1) BOX PER WELL.
89. **IN USE:** A well is "in use" if the well is operated on a daily, regular or seasonal basis. A well in use includes
90. a well that operates for the purpose of irrigation, fire protection or emergency pumping.
91. **NOT IN USE:** A well is "not in use" if the well does not meet the definition of "in use" above and has not been
92. sealed by a licensed well contractor.
93. **SEALED:** A well is "sealed" if a licensed contractor has completely filled a well by pumping grout material
94. throughout the entire bore hole after removal of any obstructions from the well. A well is "capped" if it has
95. a metal or plastic cap or cover which is threaded, bolted or welded into the top of the well to prevent entry
96. into the well. A "capped" well is not a "sealed" well.
97. If the well has been sealed by someone other than a licensed well contractor or a licensed well sealing
98. contractor, check the well status as "not in use."
99. If you have any questions, please contact the Minnesota Department of Health, Well Management Section,
100. at (651) 201-4587 (metropolitan Minneapolis–St. Paul) or 1-800-383-9808 (greater Minnesota).
101. **ORIGINAL COPY TO LISTING BROKER; COPIES TO SELLER, BUYER, SELLING BROKER.**

LOCATION MAP


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- 1. Page _____ of _____ pages
- 2. Please use the space below to sketch the real property being sold and, to Seller's knowledge, the approximate location of any of the following on the property.
- 3.
- 4. ^{ABANDONED} SUBSURFACE SEWAGE TREATMENT SYSTEM WELL METHAMPHETAMINE PRODUCTION AREA
(Check all that apply.)
- 5. Include approximate distances from fixed reference points such as streets, buildings and landmarks.
- 6. Property located at 1801 W Farm Road
- 7. Orono



8. ATTACH ADDITIONAL SHEETS AS NEEDED.

9. Seller and Buyer initial:


2/20/2010

 (Seller) (Date) (Buyer) (Date)

10. _____
 (Seller) (Date) (Buyer) (Date)

11. ORIGINAL COPY TO LISTING BROKER; COPIES TO SELLER, BUYER, SELLING BROKER