



**SELLER'S PROPERTY
DISCLOSURE STATEMENT**

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- 1. Date 2-3-2010
- 2. Page 1 of 9 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 3004 6 Ave Nw
 22. City of Rochester, County of Olmstead, State of Minnesota.

23. A. GENERAL INFORMATION:

24. (1) When did you **Acquire** **Build** the home? 1996
------(Check one.)-----

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

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: have another house. Stay at the property sometime.

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 3004 6 Ave NW Rochester, MN 55901

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)? [X] Yes [] No

50. If "Yes," give details of what happened and when: Pipe broke in December, 2008 in the lower bedroom.

51. Professionally dried and restored lower level of the house. Replaced carpets and walls. Lack of mold is gua

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 [X] 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.) [X] Yes [] No

62. If "Yes," please explain: Both bathrooms were remodeled with complete replacement of the

63. original walls with new walls and tiles. Windows were replaced in the whole house in 2008.

64. Deck was replaced in 1996. The roof was replaced in 2009. Wood floor in the upper bedrooms and

65. laminate floor in the kitchen and dining rooms were installed in 2005. New carpet downstairs (2005

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? [X] Yes [] No

68. If "Yes," give details of what happened and when: Lower level was flooded, carpet replaced in 2008 (see

69. previous comments)

70. _____

71. _____

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 [X] No

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

75. (6) Comments: _____

76. _____

77. _____

78. _____

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82. Property located at 3004 6 Ave NW Rochester

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

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

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

- 87. (a) cracked floor/walls [] Yes [x] No (e) leakage/seepage [] Yes [x] No
88. (b) drain tile problem [] Yes [x] No (f) sewer backup [] Yes [x] No
89. (c) flooding [] Yes [x] No (g) wet floors/walls [] Yes [x] No
90. (d) foundation problem [] Yes [x] No (h) other [] Yes [x] 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? less than 1 year years
103. (b) has there been any interior or exterior damage? [] Yes [x] No
104. (c) has there been interior damage from ice buildup? [] Yes [x] No
105. (d) has there been any leakage? [] Yes [x] No
106. (e) have there been any repairs or replacements made to the roof? [] Yes [x] No

107. Give details to any questions answered "Yes":
108.
109.
110.
111.
112.
113.
114.
115.
116.

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

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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
128. Air-conditioning	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Garbage disposal	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Trash Compactor	<input type="checkbox"/>	<input type="checkbox"/>
129. <input checked="" type="checkbox"/> Central <input type="checkbox"/> Wall <input type="checkbox"/> Window			Heating system (central)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	TV antenna system	<input type="checkbox"/>	<input type="checkbox"/>
130. Air exchange system	<input type="checkbox"/>	<input type="checkbox"/>	Heating system (supplemental)	<input 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 type="checkbox"/>	TV satellite dish	<input type="checkbox"/>	<input type="checkbox"/>
132. Ceiling fan	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Intercom	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Rented <input type="checkbox"/> Owned		
133. Dishwasher	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Lawn sprinkler system	<input type="checkbox"/>	<input type="checkbox"/>	TV satellite receiver	<input type="checkbox"/>	<input type="checkbox"/>
134. Doorbell	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Microwave	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Rented <input type="checkbox"/> Owned		
135. Drain tile system	<input type="checkbox"/>	<input type="checkbox"/>	Plumbing	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Washer	<input checked="" type="checkbox"/>	<input type="checkbox"/>
136. Dryer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Pool and equipment	<input type="checkbox"/>	<input type="checkbox"/>	Water heater	<input checked="" type="checkbox"/>	<input type="checkbox"/>
137. Electrical system	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Range/oven	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Water treatment system	<input checked="" type="checkbox"/>	<input type="checkbox"/>
138. Exhaust system	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Range hood	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Rented <input checked="" type="checkbox"/> Owned		
139. Fire sprinkler system	<input type="checkbox"/>	<input type="checkbox"/>	Refrigerator	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Windows	<input checked="" type="checkbox"/>	<input type="checkbox"/>
140. Fireplace	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Security system	<input 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 type="checkbox"/> Rented <input type="checkbox"/> Owned			Wood-burning stove	<input type="checkbox"/>	<input type="checkbox"/>
142. Furnace humidifier	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Smoke detectors (battery)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Other	<input type="checkbox"/>	<input type="checkbox"/>
143. Freezer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Smoke detectors (hardwired)	<input type="checkbox"/>	<input type="checkbox"/>	Other	<input type="checkbox"/>	<input type="checkbox"/>
144. Garage door opener (GDO)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Solar collectors	<input type="checkbox"/>	<input type="checkbox"/>	Other	<input type="checkbox"/>	<input type="checkbox"/>
145. Garage auto reverse	<input type="checkbox"/>	<input type="checkbox"/>	Sump pump	<input type="checkbox"/>	<input type="checkbox"/>	Other	<input 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	<input type="checkbox"/>	<input type="checkbox"/>
147. Comments: <u>2 GDO remotes</u>								
148. _____								

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.)*

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





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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. [X] 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 [X] No

168. To your knowledge, is this property in a Special Well Construction Area? [] Yes [X] 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 [X] 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 [X] 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. [X] 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 who intentionally, willfully and knowingly destroys, mutilates, injures, disturbs or removes human skeletal remains or human burial grounds is guilty of a felony.

206. To your knowledge, are you aware of any human remains, burials or cemeteries located on the property? [] Yes [x] No

207. If "Yes," please explain:

208. _____

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

210. L. ENVIRONMENTAL CONCERNS:

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

- 212. Asbestos? [] Yes [x] No Mold? [] Yes [] No
213. Diseased trees? [] Yes [x] No Radon? [] Yes [x] No
214. Formaldehyde? [] Yes [x] No Soil problems? [] Yes [x] No
215. Hazardous wastes/substances? [] Yes [x] No Underground storage tanks? [] Yes [x] No
216. Lead? (e.g., paint, plumbing) [] Yes [x] No Other? [] Yes [x] No

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

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

219. Give details to any question answered "Yes":

220. _____

221. _____

222. M. OTHER DEFECTS/MATERIAL FACTS:

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

224. If "Yes," explain below:

225. _____

226. _____

227. _____

228. N. ADDITIONAL COMMENTS:

229. _____

230. _____

231. _____

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



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

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.**