



DISCLOSURE STATEMENT: SELLER'S PROPERTY DISCLOSURE STATEMENT

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1. Date _____
2. Page 1 of _____ pages: RECORDS AND
3. REPORTS, IF ANY, ARE ATTACHED AND MADE A
4. PART OF THIS DISCLOSURE

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

6. **NOTICE:** This Disclosure Statement satisfies the disclosure requirements of MN Statutes 513.52 through 513.60.
7. Under Minnesota law, sellers of residential property, with limited exceptions listed on page nine (9), are obligated to
8. disclose to prospective buyers all material facts of which Seller is aware that could adversely and significantly affect
9. an ordinary buyer's use or enjoyment of the property or any intended use of the property of which Seller is aware.
10. MN Statute 513.58 requires Seller to notify buyer in writing as soon as reasonably possible, but in any event before
11. closing, if Seller learns that Seller's disclosure was inaccurate. Seller is obligated to continue to notify Buyer, in writing,
12. of any facts disclosed here (new or changed) of which Seller is aware that could adversely and significantly affect the
13. Buyer's use or enjoyment of the property or any intended use of the property that occur up to the time of closing.
14. Seller has disclosure alternatives allowed by MN Statutes. See *Disclosure Statement: Seller's Disclosure Alternatives*
15. form for further information regarding disclosure alternatives. This disclosure is not a warranty or a guarantee of any
16. kind by Seller or licensee(s) representing or assisting any party in the transaction and is not a substitute for any
17. inspections or warranties the party(ies) may wish to obtain.

18. For purposes of the seller disclosure requirements of MN Statutes 513.52 through 513.60:

19. "Residential real property" or "residential real estate" means property occupied as, or intended to be occupied as, a
20. single-family residence, including a unit in a common interest community as defined in MN Statute 515B.1-103, clause
21. (10), regardless of whether the unit is in a common interest community not subject to chapter 515B.

22. The seller disclosure requirements of MN Statutes 513.52 through 513.60 apply to the transfer of any interest in
23. residential real estate, whether by sale, exchange, deed, contract for deed, lease with an option to purchase, or any
24. other option.

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

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

33. Property located at 3350 Fox Street,

34. City of Orono, County of Hennepin, State of Minnesota.

35. **A. GENERAL INFORMATION:** The following questions are to be answered to the best of Seller's knowledge.

36. (1) What date November 2010 did you ☒ **Acquire** ☐ **Build** the home?
----- (Check one.) -----

37. (2) Type of title evidence: ☐ Abstract ☒ Registered (Torrens) ☐ Unknown

38. Location of Abstract: _____

39. Is there an existing Owner's Title Insurance Policy? ☐ Yes ☐ No

40. (3) Have you occupied this home continuously during your ownership? ☐ Yes ☒ No

41. If "No," explain: home renovation

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

43. (5) Are you in possession of prior seller's disclosure statement(s)? (If "Yes," please attach.) ☐ Yes ☒ No

44. (6) Does the property include a manufactured home? ☐ Yes ☒ No

45. If "Yes," HUD #(s) is/are _____

46. Has the title been surrendered to the Registrar of Motor Vehicles for cancellation? ☐ Yes ☒ No



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50. (7) Is the property located on a public or a private road? ☐ Public ☒ Private ☐ Public: no maintenance

51. (8) Flood Insurance: All properties in the state of Minnesota have been assigned a flood zone designation. Some
52. flood zones may require flood insurance.

53. (a) Do you know which zone the property is located in? ☐ Yes ☒ No

54. If "Yes," which zone? _____

55. (b) Have you ever had a flood insurance policy? ☐ Yes ☐ No

56. If "Yes," is the policy in force? ☐ Yes ☐ No

57. If "Yes," what is the annual premium? \$ _____

58. If "Yes," who is the insurance carrier? _____

59. (c) Have you ever had a claim with a flood insurance carrier or FEMA? ☐ Yes ☐ No

60. If "Yes," please explain: _____

61. _____

62. **NOTE:** Whether or not Seller currently carries flood insurance, it may be required in the future. Flood insurance
63. premiums are increasing, and in some cases will rise by a substantial amount over the premiums
64. previously charged for flood insurance for the property. As a result, Buyer should not rely on the
65. premiums paid for flood insurance on this property previously as an indication of the premiums that
66. will apply after Buyer completes their purchase.

67. Are there any

68. (9) encroachments? ☐ Yes ☒ No

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

71. (11) governmental requirements or restrictions that affect or may affect the use or future
72. enjoyment of the property (e.g., shoreland restrictions, non-conforming use, etc.)? ☐ Yes ☒ No

73. (12) easements, other than utility or drainage easements? ☒ Yes ☐ No

74. (13) Please provide clarification or further explanation for all applicable "Yes" responses in Section A:

75. I administer, and own an undivided one-half interest in, the private road parcel (Outlet A, FULLERTON ESTATES). All owners along Outlet A
76. share in the costs of maintaining the private road parcel, and the costs of complying with a related Storm Water Facility Maintenance
Agreement with the watershed district.
My property also is benefited by easements and restrictions over the parcel to the west (Lot 3, Block 1) for (a) driveway over a small area
next to the cul-de-sac, and (b) a large "no build area" restriction, and a view easement over the northerly 150 feet of the "no build area,"
to preserve the view to Stubbs Bay.

77. **B. GENERAL CONDITION:** To your knowledge, have any of the following conditions previously existed or do they
78. currently exist on the property?

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

80. (1) Has there been any damage by wind, fire, flood, hail, or other cause(s)? ☐ Yes ☒ No

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

82. _____

83. (2) Have you ever had an insurance claim(s) against your Homeowner's
84. Insurance Policy? ☐ Yes ☒ No

85. If "Yes," what was the claim(s) for (e.g., hail damage to roof)? _____

86. _____

87. Did you receive compensation for the claim(s)? ☐ Yes ☐ No

88. If you received compensation, did you have the items repaired? ☐ Yes ☐ No

89. What dates did the claim(s) occur? _____



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93. (3) (a) Has/Have the structure(s) been altered?
94. (e.g., additions, altered roof lines, changes to load-bearing walls) ☒ Yes ☐ No

95. If "Yes," please specify what was done, when, and by whom (owner or contractor):
96. **Addition and renovation of existing home done by Steiner & Koppleman.**

97.
98. (b) Has any work been performed on the property? (e.g., additions to the property, wiring, plumbing,
99. retaining wall, general finishing) ☒ Yes ☐ No

100. If "Yes," please explain:
101. **Complete renovation from 2011-2015. Pool house built by J. Woodrow Builders. New pool and pool house recently added.**

102. (c) Are you aware of any work performed on the property for which
103. appropriate permits were not obtained? ☐ Yes ☒ No

104. If "Yes," please explain:
105. _____

106. (4) Has there been any damage to flooring or floor covering? ☐ Yes ☒ No

107. If "Yes," give details of what happened and when:
108. _____

109. (5) Do you have or have you previously had any pets? ☒ Yes ☐ No

110. If "Yes," indicate type shepherd and number 2

111. (6) **THE FOUNDATION:** The type of foundation is (i.e., block, poured, wood, stone, other):
112. poured, block

113. (7) **THE BASEMENT, CRAWLSPACE, SLAB:**

114. (a) cracked floor/walls? ☒ Yes ☐ No (e) leakage/seepage? ☐ Yes ☒ No

115. (b) drain tile problem? ☐ Yes ☒ No (f) sewer backup? ☐ Yes ☒ No

116. (c) flooding? ☐ Yes ☒ No (g) wet floors/walls? ☐ Yes ☒ No

117. (d) foundation problem? ☐ Yes ☒ No (h) other? ☐ Yes ☐ No

118. Give details to any questions answered "Yes":
119. _____

120.
121. (8) **THE ROOF:**

122. (a) What is the age of the roofing material?
123. Home: 6.5 years Garage(s)/Outbuilding(s): 6.5 years

124. (b) Has there been any interior or exterior damage? ☐ Yes ☒ No

125. (c) Has there been interior damage from ice buildup? ☐ Yes ☒ No

126. (d) Has there been any leakage? ☐ Yes ☒ No

127. (e) Have there been any repairs or replacements made to the roof? ☐ Yes ☒ No

128. Give details to any questions answered "Yes":
129. _____



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133. (9) THE EXTERIOR AND INTERIOR WALLS/SIDING/WINDOWS:

134. (a) The type(s) of siding is (e.g., vinyl, stucco, brick, other): brick, stucco

135. (b) cracks/damage? ☐ Yes ☒ No

136. (c) leakage/seepage? ☐ Yes ☒ No

137. (d) other? ☐ Yes ☒ No

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

139.

140. C. APPLIANCES, HEATING, PLUMBING, ELECTRICAL, AND OTHER MECHANICAL SYSTEMS:

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

CHECK "NA" FOR ONLY THOSE ITEMS NOT PHYSICALLY LOCATED ON THE PROPERTY.

	Working Order				Working Order		
	Yes	No	NA		Yes	No	NA
147. Air-conditioning.....	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Propane tank.....	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
148. <input checked="" type="checkbox"/> Central <input type="checkbox"/> Wall <input type="checkbox"/> Window				<input type="checkbox"/> Rented <input type="checkbox"/> Owned			
149. Air exchange system.....	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Range/oven.....	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
150. Carbon monoxide detector.....	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Range hood.....	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
151. Ceiling fan.....	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Refrigerator.....	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
152. Central vacuum.....	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Security system.....	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
153. Clothes dryer.....	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Rented <input checked="" type="checkbox"/> Owned			
154. Clothes washer.....	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Smoke detectors (battery).....	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
155. Dishwasher.....	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Smoke detectors (hardwired).....	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
156. Doorbell.....	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Solar collectors.....	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
157. Drain tile system.....	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Sump pump.....	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
158. Electrical system.....	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Toilet mechanisms.....	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
159. Environmental remediation system				Trash compactor.....	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
160. (e.g., radon, vapor intrusion).....	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	TV antenna system.....	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
161. Exhaust system.....	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	TV cable system.....	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
162. Fire sprinkler system.....	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	TV receiver.....	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
163. Fireplace.....	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	TV satellite dish.....	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
164. Fireplace mechanisms.....	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Rented <input checked="" type="checkbox"/> Owned			
165. Freezer.....	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Water heater.....	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
166. Furnace humidifier.....	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Water purification system.....	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
167. Garage door auto reverse.....	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Rented <input checked="" type="checkbox"/> Owned			
168. Garage door opener.....	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Water softener.....	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
169. Garage door opener remote.....	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Rented <input checked="" type="checkbox"/> Owned			
170. Garbage disposal.....	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Water treatment system.....	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
171. Heating system (central).....	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Rented <input checked="" type="checkbox"/> Owned			
172. Heating system (supplemental).....	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Windows.....	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
173. Incinerator.....	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Window treatments.....	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
174. Intercom.....	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Wood-burning stove.....	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
175. Lawn sprinkler system.....	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Other <u>Pizza oven</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
176. Microwave.....	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Other.....	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
177. Plumbing.....	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Other.....	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
178. Pool and equipment.....	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Other.....	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>



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182. Are there any items or systems on the property connected or controlled wirelessly, via internet protocol ("IP"), to
183. a router or gateway or directly to the cloud? ☒ Yes ☐ No

184. Comments regarding issues in Section C: _____

185. _____

186. D. SUBSURFACE SEWAGE TREATMENT SYSTEM DISCLOSURE:

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

188. Seller certifies that Seller ☒ **DOES** ☐ **DOES NOT** know of a subsurface sewage treatment system on or serving
(Check one.)

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

191. ☐ There is an abandoned subsurface sewage treatment system on the above-described real property.
192. (See *Disclosure Statement: Subsurface Sewage Treatment System.*)

193. E. PRIVATE WELL DISCLOSURE: (A well disclosure and Certificate are required by MN Statute 103I.235.)
194. (Check appropriate box.)

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

196. ☒ Seller certifies there are one or more wells located on the above-described real property.
197. (See *Disclosure Statement: Well.*)

198. Are there any wells serving the above-described property that are not located on the
199. property? ☐ Yes ☒ No

200. If "Yes":
201. (1) How many properties or residences does the shared well serve? _____

202. (2) Is there a maintenance agreement for the shared well? ☐ Yes ☐ No

203. If "Yes," what is the annual maintenance fee? \$ _____

204. Is this property in a Special Well Construction Area? ☐ Yes ☐ No

205. F. PROPERTY TAX TREATMENT:

206. **Valuation Exclusion Disclosure** (Required by MN Statute 273.11, Subd. 18.)

207. There ☐ **IS** ☒ **IS NOT** an exclusion from market value for home improvements on this property. Any
(Check one.)

208. valuation exclusion shall terminate upon sale of the property, and the property's estimated market value for
209. property tax purposes shall increase. If a valuation exclusion exists, Buyers are encouraged to look into the
210. resulting tax consequences.

211. Additional comments: _____

212. _____

213. Preferential Property Tax Treatment

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

215. (e.g., Disability, Green Acres, CRP, RIM, Rural Preserve, Veterans' Benefits,

216. Non-Profit Status) ☐ Yes ☒ No

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

218. Explain: _____

219. _____



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

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223. **G. FOREIGN INVESTMENT IN REAL PROPERTY TAX ACT ("FIRPTA"):** Section 1445 of the Internal Revenue Code
224. provides that a transferee ("Buyer") of a United States real property interest must be notified in writing and must
225. withhold tax if the transferor ("Seller") is a foreign person and no exceptions from FIRPTA withholding apply.

226. Seller represents that Seller ☐ IS ☒ IS NOT a foreign person (i.e., a non-resident alien individual, foreign corporation,
----- (Check one.) -----

227. foreign partnership, foreign trust, or foreign estate) for purposes of income taxation. This representation shall
228. survive the closing of any transaction involving the property described here.

229. **NOTE:** If the above answer is "IS," Buyer may be subject to income tax withholding in connection with the
230. transaction (unless the transaction is covered by an applicable exception to FIRPTA withholding). In
231. non-exempt transactions, Buyer may be liable for the tax if Buyer fails to withhold.
232. If the above answer is "IS NOT," Buyer may wish to obtain specific documentation from Seller ensuring
233. Buyer is exempt from the withholding requirements as prescribed under Section 1445 of the Internal
234. Revenue Code.

235. Due to the complexity and potential risks of failing to comply with FIRPTA, including Buyer's responsibility
236. for withholding the applicable tax, Buyer and Seller should **seek appropriate legal and tax advice regarding**
237. **FIRPTA compliance, as the respective licensees representing or assisting either party will be unable to**
238. **assure either party whether the transaction is exempt from the FIRPTA withholding requirements.**

239. **H. METHAMPHETAMINE PRODUCTION DISCLOSURE:**

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

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

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

243. (See Disclosure Statement: Methamphetamine Production.)

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

249. **J. NOTICE REGARDING CARBON MONOXIDE DETECTORS:** MN Statute 299F.51 requires Carbon Monoxide
250. Detectors to be located within ten (10) feet from all sleeping rooms. Carbon Monoxide Detectors may or may not
251. be personal property and may or may not be included in the sale of the home.

252. **K. CEMETERY ACT:** The following questions are to be answered to the best of Seller's knowledge.

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

256. Are you aware of any human remains, burials, or cemeteries located on the property? ☐ Yes ☒ No

257. If "Yes," please explain: _____

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

261. **L. ENVIRONMENTAL CONCERNS:** To your knowledge, have any of the following previously existed or do they
262. currently exist on the property?

263. (1) Animal/Insect/Pest Infestation? ☐ Yes ☒ No (6) Lead? (e.g., paint, plumbing) ☐ Yes ☒ No

264. (2) Asbestos? ☐ Yes ☒ No (7) Mold? ☐ Yes ☒ No

265. (3) Diseased trees? ☐ Yes ☒ No (8) Soil problems? ☐ Yes ☒ No

266. (4) Formaldehyde? ☐ Yes ☒ No (9) Underground storage tanks? ☐ Yes ☒ No

267. (5) Hazardous waste/substances? ☐ Yes ☒ No

268. (10) Other? Inactive water tank above ground in the house next to lake. ☒ Yes ☐ No

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271. Property located at **3350 Fox Street** **Orono**
272. (11) Have you ever been contacted or received any information from any governmental authority pertaining
 273. to possible or actual environmental contamination affecting the property? ☐ Yes ☒ No
274. (12) Are you aware if there are currently, or have previously been, any orders issued on the
 275. property by any governmental authority ordering the remediation of a public
 276. health nuisance on the property? ☐ Yes ☒ No
277. If answer above is "Yes," Seller certifies that all orders ☐ HAVE ☐ HAVE NOT been vacated.
 (Check one.)
278. (13) Please provide clarification or further explanation for all applicable "Yes" responses in Section L.
279. _____
280. _____

281. M. RADON DISCLOSURE: (The following Seller disclosure satisfies MN Statute 144.496.)

282. **RADON WARNING STATEMENT:** The Minnesota Department of Health strongly recommends that ALL
 283. homebuyers have an indoor radon test performed prior to purchase or taking occupancy, and recommends having
 284. the radon levels mitigated if elevated radon concentrations are found. Elevated radon concentrations can easily
 285. be reduced by a qualified, certified, or licensed, if applicable, radon mitigator.

286. Every buyer of any interest in residential real property is notified that the property may present exposure to
 287. dangerous levels of indoor radon gas that may place occupants at risk of developing radon-induced lung cancer.
 288. Radon, a Class A human carcinogen, is the leading cause of lung cancer in nonsmokers and the second leading
 289. cause overall. The seller of any interest in residential real property is required to provide the buyer with any
 290. information on radon test results of the dwelling.

291. **RADON IN REAL ESTATE:** By signing this Statement, Buyer hereby acknowledges receipt of the Minnesota
 292. Department of Health's publication entitled **Radon in Real Estate Transactions**, which is attached hereto and
 293. can be found at www.health.state.mn.us/divs/eh/indoorair/radon/rnrealestateweb.pdf.

294. A seller who fails to disclose the information required under MN Statute 144.496, and is aware of material facts
 295. pertaining to radon concentrations in the property, is liable to the Buyer. A buyer who is injured by a violation of MN
 296. Statute 144.496 may bring a civil action and recover damages and receive other equitable relief as determined by
 297. the court. Any such action must be commenced within two years after the date on which the buyer closed the
 298. purchase or transfer of the real property.

299. **SELLER'S REPRESENTATIONS:** The following are representations made by Seller to the extent of Seller's actual
 300. knowledge.

301. (a) Radon test(s) ☐ HAVE ☒ HAVE NOT occurred on the property.
 (Check one.)
302. (b) Describe any known radon concentrations, mitigation, or remediation. **NOTE:** Seller shall attach the most
 303. current records and reports pertaining to radon concentration within the dwelling:
 304. _____
 305. _____
306. (c) There ☐ IS ☒ IS NOT a radon mitigation system currently installed on the property.
 (Check one.)
307. If "IS," Seller shall disclose, if known, information regarding the radon mitigation system, including system
 308. description and documentation.
 309. _____
 310. _____

311. **EXCEPTIONS:** See Section R for exceptions to this disclosure requirement.



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

314. Property located at 3350 Fox Street Orono

315. N. **NOTICES/OTHER DEFECTS/MATERIAL FACTS:** The following questions are to be answered to the best of
316. Seller's knowledge.

317. **Notices:** Seller ☐ HAS ☒ HAS NOT received a notice regarding any proposed improvement project from any
318. assessing authorities, the costs of which project may be assessed against the property. If "HAS," please attach
319. and/or explain: _____
320. _____

321. **Other Defects/Material Facts:** Are there any other material facts that could adversely and significantly affect an
322. ordinary buyer's use or enjoyment of the property or any intended use of the property? ☒ Yes ☐ No

323. If "Yes," explain:
324. Parts of limestone on home have become faulty. Currently working through
litigation to resolve issue.

325. O. **WATER INTRUSION AND MOLD GROWTH:** Studies have shown that various forms of water intrusion affect
326. many homes. Water intrusion may occur from exterior moisture entering the home and/or interior moisture leaving
327. the home.

328. Examples of exterior moisture sources may be:

- 329. • Improper flashing around windows and doors,
- 330. • improper grading,
- 331. • flooding,
- 332. • roof leaks.

333. Examples of interior moisture sources may be:

- 334. • plumbing leaks,
- 335. • condensation (caused by indoor humidity that is too high or surfaces that are too cold),
- 336. • overflow from tubs, sinks, or toilets,
- 337. • firewood stored indoors,
- 338. • humidifier use,
- 339. • inadequate venting of kitchen and bath humidity,
- 340. • improper venting of clothes dryer exhaust outdoors (including electrical dryers),
- 341. • line-drying laundry indoors,
- 342. • houseplants—watering them can generate large amounts of moisture.

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

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

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

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



DISCLOSURE STATEMENT: SELLER'S
PROPERTY DISCLOSURE STATEMENT
360. Page 9

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

362. Property located at 3350 Fox Street Orono

363. Q. ADDITIONAL COMMENTS:

364.

365. R. MN STATUTES 513.52 THROUGH 513.60: SELLER'S MATERIAL FACT DISCLOSURE:

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

367. (1) real property that is not residential real property;
368. (2) a gratuitous transfer;
369. (3) a transfer pursuant to a court order;
370. (4) a transfer to a government or governmental agency;
371. (5) a transfer by foreclosure or deed in lieu of foreclosure;
372. (6) a transfer to heirs or devisees of a decedent;
373. (7) a transfer from a co-tenant to one or more other co-tenants;
374. (8) a transfer made to a spouse, parent, grandparent, child, or grandchild of Seller;
375. (9) a transfer between spouses resulting from a decree of marriage dissolution or from a property agreement incidental to that decree;
- 376.
377. (10) a transfer of newly constructed residential property that has not been inhabited;
378. (11) an option to purchase a unit in a common interest community, until exercised;
379. (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);
- 380.
381. (13) a transfer to a tenant who is in possession of the residential real property; or
382. (14) a transfer of special declarant rights under section 515B.3-104.

383. **MN STATUTES 144.496: RADON AWARENESS ACT**

384. The seller disclosure requirements of MN Statute 144.496 DO NOT apply to (1)-(9) and (11)-(14) above. Sellers

385. of newly constructed residential property must comply with the disclosure requirements of MN Statute 144.496.

386. **Waiver:** The written disclosure required under sections 513.52 to 513.60 may be waived if Seller and the

387. prospective Buyer agree in writing. Waiver of the disclosure required under sections 513.52 to 513.60 does not

388. waive, limit, or abridge any obligation for seller disclosure created by any other law.

389. **No Duty to Disclose:**

390. (A) There is no duty to disclose the fact that the property
391. (1) is or was occupied by an owner or occupant who is or was suspected to be infected with Human
392. Immunodeficiency Virus or diagnosed with Acquired Immunodeficiency Syndrome;
393. (2) was the site of a suicide, accidental death, natural death, or perceived paranormal activity; or
394. (3) is located in a neighborhood containing any adult family home, community-based residential facility, or
395. nursing home.
396. (B) **Predatory Offenders.** There is no duty to disclose information regarding an offender who is required to
397. register under MN Statute 243.166 or about whom notification is made under that section, if Seller, in a timely
398. manner, provides a written notice that information about the predatory offender registry and persons registered
399. with the registry may be obtained by contacting the local law enforcement agency where the property is
400. located or the Department of Corrections.
401. (C) The provisions in paragraphs (A) and (B) do not create a duty to disclose any facts described in paragraphs
402. (A) and (B) for property that is not residential property.
403. (D) **Inspections.**
404. (1) Except as provided in paragraph (2), Seller is not required to disclose information relating to the real
405. property if a written report that discloses the information has been prepared by a qualified third party
406. and provided to the prospective buyer. For purposes of this paragraph, "qualified third party" means a
407. federal, state, or local governmental agency, or any person whom Seller or prospective buyer reasonably
408. believes has the expertise necessary to meet the industry standards of practice for the type of inspection
409. or investigation that has been conducted by the third party in order to prepare the written report.
410. (2) Seller shall disclose to the prospective buyer material facts known by Seller that contradict any information
411. included in a written report under paragraph (1) if a copy of the report is provided to Seller.



DISCLOSURE STATEMENT: SELLER'S
PROPERTY DISCLOSURE STATEMENT

412. Page 10

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


414. Property located at 3350 Fox Street Orono

415. S. SELLER'S STATEMENT:

416. (To be signed at time of listing.)

417. Seller(s) hereby states the facts as stated above are true and accurate and authorizes any licensee(s) representing
418. or assisting any party(ies) in this transaction to provide a copy of this Disclosure Statement to any person or entity
419. in connection with any actual or anticipated sale of the property. A seller may provide this Disclosure Statement
420. to a real estate licensee representing or assisting a prospective buyer. The Disclosure Statement provided to the
421. real estate licensee representing or assisting a prospective buyer is considered to have been provided to the
422. prospective buyer. If this Disclosure Statement is provided to the real estate licensee representing or assisting the
423. prospective buyer, the real estate licensee must provide a copy to the prospective buyer.

424. Seller is obligated to continue to notify Buyer in writing of any facts that differ from the facts disclosed
425. here (new or changed) of which Seller is aware that could adversely and significantly affect the Buyer's
426. use or enjoyment of the property or any intended use of the property that occur up to the time of closing.
427. To disclose new or changed facts, please use the *Amendment to Disclosure Statement* form.

428.  8-3-18
(Seller) Nancy R. Bigos (Date) (Seller) (Date)

429. T. BUYER'S ACKNOWLEDGEMENT:

430. (To be signed at time of purchase agreement.)

431. I/We, the Buyer(s) of the property, acknowledge receipt of this *Seller's Property Disclosure Statement* and agree
432. that no representations regarding facts have been made other than those made above. This Disclosure Statement
433. is not a warranty or a guarantee of any kind by Seller or licensee(s) representing or assisting any party in the
434. transaction and is not a substitute for any inspections or warranties the party(ies) may wish to obtain.

435. The information disclosed is given to the best of Seller's knowledge.

436. _____
(Buyer) (Date) (Buyer) (Date)

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

MN:DS:SPDS-10 (8/16)

Radon in Real Estate Transactions

All Minnesota homes can have dangerous levels of radon gas. Radon is a colorless, odorless and tasteless **radioactive gas** that can seep into homes from the soil. When inhaled, it can damage the lungs. Long-term exposure to radon can lead to **lung cancer**. About 21,000 lung cancer deaths each year in the United States are caused by radon.

The only way to know how much radon gas has entered the home is to conduct a radon test. MDH estimates 2 in 5 homes exceed the 4.0 pCi/L action level. Whether a home is old or new, **any home can have high levels of radon**.

The purpose of this publication is to educate and inform potential home buyers of the risks of radon exposure, and how to test for and reduce radon as part of real estate transactions.

Disclosure Requirements



Effective January 1, 2014, the Minnesota Radon Awareness Act requires specific disclosure and education be provided to potential home buyers during residential real estate transactions in Minnesota. **Before signing a purchase agreement to sell or transfer residential real property**, the seller shall provide this publication and shall disclose in writing to the buyer:

1. whether a radon test or tests have occurred on the property;
2. the most current records and reports pertaining to radon concentrations within the dwelling;
3. a description of any radon levels, mitigation, or remediation;
4. information on the radon mitigation system, if a system was installed; and
5. a radon warning statement.

 **Minnesota**
Department of Health

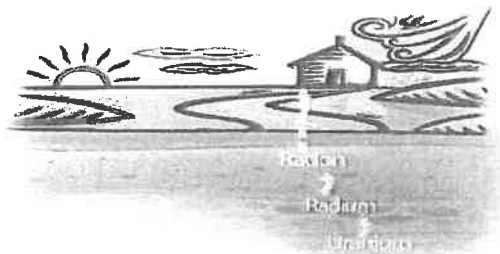
INDOOR AIR UNIT

Radon Facts

How dangerous is radon? Radon is the number one cause of lung cancer in non-smokers, and the second leading cause overall. Your risk for lung cancer increases with higher levels of radon, prolonged exposure, and whether or not you are a current smoker or former smoker.

Where is your greatest exposure to radon? For most Minnesotans, your greatest exposure is at home where radon can concentrate indoors.

What is the recommended action based on my results? If the average radon in the home is at or above 4.0 pCi/L, the home's radon level should be reduced. Also, consider mitigating if radon levels are between 2.0 pCi/L and 3.9 pCi/L. Any amount of radon, even below the recommended action level, carries some risk.



MDH Radon Program

PO Box 64975

St Paul, MN 55164-0975

health.indoor@state.mn.us

www.health.state.mn.us/radon

651-201-4601

800-798-9050



Radon Testing

Any test lasting less than three months requires **closed-house conditions**. Keep all windows and doors closed, except for normal entry and exit.

Before testing: Begin closed-house conditions at least 12 hours before the start of the radon test.

During testing: Maintain closed-house conditions during the entire duration of the short-term test. Operate home heating or cooling systems normally during the test. Test for at least 48 hours.

Where should the test be conducted? Any radon test conducted for a real estate transaction needs to be placed in the lowest livable area of the home suitable for occupancy. This is typically in the basement, whether finished or unfinished.

Place the test kit:

- twenty inches to six feet above the floor
- at least three feet from exterior walls
- four inches away from other objects
- in a location where it won't be disturbed
- not in enclosed areas or areas of high heat or humidity

Radon Mitigation

When elevated levels of radon are found, they can be easily reduced by a certified radon mitigation professional.

Radon mitigation is the process used to reduce radon concentrations in buildings. This is done by drawing soil gas from under the house and venting it above the roof. A quality mitigation system should reduce levels to below 4.0 pCi/L, if not lower.

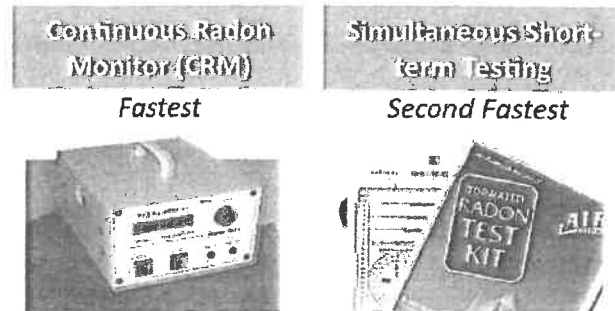
After a radon mitigation system is installed perform an independent short-term test to ensure the reduction system is effective. Operate the radon system during the entire test. This test will confirm low levels in the home. Be sure to retest the house every two years to confirm continued radon reduction.

Radon Warning Statement

"The Minnesota Department of Health strongly recommends that ALL homebuyers have an indoor radon test performed prior to purchase or taking occupancy, and recommends having the radon levels mitigated if elevated radon concentrations are found. Elevated radon concentrations can easily be reduced by a qualified, certified, or licensed, if applicable, radon mitigator.

Every buyer of any interest in residential real property is notified that the property may present exposure to dangerous levels of indoor radon gas that may place the occupants at risk of developing radon-induced lung cancer. Radon, a Class A human carcinogen, is the leading cause of lung cancer in nonsmokers and the second leading cause overall. The seller of any interest in residential real property is required to provide the buyer with any information on radon test results of the dwelling".

How are radon tests conducted in real estate transactions? There are special protocols for radon testing. The two most common ways to test are either using a calibrated continuous radon monitor (CRM) or two-short term test kits used at the same time. The short-term test kits are placed 4 inches apart and the results are averaged.



All radon tests should be conducted by a certified professional. This ensures the test was conducted properly, in the correct location, and under appropriate building conditions. A list of these radon measurement professionals can be found at MDH's Radon website. If the seller previously conducted testing in a property at or above 4 pCi/L, the home should be mitigated.



DISCLOSURE STATEMENT: WELL

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1. Date _____
2. Page 1 of _____ pages: THE REQUIRED MAP
3. IS ATTACHED HERE AND MADE A PART OF THIS
4. DISCLOSURE

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

10. Unless Buyer and Seller agree to the contrary in writing, before the closing of the sale, a Seller who fails to disclose
11. 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
12. status of the well, is liable to Buyer for costs relating to sealing of the well and reasonable attorneys' fees for collection
13. of costs from Seller, if the action is commenced within six years after the date Buyer closed the purchase of the real
14. property where the well is located.

15. Legal requirements exist relating to various aspects of location and status of wells. Buyer is advised to
16. contact the local unit(s) of government, state agency, or qualified professional which regulates wells for further
17. information about these issues. For additional information on wells, please visit the Minnesota Department of Health's
18. website at www.health.state.mn.us.

19. Instructions for completion of this form are on page three (3).

20. PROPERTY DESCRIPTION: Street Address: 3350 Fox Street

21. Orono 55356 Hennepin
(City) (Zip) (County)

22. LEGAL DESCRIPTION:
23. LOT 004 BLOCK 001 FULLERTON ESTATES

24.

25. WELL DISCLOSURE STATEMENT: (Check appropriate boxes.)

26. 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	SHARED	SEALED
29. Well 1	<u>788678</u>	<u>225</u>	<u>2011</u>	<u>Stainless</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
30. Well 2	<u>296967</u>	<u>210</u>	<u>1940</u>	<u>see attachment</u>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
31. Well 3					<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

32. Is this property served by a well not located on the property? ☐ Yes ☒ No

33. If "Yes," please explain: _____

34.

35. NOTE: See definition of terms "IN USE," "NOT IN USE," and "SEALED" on lines 102-113. If a well is not in use, it
36. must be sealed by a licensed well contractor or a well owner must obtain a maintenance permit from
37. the Minnesota Department of Health and pay an annual maintenance fee. Maintenance permits are not
38. transferable. If a well is operable and properly maintained, a maintenance permit is not required.

39. If the well is, "Shared":

40. (1) How many properties or residences does the shared well serve? _____

41. (2) Who manages the shared well? _____

42. (3) Is there a maintenance agreement for the shared well? ☐ Yes ☐ No

43. If "Yes," what is the annual maintenance fee? \$ _____



DISCLOSURE STATEMENT: WELL

44. Page 2

45. Property located at 3350 Fox Street Orono 55356

46. OTHER WELL INFORMATION:

47. Date well water last tested for contaminants: n/a Test results attached? ☐ Yes ☐ No

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

49. Comments:

50. _____

51. _____

52. _____

53. _____

54. _____

55. _____

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

57. When was the well sealed? 11-18-2011

58. Who sealed the well? Braunwarth Well Drilling Company - 952.442.2712

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

60. MAP: Complete the attached Location Map showing the location of each well on the real property.

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

63. SELLER'S STATEMENT: (To be signed at time of listing.)

64. Seller(s) hereby states that the facts as stated above are true and accurate and authorizes any licensee(s) representing
65. or assisting any party(ies) in this transaction to provide a copy of this Disclosure Statement to any person or entity
66. in connection with any actual or anticipated sale of the property. A seller may provide this Disclosure Statement to
67. a real estate licensee representing or assisting a prospective buyer. The Disclosure Statement provided to the real
68. estate licensee representing or assisting a prospective buyer is considered to have been provided to the prospective
69. buyer. If this Disclosure Statement is provided to the real estate licensee representing or assisting the prospective
70. buyer, the real estate licensee must provide a copy to the prospective buyer.

71. Seller is obligated to continue to notify Buyer in writing of any facts that differ from the facts disclosed here
72. (new or changed) of which Seller is aware that could adversely and significantly affect the Buyer's use or
73. enjoyment of the property or any intended use of the property that occur up to the time of closing. To disclose
74. new or changed facts, please use the Amendment to Disclosure Statement form.

75. Nancy R. Bigos 8-3-18 _____
(Seller) (Date) (Seller) (Date)

76. BUYER'S ACKNOWLEDGEMENT: (To be signed at time of purchase agreement.)

77. I/We, the Buyer(s) of the property, acknowledge receipt of this Disclosure Statement: Well and Location Map and
78. agree that no representations regarding facts have been made other than those made above.

79. _____
(Buyer) (Date) (Buyer) (Date)

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



DISCLOSURE STATEMENT: WELL

81. Page 3

82. **INSTRUCTIONS FOR COMPLETING THE WELL DISCLOSURE STATEMENT**

83. **DEFINITION:** A "well" means an excavation that is drilled, cored, bored, washed, driven, dug, jetted, or otherwise
84. constructed if the excavation is intended for the location, diversion, artificial recharge, or acquisition of groundwater.

85. **MINNESOTA UNIQUE WELL NUMBER:** All new wells constructed AFTER January 1, 1975, should have been
86. assigned a Minnesota unique well number by the person constructing the well. If the well was constructed after this
87. date, you should have the unique well number in your property records. If you are unable to locate your unique well
88. number and the well was constructed AFTER January 1, 1975, contact your well contractor. If no unique well number
89. is available, please indicate the depth and year of construction for each well.

90. **WELL TYPE:** Use one of the following terms to describe the well type.

91. **WATER WELL:** A water well is any type of well used to extract groundwater for private or public use. Examples
92. of water wells are: domestic wells, drive-point wells, dug wells, remedial wells, and municipal wells.

93. **IRRIGATION WELL:** An irrigation well is a well used to irrigate agricultural lands. These are typically
94. large-diameter wells connected to a large pressure distribution system.

95. **MONITORING WELL:** A monitoring well is a well used to monitor groundwater contamination. The well is
96. typically used to access groundwater for the extraction of samples.

97. **DEWATERING WELL:** A dewatering well is a well used to lower groundwater levels to allow for construction
98. or use of underground spaces.

99. **INDUSTRIAL/COMMERCIAL WELL:** An industrial/commercial well is a nonpotable well used to extract
100. groundwater for any nonpotable use, including groundwater thermal exchange wells (heat pumps and heat
101. loops).

102. **WELL USE STATUS:** Indicate the use status of each well. CHECK ONLY ONE (1) BOX PER WELL.

103. **IN USE:** A well is "in use" if the well is operated on a daily, regular, or seasonal basis. A well in use includes
104. a well that operates for the purpose of irrigation, fire protection, or emergency pumping.

105. **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
106. sealed by a licensed well contractor.

107. **SEALED:** A well is "sealed" if a licensed contractor has completely filled a well by pumping grout material
108. throughout the entire bore hole after removal of any obstructions from the well. A well is "capped" if it has
109. a metal or plastic cap or cover which is threaded, bolted or welded into the top of the well to prevent entry
110. into the well. A "capped" well is not a "sealed" well.

111. If the well has been sealed by someone other than a licensed well contractor or a licensed well sealing
112. contractor, check the well status as "not in use."

113. If you have any questions, please contact the Minnesota Department of Health, Well Management Section,
114. at (651) 201-4587 (metropolitan Minneapolis-St. Paul) or 1-800-383-9808 (greater Minnesota).

MN-DS-W-3 (8/17)



DISCLOSURE STATEMENT: SUBSURFACE SEWAGE TREATMENT SYSTEM

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1. Date _____
2. Page 1 of _____ pages:
3. THE REQUIRED MAP IS ATTACHED AND MADE A
4. PART OF THIS DISCLOSURE

5. Property located at 3350 Fox Street in the City of Orono
6. County of Hennepin State of Minnesota, legally described as follows or on
7. attached sheet (the "Property") LOT 004 BLOCK 001 FULLERTON ESTATES

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

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

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

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

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

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

30. **SUBSURFACE SEWAGE TREATMENT SYSTEM DISCLOSURE:** *(Check the appropriate boxes.)*

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

32. TYPE: *(Check appropriate box(es) and indicate location on attached Location Map.)*

33. ☒ Septic Tank: ☐ with drain field ☒ with mound system ☐ seepage tank ☐ with open end

34. Is this system a straight-pipe system? ☐ Yes ☐ No ☒ Unknown

35. ☐ Sealed System (holding tank)

36. ☐ Other (Describe.): _____

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

38. Is the above-described Property served by a subsurface sewage treatment system
39. not located on the Property? ☐ Yes ☒ No

40. If "Yes," please explain: _____

41. _____

42. If "No," is subsurface sewage treatment system entirely within Property boundary lines,

43. including set back requirements? _____

44. Comments: _____



DISCLOSURE STATEMENT: SUBSURFACE
SEWAGE TREATMENT SYSTEM

45. Page 2

46. Property located at 3350 Fox Street Orono
47. Is the subsurface sewage treatment system(s) a shared system? ☐ Yes ☒ No
48. If "Yes,"
49. (1) How many properties or residences does the subsurface sewage treatment system serve?
50. _____
51. (2) Is there a maintenance agreement for the shared subsurface sewage treatment system? ☐ Yes ☐ No
52. If "Yes," what is the annual maintenance fee? \$ _____
53. **NOTE: If any water use appliance, bedroom, or bathroom has been added to the Property, the system may**
54. **no longer comply with applicable sewage treatment system laws and rules.**
55. Seller or transferor shall disclose to Buyer or transferee what Seller or transferor has knowledge of relative to the
56. compliance status of the subsurface sewage treatment system.
57. **Will hold compliance inspection with city as soon as a fully executed**
58. **purchase agreement is obtained.**
59. Any previous inspection report in Seller's possession must be attached to this Disclosure Statement.
60. When was the subsurface sewage treatment system installed? 2011 or 2012
61. Installer Name/Phone _____
62. Where is tank located? see location map
63. What is tank size? _____
64. When was tank last pumped? 2014
65. How often is tank pumped? every 4 years
66. Where is the drain field located? see location map
67. What is the drain field size? _____
68. Describe work performed to the subsurface sewage treatment system since you have owned the Property.
69. **Newly installed 2011-2012**
70. _____
71. Date work performed/by whom: _____
72. _____
73. Approximate number of:
74. people using the subsurface sewage treatment system 2
75. showers/baths taken per week 30
76. wash loads per week 10
77. **NOTE: Changes in the number of people using the subsurface sewage treatment system or volume of water**
78. **used may affect the subsurface sewage treatment system performance.**
79. Distance between well and subsurface sewage treatment system? approximately 300 feet
80. Have you received any notices from any government agencies relating to the subsurface sewage treatment system?
81. (If "Yes," see attached notice.) ☐ Yes ☒ No
82. Are there any known defects in the subsurface sewage treatment system? ☐ Yes ☒ No
83. If "Yes," please explain: _____
84. _____
85. _____



**DISCLOSURE STATEMENT: SUBSURFACE
SEWAGE TREATMENT SYSTEM**

86. Page 3

87. Property located at 3350 Fox Street Orono

88. **SELLER'S STATEMENT:** *(To be signed at time of listing.)*

89. Seller(s) hereby states the facts as stated above are true and accurate and authorizes any licensee(s) representing or
90. assisting any party(ies) in this transaction to provide a copy of this Disclosure Statement to any person or entity in
91. connection with any actual or anticipated sale of the property. A seller may provide this Disclosure Statement to a real
92. estate licensee representing or assisting a prospective buyer. The Disclosure Statement provided to the real estate
93. licensee representing or assisting a prospective buyer is considered to have been provided to the prospective buyer.
94. If this Disclosure Statement is provided to the real estate licensee representing or assisting the prospective buyer, the
95. real estate licensee must provide a copy to the prospective buyer.

96. **Seller is obligated to continue to notify Buyer in writing of any facts that differ from the facts disclosed here**
97. **(new or changed) of which Seller is aware that could adversely and significantly affect the Buyer's use or**
98. **enjoyment of the property or any intended use of the property that occur up to the time of closing. To disclose**
99. **new or changed facts, please use the Amendment to Disclosure Statement form.**

100.  8-3-18
(Seller) **Nancy R. Bigos** (Date) (Seller) (Date)

101. **BUYER'S ACKNOWLEDGEMENT:** *(To be signed at time of purchase agreement.)*

102. I/We, the Buyer(s) of the property, acknowledge receipt of this *Disclosure Statement: Subsurface Sewage Treatment*
103. *System and Location Map* and agree that no representations regarding facts have been made other than those made
104. above.

105. _____
(Buyer) (Date) (Buyer) (Date)

106. **LISTING BROKER AND LICENSEES MAKE NO REPRESENTATIONS HERE AND ARE**
107. **NOT RESPONSIBLE FOR ANY CONDITIONS EXISTING ON THE PROPERTY.**

MN-DS:SSTS-3 (8/17)



**ADDENDUM TO PURCHASE AGREEMENT:
DISCLOSURE OF INFORMATION ON
LEAD-BASED PAINT AND LEAD-BASED
PAINT HAZARDS**

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1. Date _____
2. Page 1

3. Addendum to Purchase Agreement between parties, dated _____, 20____,
4. pertaining to the purchase and sale of the property at **3350 Fox Street**
5. _____ **Orono** **MN** **55356**

6. **Section I: Lead Warning Statement**

7. *Every buyer of any interest in residential real property on which a residential dwelling was built prior to 1978 is notified*
8. *that such property may present exposure to lead from lead-based paint that may place young children at risk of*
9. *developing lead poisoning. Lead poisoning in young children may produce permanent neurological damage, including*
10. *learning disabilities, reduced intelligence quotient, behavioral problems, and impaired memory. Lead poisoning also*
11. *poses a particular risk to pregnant women. The seller of any interest in residential real property is required to provide*
12. *the buyer with any information on lead-based paint hazards from risk assessments or inspections in the seller's*
13. *possession and notify the buyer of any known lead-based paint hazards. A risk assessment or inspection for possible*
14. *lead-based paint hazards is recommended prior to purchase.*

15. **Seller's Disclosure (Initial.)**

16. LB _____ (a) Presence of lead-based paint and/or lead-based paint hazards.
17. (Check one below.)
18. ☐ Known lead-based paint and/or lead-based paint hazards are present in the housing
19. (Explain.):
20. _____
21. ☒ Seller has no knowledge of lead-based paint and/or lead-based paint hazards in the housing.
22. LB _____ (b) Records and reports available to the seller.
23. (Check one below.)
24. ☐ Seller has provided Buyer with all available records and reports pertaining to lead-based paint
25. and/or lead-based paint hazards in the housing (List documents below.):
26. _____
27. ☒ Seller has no reports or records pertaining to lead-based paint and/or lead-based paint hazards
28. in the housing.

29. **Buyer's Acknowledgment (Initial.)**

30. _____ (c) Buyer has received copies of all information listed under (b) above.
31. _____ (d) Buyer has received the pamphlet, *Protect Your Family from Lead in Your Home*.
32. _____ (e) Buyer has (Check one below.):
33. ☐ Received a 10-day opportunity (or mutually agreed-upon period) to conduct a risk assessment
34. or inspection for the presence of lead-based paint and/or lead-based paint hazards (If checked,
35. see Section II on page 2.); or
36. ☐ Waived the opportunity to conduct a risk assessment or inspection for the presence of lead-
37. based paint and/or lead-based paint hazards.



ADDENDUM TO PURCHASE AGREEMENT:
DISCLOSURE OF INFORMATION ON
LEAD-BASED PAINT AND LEAD-BASED
PAINT HAZARDS

38. Page 2

39. Property located at 3350 Fox Street Orono MN 55356

40. Real Estate Licensee's Acknowledgment (Initial.)

41. _____ (f) Real estate licensee has informed Seller of Seller's obligations under 42 U.S.C. 4852(d) and is aware
42. of licensee's responsibility to ensure compliance.

43. Certification of Accuracy

44. The following parties have reviewed the information above and certify, to the best of their knowledge, that the information
45. provided by the signatory is true and accurate.

46. [Signature] 8-3-18
(Seller) **Nancy R. Bigos** (Date) (Buyer) (Date)

47. _____ (Seller) (Date) (Buyer) (Date)

48. [Signature] 08/03/18 [Signature] 08/03/18
(Real Estate Licensee) David Erickson, RedmondRe Estate LLC, Gladys... (Date) (Real Estate Licensee) (Date)

49. Section II: Contingency (Initial only if first box under (e) is checked in Buyer's Acknowledgment above.)

50. This contract is contingent upon a risk assessment or an inspection of the property for the presence of lead-
51. based paint and/or lead-based paint hazards to be conducted at Buyer's expense. The assessment or inspection
52. shall be completed within ☐ ten (10) ☐ _____ calendar days after Final Acceptance of the Purchase Agreement.
(Check one.)

53. This contingency shall be deemed removed, and the Purchase Agreement shall be in full force and effect, unless Buyer or
54. real estate licensee representing or assisting Buyer delivers to Seller or real estate licensee representing or assisting
55. Seller, within three (3) calendar days after the assessment or inspection is timely completed, a written list of the specific
56. deficiencies and the corrections required, together with a copy of any risk assessment or inspection report. If Seller
57. and Buyer have not agreed in writing within three (3) calendar days after delivery of the written list of required corrections
58. that: (A) some or all of the required corrections will be made; or (B) Buyer waives the deficiencies; or (C) an adjustment to
59. the purchase price will be made; this Purchase Agreement is canceled. Buyer and Seller shall immediately sign a
60. Cancellation of Purchase Agreement confirming said cancellation and directing all earnest money paid here to be
61. refunded to Buyer. It is understood that Buyer may unilaterally waive deficiencies or defects, or remove this contingency,
62. providing that Buyer or real estate licensee representing or assisting Buyer notifies Seller or real estate licensee
63. representing or assisting Seller of the waiver or removal, in writing, within the time specified.

TLX:SALE-2 (8/17)