



SELLER'S PROPERTY DISCLOSURE STATEMENT

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- 1. Date 12.15.2008
- 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. 5. Under Minnesota law, Sellers of residential property, with limited exceptions listed on page nine (9), are obligated to 6. disclose to prospective Buyers all material facts of which Seller is aware that could adversely and significantly affect 7. an ordinary Buyer's use or enjoyment of the property or any intended use of the property of which Seller is aware. 8. MN Statute 513.58 requires Seller to notify Buyer in writing as soon as reasonably possible, but in any event 9. before closing, if Seller learns that Seller's disclosure was inaccurate. Seller has disclosure alternatives allowed 10. by MN Statutes. See *Seller's Disclosure Alternatives* form for further information regarding disclosure alternatives. This 11. disclosure is not a warranty or a guarantee of any kind by Seller or licensee representing or assisting any party in the 12. transaction.

13. **INSTRUCTIONS TO BUYER:** Buyers are encouraged to thoroughly inspect the property personally or have it inspected 14. by a third party, and to inquire about any specific areas of concern. **NOTE:** If Seller answers NO to any of the questions 15. listed below, it does not necessarily mean that it does not exist on the property. NO may mean that Seller is unaware 16. that it exists on the property.

17. **INSTRUCTIONS TO SELLER:** (1) Complete this form yourself. (2) Consult prior disclosure statement(s) and/or 18. inspection report(s) when completing this form. (3) Describe conditions affecting the property to the best of your 19. knowledge. (4) Attach additional pages, with your signature, if additional space is required. (5) Answer all questions. 20. (6) If any items do not apply, write "NA" (not applicable).

21. Property located at 3974 BERKSHIRE RD SW, 22. City of ROCHESTER, County of OLUSTEN, State of Minnesota.

23. A. GENERAL INFORMATION:

24. (1) When did you **Acquire** **Build** the home? Feb. 2008 (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 35. 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 3974 BERKSHIRE Rd SW ROCHESTER.

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

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

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

51. _____

52. _____

53. _____

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

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

57. _____

58. _____

59. _____

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

62. If "Yes," please explain: _____

63. _____

64. _____

65. _____

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

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

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

69. _____

70. _____

71. _____

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

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

74. If "Yes," indicate type _____ and number _____.

75. (6) Comments: _____

76. _____

77. _____

78. _____

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82. Property located at 3974 BERKSHIRE Rd ROCHESTER.

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 type="checkbox"/> Yes | <input checked="" 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 type="checkbox"/> Yes | <input type="checkbox"/> No |

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

92. _____
93. _____
94. _____
95. _____
96. _____
97. _____
98. _____
99. _____
100. _____

101. (2) **THE ROOF:** To your knowledge,

102. (a) what is the age of the roofing material? 3 years
103. (b) has there been any interior or exterior damage? Yes No
104. (c) has there been interior damage from ice buildup? Yes No
105. (d) has there been any leakage? Yes No
106. (e) have there been any repairs or replacements made to the roof? Yes No

107. Give details to any questions answered "Yes": _____

108. _____
109. _____
110. _____
111. _____
112. _____
113. _____
114. _____
115. _____
116. _____

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120. Property located at 3974 BELKSHIRE Rd SW ROCKFORD

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.

126. In Working Order Yes No
127. In Working Order Yes No
128. Air-conditioning
129. Central Wall Window
130. Air exchange system
131. Carbon Monoxide Detector
132. Ceiling fan
133. Dishwasher
134. Doorbell
135. Drain tile system
136. Dryer
137. Electrical system
138. Exhaust system
139. Fire sprinkler system
140. Fireplace
141. Fireplace mechanisms
142. Furnace humidifier
143. Freezer
144. Garage door opener (GDO)
145. Garage auto reverse
146. GDO remote
147. Comments:
148.
149. E. SUBSURFACE SEWAGE TREATMENT SYSTEM DISCLOSURE:
150. (A subsurface sewage treatment system disclosure is required by MN Statute 115.55.)
151. Seller certifies that Seller DOES DOES NOT know of a subsurface sewage treatment system on or serving
152. the above-described real property.
153.
154. There is a subsurface sewage treatment system on or serving the above-described real property.
155.
156. There is an abandoned subsurface sewage treatment system on the above-described real property.
157.
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161. Property located at 3974 BELLEVILLE Ln ROCHESTER

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.)

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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203. Property located at 3974 BENDSHIRE DR ROCHESTER.

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? Yes No Mold? Yes No

219. Diseased trees? Yes No Radon? Yes No

220. Formaldehyde? Yes No Soil problems? Yes No

221. Hazardous wastes/substances? Yes No Underground storage tanks? Yes No

222. Lead? (e.g., paint, plumbing) Yes No Other? Yes 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. _____

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