

**SELLER'S PROPERTY
DISCLOSURE STATEMENT**

This form approved by the Minnesota Association of REALTORS®, which disclaims any liability arising out of use or misuse of this form. © 2005 Minnesota Association of REALTORS®, Edina, MN

1. Date September 22, 2005
2. Page 1 of 5 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 five (5), are obligated to
6. disclose to prospective Buyers all material facts of which Seller is aware that could adversely and significantly affect an
7. ordinary Buyer's use or enjoyment of the property or any intended use of the property of which Seller is aware. MN
8. Statute 513.58 requires Seller to notify Buyer in writing as soon as reasonably possible, but in any event before
9. closing, if Seller learns that Seller's disclosure was inaccurate. Seller has disclosure alternatives allowed by MN
10. 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
12. the transaction.

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

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

21. Property located at 104 Alpine Ridge Unit 3
22. City of Wabasha, County of Olmsted, State of Minnesota.

23. **A. GENERAL INFORMATION:**

24. (1) When did you Acquire / Build the home? 2001
------(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. Are you aware of any

35. (8) encroachments? Yes No

36. (9) association, covenants, reservations or restrictions that affect or may affect the use

37. or future resale of the property? Yes No

38. (10) easements, other than utility or drainage easements? Yes No

39. (11) Comments: _____

40. _____

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

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

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

45. _____

46. (2) Has/Have the structure(s) been altered?

47. (e.g., additions, altered roof lines, changes to load-bearing walls) Yes No

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

49. _____

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

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

52. _____

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

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

55. If "Yes," indicate type Cats and number 2

56. (6) Comments: _____

57. _____

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

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

61. Property located at 104 Alpine Ridge Unit 3, Wabasha, MN 55981

62. C. STRUCTURAL SYSTEMS:

63. To your knowledge, have any of the following conditions previously existed or do they currently exist?

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

65. (1) **THE BASEMENT, CRAWLSPACE, SLAB:**

- | | | | | | |
|-----------------------------|------------------------------|--|----------------------|------------------------------|--|
| 66. (a) cracked floor/walls | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> | (e) leakage/seepage | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> |
| 67. (b) drain tile problem | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> | (f) sewer backup | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> |
| 68. (c) flooding | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> | (g) wet floors/walls | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> |
| 69. (d) foundation problem | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> | (h) other | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> |

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

71. _____

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

73. (a) what is the age of the roofing material? 2001 years
74. (b) has there been any interior or exterior damage? Yes No
75. (c) has there been interior damage from ice buildup? Yes No
76. (d) has there been any leakage? Yes No
77. (e) have there been any repairs or replacements made to the roof? Yes No

78. Give details to any questions answered "Yes": branch fell on roof damage

79. Shingles

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

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

84. **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
87. Air-conditioning	<input checked="" type="checkbox"/>	87. Garbage disposal	<input checked="" type="checkbox"/>	87. Trash compactor	<input type="checkbox"/>
88. Central <input type="checkbox"/> Wall <input checked="" type="checkbox"/> Window <input type="checkbox"/>	<input type="checkbox"/>	88. Heating system (central)	<input type="checkbox"/>	88. TV antenna system	<input type="checkbox"/>
89. Air exchange system	<input type="checkbox"/>	89. Heating system (supplemental)	<input type="checkbox"/>	89. TV cable system	<input checked="" type="checkbox"/>
90. Ceiling fan	<input checked="" type="checkbox"/>	90. Incinerator	<input type="checkbox"/>	90. TV satellite dish	<input type="checkbox"/>
91. Dishwasher	<input checked="" type="checkbox"/>	91. Interoom	<input type="checkbox"/>	91. Rented <input type="checkbox"/> Owned <input type="checkbox"/>	
92. Doorbell	<input checked="" type="checkbox"/>	92. Lawn sprinkler system	<input type="checkbox"/>	92. TV satellite receiver	<input type="checkbox"/>
93. Drain tile system	<input checked="" type="checkbox"/>	93. Microwave	<input checked="" type="checkbox"/>	93. Rented <input type="checkbox"/> Owned <input type="checkbox"/>	
94. Dryer	<input checked="" type="checkbox"/>	94. Plumbing	<input checked="" type="checkbox"/>	94. Washer	<input checked="" type="checkbox"/>
95. Electrical system	<input checked="" type="checkbox"/>	95. Pool and equipment	<input type="checkbox"/>	95. Water heater	<input checked="" type="checkbox"/>
96. Exhaust system	<input checked="" type="checkbox"/>	96. Range/oven	<input checked="" type="checkbox"/>	96. Water treatment system	<input checked="" type="checkbox"/>
97. Fire sprinkler system	<input type="checkbox"/>	97. Range hood	<input checked="" type="checkbox"/>	97. Rented <input type="checkbox"/> Owned <input checked="" type="checkbox"/>	
98. Fireplace	<input checked="" type="checkbox"/>	98. Refrigerator	<input checked="" type="checkbox"/>	98. Windows	<input checked="" type="checkbox"/>
99. Fireplace mechanisms	<input checked="" type="checkbox"/>	99. Security system	<input type="checkbox"/>	99. Window treatments	<input checked="" type="checkbox"/>
100. Furnace humidifier	<input type="checkbox"/>	100. Rented <input type="checkbox"/> Owned <input type="checkbox"/>		100. Wood burning stove	<input type="checkbox"/>
101. Freezer	<input type="checkbox"/>	101. Smoke detectors (battery)	<input checked="" type="checkbox"/>	101. Other <u>Baseboard Electric</u>	<input checked="" type="checkbox"/>
102. Garage door opener (GDO)	<input checked="" type="checkbox"/>	102. Smoke detectors (hardwired)	<input checked="" type="checkbox"/>	102. Other	<input type="checkbox"/>
103. GDO auto reverse	<input checked="" type="checkbox"/>	103. Solar collectors	<input type="checkbox"/>	103. Other	<input type="checkbox"/>
104. GDO remote	<input checked="" type="checkbox"/>	104. Sump pump	<input type="checkbox"/>	104. Other	<input type="checkbox"/>
105.		105. Toilet mechanisms	<input checked="" type="checkbox"/>	105. Other	<input type="checkbox"/>

106. Comments: _____

107. _____

108. _____

109. E. PRIVATE SEWER SYSTEM DISCLOSURE:

110. (A Private Sewer System Disclosure is required by MN Statute 115.55.)

111. (Check appropriate box.)

112. Seller does not know of a private sewer system on or serving the above-described real property.
113. There is a private sewer system on or serving the above-described real property.
114. See Private Sewer System Disclosure.
115. There is an abandoned private sewer system on the above-described real property.
116. See Private Sewer System Disclosure.

117. F. PRIVATE WELL DISCLOSURE: (A Well Disclosure Statement and Certificate are required by MN Statute 103I.235.)

118. (Check appropriate box.)

119. Seller certifies that Seller does not know of any wells on the above-described real property.
120. Seller certifies there are one or more wells located on the above-described real property.
121. See Well Disclosure Statement.

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

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

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

SELLER'S PROPERTY DISCLOSURE STATEMENT

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

127. Property located at 104 Alpine Ridge Unit 3, Wabasha, MN 55981

128. G. PROPERTY TAX TREATMENT:

129. Valuation Exclusion Disclosure (Required by MN Statute 273.11, Subd. 16.)

130. (Check appropriate box.)

131. There IS [] / IS NOT [X] an exclusion from market value for home improvements on this property. Any valuation ----- (Check one.) -----

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

134. Additional comments:

136. Preferential Property Tax Treatment

137. Is the property subject to any preferential property tax status or any other credits affecting the property which

138. would terminate upon the sale of the property? Yes [] No [X]

139. (e.g., Disability, Green Acres, CRP, RIM)

140. If "Yes," please explain:

142. H. METHAMPHETAMINE PRODUCTION DISCLOSURE:

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

144. [X] Seller is not aware of any methamphetamine production that has occurred on the Property.

145. [] Seller is aware that methamphetamine production has occurred on the Property.

146. See Methamphetamine Disclosure Statement.

147. I. CEMETERY ACT:

148. MN Statute 307.08 prohibits any damage or illegal molestation of human remains, burials or cemeteries. A person 149. who intentionally, willfully and knowingly destroys, mutilates, injures, disturbs or removes human skeletal remains or 150. human burial grounds is guilty of a felony.

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

152. If "Yes," please explain:

154. All unidentified human remains or burials found outside of platted, recorded or identified cemeteries and in contexts 155. which indicate antiquity greater than 50 years shall be dealt with according to the provisions of MN Statute 307.08, 156. Subd. 7.

157. J. ENVIRONMENTAL CONCERNS:

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

159. Asbestos? Yes [] No [X] Lead? (e.g. paint, plumbing) Yes [] No [X] Soil problems? Yes [] No [X]

160. Diseased trees? Yes [] No [X] Mold? Yes [] No [X] Underground storage tanks? Yes [] No [X]

161. Formaldehyde? Yes [] No [X] Radon? Yes [] No [X] Other? Yes [] No [X]

162. Hazardous wastes/substances? Yes [] No [X]

163. Are you aware if there are currently, or have previously been, any orders issued on the property by any governmental 164. authority ordering the remediation of a public health nuisance on the property? Yes [] No [X]

165. If answer above is "YES," seller certifies that all orders [] HAVE [] / HAVE NOT been vacated.

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

170. K. OTHER DEFECTS:

171. Are you aware of any other material facts that could adversely and significantly affect an ordinary buyer's use or 172. enjoyment of the property or any intended use of the property? Yes [] No [X]

173. If "Yes," explain below:

176. L. ADDITIONAL COMMENTS:

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

**SELLER'S PROPERTY
DISCLOSURE STATEMENT**

238. Page 5

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

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

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

246. **Exceptions**

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

- 248. (1) real property that is not residential real property;
- 249. (2) a gratuitous transfer;
- 250. (3) a transfer pursuant to a court order;
- 251. (4) a transfer to a government or governmental agency;
- 252. (5) a transfer by foreclosure or deed in lieu of foreclosure;
- 253. (6) a transfer to heirs or devisees of a decedent;
- 254. (7) a transfer from a cotenant to one or more other cotenants;
- 255. (8) a transfer made to a spouse, parent, grandparent, child or grandchild of Seller;
- 256. (9) a transfer between spouses resulting from a decree of marriage dissolution or from a property
257. agreement incidental to that decree;
- 258. (10) a transfer of newly constructed residential property that has not been inhabited;
- 259. (11) an option to purchase a unit in a common interest community, until exercised;
- 260. (12) a transfer to a person who controls or is controlled by the grantor as those terms are defined with respect to
261. a declarant under section 515B.1-103, clause (2);
- 262. (13) a transfer to a tenant who is in possession of the residential real property; or
- 263. (14) a transfer of special declarant rights under section 515B.3-104.

264. **Waiver**

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

268. **No Duty to Disclose**

269. A. There is no duty to disclose the fact that the property

270. (1) is or was occupied by an owner or occupant who is or was suspected to be infected with Human
271. Immunodeficiency Virus or diagnosed with Acquired Immunodeficiency Syndrome;

272. (2) was the site of a suicide, accidental death, natural death or perceived paranormal activity; or

273. (3) is located in a neighborhood containing any adult family home, community-based residential facility or
274. nursing home.

275. B. **Predatory Offenders.** There is no duty to disclose information regarding an offender who is required
276. to register under MN Statute 243.166, or about whom notification is made under that section, if Seller, in a timely
277. manner, provides a written notice that information about the predatory offender registry and persons registered
278. with the registry may be obtained by contacting the local law enforcement agency where the property is located
279. or the Department of Corrections.

280. C. The provisions in paragraphs A and B do not create a duty to disclose any facts described in paragraphs A and
281. B for property that is not residential property.

282. D. **Inspections.** (i) Except as provided in paragraph (ii), Seller is not required to disclose information relating to
283. the real property if a written report that discloses the information has been prepared by a qualified third party
284. and provided to the prospective buyer. For purposes of this paragraph, "qualified third party" means a federal, state
285. or local governmental agency, or any person whom Seller or prospective buyer reasonably believes has the
286. expertise necessary to meet the industry standards of practice for the type of inspection or investigation that has
287. been conducted by the third party in order to prepare the written report.

288. (ii) Seller shall disclose to the prospective buyer material facts known by Seller that contradict any
289. information included in a written report under paragraph (i) if a copy of the report is provided to Seller.

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

MN:SPDS-5 (8/05)