



# DISCLOSURE STATEMENT: SELLER'S PROPERTY DISCLOSURE STATEMENT

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1. Date \_\_\_\_\_
2. Page 1 of 10 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. **INSTRUCTION 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 20427 HWY 15,
34. City of HUTCHINSON, County of MCLEOD, 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 3-1-17 did you ☒ **Acquire** ☐ **Build** the home?  
(Check one.)

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

38. Location of Abstract: OWNERS POSSESSION

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: \_\_\_\_\_

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

ER 128-1 (8/16)

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**48. THE INFORMATION DISCLOSED IS GIVEN TO THE BEST OF SELLER'S KNOWLEDGE.**49. Property located at 20427 HWY 15 HUTCHINSON50. (7) Is the property located on a public or a private road? ☒ Public ☐ Private ☐ Public: no maintenance51. (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 ☒ No56. 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 ☐ No69. (10) association, covenants, historical registry, reservations, or restrictions, that affect  
70. or may affect the use or future resale of the property? ☐ Yes ☐ No71. (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 ☐ No73. (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. \_\_\_\_\_

76. \_\_\_\_\_

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 ☒ No88. If you received compensation, did you have the items repaired? ☐ Yes ☐ No

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

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

92. Property located at 20427 HWY 15 HUTCHINSON
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. \_\_\_\_\_
97. \_\_\_\_\_
98. (b) Has any work been performed on the property? (e.g., additions to the property, wiring, plumbing, retaining wall, general finishing) ☐ Yes ☒ No
99. If "Yes," please explain: \_\_\_\_\_
100. \_\_\_\_\_
101. \_\_\_\_\_
102. (c) Are you aware of any work performed on the property for which appropriate permits were not obtained? ☐ Yes ☒ No
103. If "Yes," please explain: \_\_\_\_\_
104. \_\_\_\_\_
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 \_\_\_\_\_ and number \_\_\_\_\_
111. (6) **THE FOUNDATION:** The type of foundation is (i.e., block, poured, wood, stone, other):
112. \_\_\_\_\_
113. (7) **THE BASEMENT, CRAWLSPACE, SLAB:**
- |   |   |
|---|---|
| 114. (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  |
| 115. (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     |
| 116. (c) flooding? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No            | (g) wet floors/walls? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
| 117. (d) foundation problem? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No  | (h) other? _____ <input type="checkbox"/> Yes <input checked="" type="checkbox"/> 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: 20? years Garage(s)/Outbuilding(s): 20? 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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**131. THE INFORMATION DISCLOSED IS GIVEN TO THE BEST OF SELLER'S KNOWLEDGE.**

132. Property located at 20427 HWY 15 HUTCHINSON
133. (9) **THE EXTERIOR AND INTERIOR WALLS/SIDING/WINDOWS:**
134. (a) The type(s) of siding is (e.g., vinyl, stucco, brick, other): \_\_\_\_\_
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. \_\_\_\_\_

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

**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*.

**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 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 type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Range hood .....	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
151. Ceiling fan .....	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Refrigerator.....	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
152. Central vacuum .....	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Security system .....	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
153. Clothes dryer.....	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Rented <input type="checkbox"/> Owned			
154. Clothes washer.....	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Smoke detectors (battery) .....	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
155. Dishwasher.....	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Smoke detectors (hardwired).....	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
156. Doorbell.....	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Solar collectors .....	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
157. Drain tile system.....	<input type="checkbox"/>	<input checked="" 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
161. Exhaust system.....	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
163. Fireplace.....	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	TV satellite dish .....	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
164. Fireplace mechanisms .....	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/> Rented <input 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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
167. Garage door auto reverse .....	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/> Rented <input type="checkbox"/> Owned			
168. Garage door opener .....	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Water softener .....	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
169. Garage door opener remote.....	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/> Rented <input type="checkbox"/> Owned			
170. Garbage disposal.....	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Water treatment system.....	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
171. Heating system (central) .....	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Rented <input type="checkbox"/> Owned			
172. Heating system (supplemental).....	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
175. Lawn sprinkler system.....	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Other .....	<input 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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Other .....	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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

181. Property located at 20427 HWY 15 HUTCHINSON
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.)  
 (Check appropriate box.)

194. ☐ Seller certifies that Seller does not know of any wells on the above-described real property.
195. ☒ Seller certifies there are one or more wells located on the above-described real property.
196. (See *Disclosure Statement: Well.*)
197. Are there any wells serving the above-described property that are not located on the
198. property? ☐ Yes ☒ No
199. If "Yes":
200. (1) How many properties or residences does the shared well serve? \_\_\_\_\_
201. (2) Is there a maintenance agreement for the shared well? ☐ Yes ☐ No
202. If "Yes," what is the annual maintenance fee? \$ \_\_\_\_\_
203. 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.**222. Property located at 20427 HWY 15 HUTCHINSON

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

225. 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 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 transaction (unless the transaction is covered by an applicable exception to FIRPTA withholding). In non-exempt transactions, Buyer may be liable for the tax if Buyer fails to withhold.

231. If the above answer is "IS NOT," Buyer may wish to obtain specific documentation from Seller ensuring Buyer is exempt from the withholding requirements as prescribed under Section 1445 of the Internal Revenue Code.

235. Due to the complexity and potential risks of failing to comply with FIRPTA, including Buyer's responsibility for withholding the applicable tax, Buyer and Seller should seek appropriate legal and tax advice regarding FIRPTA compliance, as the respective licensees representing or assisting either party will be unable to 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 zone with zoning regulations adopted by the governing body that may affect the property. Such zoning regulations are filed with the county recorder in each county where the zoned area is located. If you would like to determine if such zoning regulations affect the property, you should contact the county recorder where the zoned area is located.

249. **J. NOTICE REGARDING CARBON MONOXIDE DETECTORS:** MN Statute 299F.51 requires Carbon Monoxide Detectors to be located within ten (10) feet from all sleeping rooms. Carbon Monoxide Detectors may or may not 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 who intentionally, willfully and knowingly destroys, mutilates, injures, disturbs, or removes human skeletal remains 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 contexts which indicate antiquity greater than 50 years shall be dealt with according to the provisions of MN Statute 307.08, Subd. 7.

261. **L. ENVIRONMENTAL CONCERNS:** To your knowledge, have any of the following previously existed or do they 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? \_\_\_\_\_ ☐ Yes ☐ No

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

271. Property located at 20427 HWY 15 HUTCHINSON
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](http://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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**DISCLOSURE STATEMENT: SELLER'S  
PROPERTY DISCLOSURE STATEMENT**

312. Page 8

**313. THE INFORMATION DISCLOSED IS GIVEN TO THE BEST OF SELLER'S KNOWLEDGE.**314. Property located at 20427 HWY 15 HUTCHINSON315. **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. \_\_\_\_\_  
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](http://www.corr.state.mn.us).



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**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 20427 HWY 15 HUTCHINSON363. **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;
- 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. (13) a transfer to a tenant who is in possession of the residential real property; or
- 381. (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.

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**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 20427 HWY 15 HUTCHINSON

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. *Donald Otto* *6-15-17* \_\_\_\_\_  
(Seller) (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.

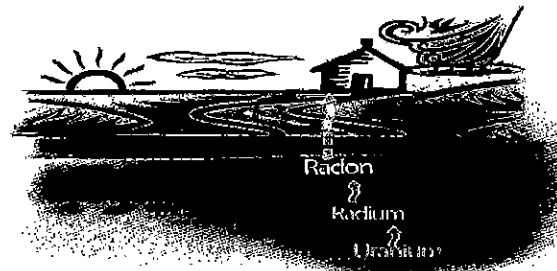
**MDH** Minnesota  
Department of Health  
INDOOR AIR UNIT

## 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.

### **Continuous Radon Monitor (CRM)**

*Fastest*



### **Simultaneous Short-term Testing**

*Second Fastest*



**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.

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**DISCLOSURE STATEMENT: SUBSURFACE  
SEWAGE TREATMENT SYSTEM**

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1. Date \_\_\_\_\_
2. Page 1 of 3 pages: THE REQUIRED MAP IS
3. ATTACHED HERETO AND MADE A PART HEREOF
4. Property located at 20427 HWY 15 in the City of HUTCHINSON
5. County of MCLEOD State of Minnesota, legally described as follows or on
6. attached sheet (the "Property") .78 ACRES & 1.4 ACRES LOT 18 EX HWY 4
7. ADD PLAT OF S 1/2 30 & N 1/2 31-117-29
8. This disclosure is not a warranty of any kind by Seller(s) or any licensee(s) representing or assisting any party(ies) in
9. this transaction, and is not a substitute for any inspections or warranties the party(ies) may wish to obtain.
10. **BUYER(S) AND SELLER(S) MAY WISH TO OBTAIN PROFESSIONAL ADVICE AND/OR INSPECTIONS OF THE**
11. **SUBSURFACE SEWAGE TREATMENT SYSTEM AND TO PROVIDE FOR APPROPRIATE PROVISIONS IN A**
12. **CONTRACT BETWEEN BUYER(S) AND SELLER(S) WITH RESPECT TO ANY ADVICE/INSPECTION/**  
**DEFECTS.**
13. **SELLER'S INFORMATION:** The following Seller disclosure satisfies MN Statutes Chapter 115.55. Seller discloses
14. the following information with the knowledge that even though this is not a warranty, prospective Buyers may rely on
15. this information in deciding whether and on what terms to purchase the Property. The Seller(s) authorizes any
16. licensee(s) representing or assisting any party(ies) in this transaction to provide a copy of this statement to any person
17. or entity in connection with any actual or anticipated sale of the Property.
18. Unless Buyer and Seller agree to the contrary in writing before the closing of the sale, a Seller who fails to disclose
19. the existence or known status of a subsurface sewage treatment system at the time of sale, and who knew or had
20. reason to know of the existence or known status of the system, is liable to Buyer for costs relating to bringing the
21. system into compliance with subsurface sewage treatment system rules and for reasonable attorney fees for collection
22. of costs from Seller. An action under this subdivision must be commenced within two years after the date on which
23. Buyer closed the purchase of the real property where the system is located.
24. Legal requirements exist relating to various aspects of location and status of subsurface sewage treatment systems.
25. Buyer is advised to contact the local unit(s) of government, state agency or qualified professional which regulates
26. subsurface sewage treatment systems for further information about these issues.
27. The following are representations made by Seller(s) to the extent of Seller(s) actual knowledge. This information is a
28. disclosure and is not intended to be part of any contract between Buyer and Seller.
29. **SUBSURFACE SEWAGE TREATMENT SYSTEM DISCLOSURE:** (Check the appropriate boxes.)
30. Seller certifies that the following subsurface sewage treatment system is on or serving the above-described Property.
31. TYPE: (Check appropriate box(es) and indicate location on attached Location Map.)
32. ☒ Septic Tank: ☒ with drain field ☐ with mound system ☐ seepage tank ☐ with open end
33. Is this system a straight-pipe system? ☐ Yes ☐ No ☒ Unknown
34. ☐ Sealed System (holding tank)
35. ☐ Other (Describe): \_\_\_\_\_
36. Is the subsurface sewage treatment system(s) currently in use? ☒ Yes ☐ No
37. Is the above-described Property served by a subsurface sewage treatment system
38. not located on the Property? ☐ Yes ☒ No
39. If "Yes," please explain: \_\_\_\_\_
40. \_\_\_\_\_
41. If "No," is subsurface sewage treatment system entirely within Property boundary lines,
42. including set back requirements? YES
43. Comments: \_\_\_\_\_

**Edina Realty****DISCLOSURE STATEMENT: SUBSURFACE  
SEWAGE TREATMENT SYSTEM**

a Berkshire Hathaway affiliate

44. Page 2

45. Property located at 20427 Hwy 15 N Hutchinson 55350
46. Is the subsurface sewage treatment system(s) a shared system? ☐ Yes ☒ No
47. If "Yes,"
48. (1) How many properties or residences does the subsurface sewage treatment system serve?
49. 1
50. (2) Is there a maintenance agreement for the shared subsurface sewage treatment system? ☐ Yes ☒ No
51. If "Yes," what is the annual maintenance fee? \$ \_\_\_\_\_
52. **NOTE: If any water use appliance, bedroom or bathroom has been added to the Property, the system may**
53. **no longer comply with applicable sewage treatment system laws and rules.**
54. Seller or transferor shall disclose to Buyer or transferee what Seller or transferor has knowledge of relative to the
55. compliance status of the subsurface sewage treatment system. \_\_\_\_\_
56. \_\_\_\_\_
57. \_\_\_\_\_
58. Any previous inspection report in Seller's possession must be attached to this Disclosure Statement.
59. When was the subsurface sewage treatment system installed? Unknown
60. Installer Name/Phone \_\_\_\_\_
61. Where is tank located? Just west of home
62. What is tank size? Unknown
63. When was tank last pumped? Approx 5yrs
64. How often is tank pumped? 5yrs
65. Where is the drain field located? West of house under driveway
66. What is the drain field size? \_\_\_\_\_
67. Describe work performed to the subsurface sewage treatment system since you have owned the Property.
68. \_\_\_\_\_
69. \_\_\_\_\_
70. Date work performed/by whom: \_\_\_\_\_
71. \_\_\_\_\_
72. Approximate number of:
73. people using the subsurface sewage treatment system 3
74. showers/baths taken per week 6
75. wash loads per week 4
76. **NOTE: Changes in the number of people using the subsurface sewage treatment system or volume of water**
77. **used may affect the subsurface sewage treatment system performance.**
78. Distance between well and subsurface sewage treatment system? 28'
79. Have you received any notices from any government agencies relating to the subsurface sewage treatment system?
80. (If "Yes", see attached notice.) ☐ Yes ☒ No
81. Are there any known defects in the subsurface sewage treatment system? ☐ Yes ☐ No
82. If "Yes", please explain: \_\_\_\_\_
83. \_\_\_\_\_
84. \_\_\_\_\_

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**SUBSURFACE SEWAGE TREATMENT  
SYSTEM DISCLOSURE STATEMENT**

85. Page 3

86. Property located at 20427 HWY 15 HUTCHINSON87. **SELLER'S STATEMENT:** *(To be signed at time of listing.)*

88. Seller(s) hereby states the facts as stated above are true and accurate and authorizes any licensee(s) representing or  
89. assisting any party(ies) in this transaction to provide a copy of this Disclosure Statement to any person or entity in  
90. connection with any actual or anticipated sale of the property. A seller may provide this Disclosure Statement to a real  
91. estate licensee representing or assisting a prospective buyer. The Disclosure Statement provided to the real estate  
92. licensee representing or assisting a prospective buyer is considered to have been provided to the prospective buyer.  
93. If this Disclosure Statement is provided to the real estate licensee representing or assisting the prospective buyer, the  
94. real estate licensee must provide a copy to the prospective buyer.
95. **Seller is obligated to continue to notify Buyer in writing of any facts that differ from the facts disclosed herein**  
96. **(new or changed) of which Seller is aware that could adversely and significantly affect the Buyer's use or**  
97. **enjoyment of the property or any intended use of the property that occur up to the time of closing. To disclose**  
98. **new or changed facts, please use the Amendment to Disclosure Statement form.**

99. Ronald Otto 6-15-17  
(Seller) (Date) (Seller) (Date)

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

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

104. \_\_\_\_\_  
(Buyer) (Date) (Buyer) (Date)

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

MN-DS:SSTS-3 (8/14)

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**DISCLOSURE STATEMENT: WELL**

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1. Date \_\_\_\_\_
2. Page 1 of 3 pages: THE REQUIRED MAP IS
3. ATTACHED HERETO AND MADE A PART HEREOF.

4. Minnesota Statute 1031.235 requires that, before signing an agreement to sell or transfer real property, Seller must
5. disclose information in writing to Buyer about the status and location of all known wells on the property. This requirement
6. is satisfied by delivering to Buyer either a statement by Seller that Seller does not know of any wells on the property,
7. or a disclosure statement indicating the legal description and county, and a map showing the location of each well. In
8. the disclosure statement Seller must indicate, for each well, whether the well is in use, not in use or sealed.
9. Unless Buyer and Seller agree to the contrary in writing, before the closing of the sale, a Seller who fails to disclose
10. 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
11. status of the well, is liable to Buyer for costs relating to sealing of the well and reasonable attorneys' fees for collection
12. of costs from Seller, if the action is commenced within six years after the date Buyer closed the purchase of the real
13. property where the well is located.
14. Legal requirements exist relating to various aspects of location and status of wells. Buyer is advised to contact the
15. local unit(s) of government, state agency or qualified professional which regulates wells for further information about
16. these issues.

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

18. **PROPERTY DESCRIPTION:** Street Address: 20427 Hwy 15 N. Hutchinson Mn

19. Hutchinson 55350 McLeod  
(City) (Zip) (County)

20. **LEGAL DESCRIPTION:** .78 ACRES & 1.4 ACRES LOT 15 EX HWY

21. AUD PLAT OF S 1/2 30 & N 1/2 31-117-29

23. **WELL DISCLOSURE STATEMENT:** (Check appropriate boxes.)

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

	MN Unique Well No.	Well Depth	Year of Const. Approx 1982	Well Type	IN USE WATER	NOT IN USE	SHARED	SEALED
27. Well 1				Drilled	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
28. Well 2		Unknown		Open	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
29. Well 3					<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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

31. If "Yes," please explain: \_\_\_\_\_

33. **NOTE:** See definition of terms "IN USE," "NOT IN USE," and "SEALED" on lines 102-113. If a well is not in use, it

34. must be sealed by a licensed well contractor or a well owner must obtain a maintenance permit from

35. the Minnesota Department of Health and pay an annual maintenance fee. Maintenance permits are not

36. transferable. If a well is operable and properly maintained, a maintenance permit is not required.

37. If the well is, "Shared":

38. (1) How many properties or residences does the shared well serve? \_\_\_\_\_

39. (2) Who manages the shared well? \_\_\_\_\_

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

41. If "Yes," what is the annual maintenance fee? \$ \_\_\_\_\_



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**DISCLOSURE STATEMENT: WELL**

42. Page 2

43. Property located at 20427 HWY 15 HUTCHINSON44. **OTHER WELL INFORMATION:**45. Date well water last tested for contaminants: Never Test results attached? ☐ Yes ☐ No46. Contaminated Well: Is there a well on the property containing contaminated water? ☒ Yes ☐ No

47. Comments: \_\_\_\_\_

48. \_\_\_\_\_

49. \_\_\_\_\_

50. \_\_\_\_\_

51. \_\_\_\_\_

52. \_\_\_\_\_

53. \_\_\_\_\_

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

55. When was the well sealed? \_\_\_\_\_

56. Who sealed the well? \_\_\_\_\_

57. Was a Sealed Well Report filed with the Minnesota Department of Health? ☐ Yes ☐ No58. **MAP:** Complete the attached *Location Map* showing the location of each well on the real property.59. This disclosure is not a warranty of any kind by Seller(s) or any licensee(s) representing or assisting any part(ies) in  
60. this transaction and is not a substitute for any inspections or warranties the party(ies) may wish to obtain.61. **SELLER'S STATEMENT:** *(To be signed at time of listing.)*62. Seller(s) hereby states that the facts as stated above are true and accurate and authorizes any licensee(s) representing  
63. or assisting any party(ies) in this transaction to provide a copy of this Disclosure Statement to any person or entity  
64. in connection with any actual or anticipated sale of the property. A seller may provide this Disclosure Statement to  
65. a real estate licensee representing or assisting a prospective buyer. The Disclosure Statement provided to the real  
66. estate licensee representing or assisting a prospective buyer is considered to have been provided to the prospective  
67. buyer. If this Disclosure Statement is provided to the real estate licensee representing or assisting the prospective  
68. buyer, the real estate licensee must provide a copy to the prospective buyer.69. **Seller is obligated to continue to notify Buyer in writing of any facts that differ from the facts disclosed herein**  
70. **(new or changed) of which Seller is aware that could adversely and significantly affect the Buyer's use or**  
71. **enjoyment of the property or any intended use of the property that occur up to the time of closing. To disclose**  
72. **new or changed facts, please use the *Amendment to Disclosure Statement* form.**73. X. Ronald Otto 6-15-17  
(Seller) (Date) (Seller) (Date)74. **BUYER'S ACKNOWLEDGEMENT:** *(To be signed at time of purchase agreement.)*75. I/We, the Buyer(s) of the property, acknowledge receipt of this *Disclosure Statement: Well and Location Map* and  
76. agree that no representations regarding facts have been made other than those made above.77. \_\_\_\_\_  
(Buyer) (Date) (Buyer) (Date)78. **LISTING BROKER AND LICENSEES MAKE NO REPRESENTATIONS HEREIN AND ARE**  
79. **NOT RESPONSIBLE FOR ANY CONDITIONS EXISTING ON THE PROPERTY.**

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**DISCLOSURE STATEMENT: WELL**

80. Page 3

81.

**INSTRUCTIONS FOR COMPLETING THE WELL DISCLOSURE STATEMENT**

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

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

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

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

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

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

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

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

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

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

104. **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  
 105. sealed by a licensed well contractor.

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

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

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

MN-DS:W-3 (8/15)

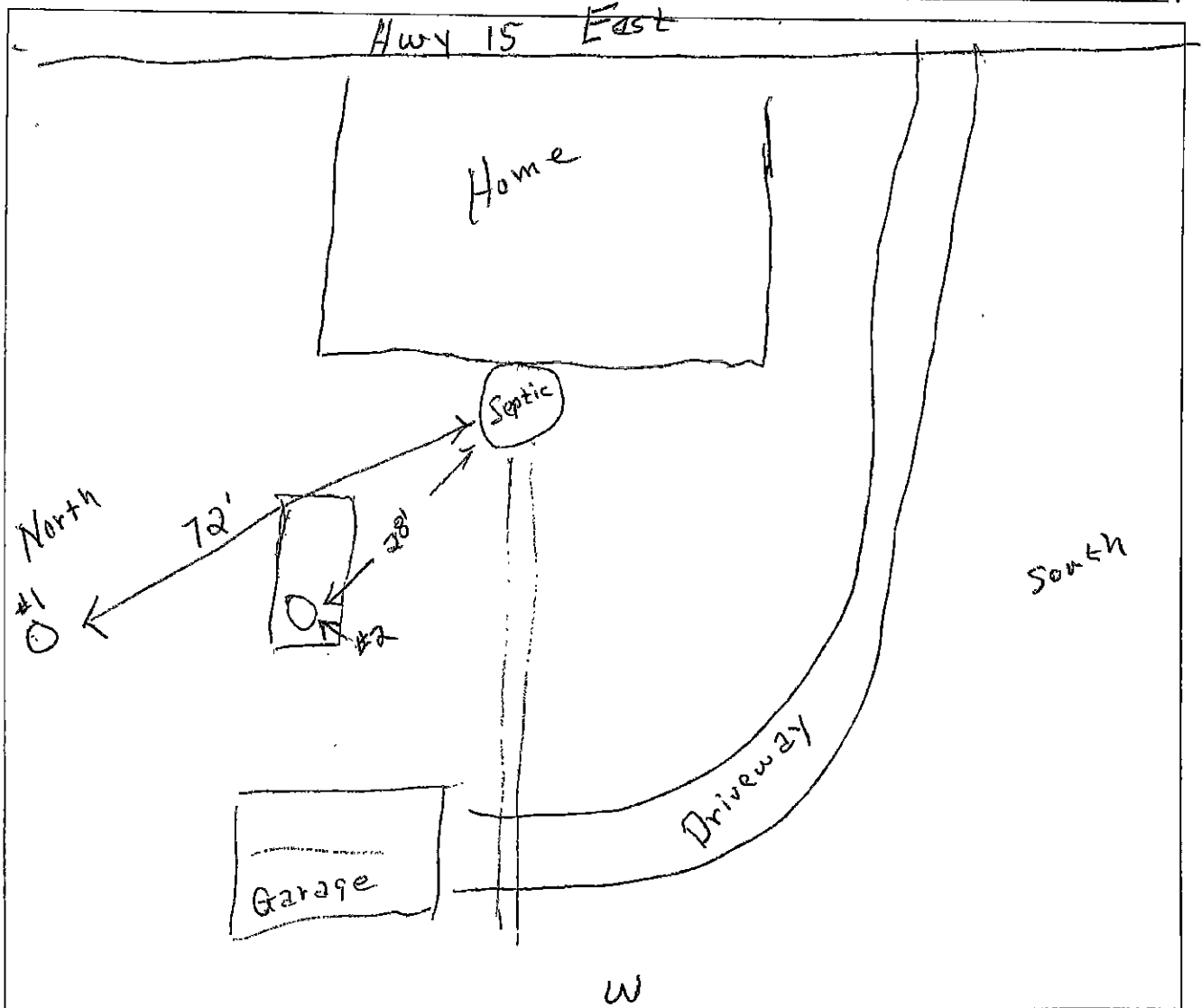
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**LOCATION MAP**

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1. Page 1 of 1 pages
2. Please use the space below to sketch the real property being sold and, to Seller's knowledge, the approximate location of any of the following on the property.
- 3.
4. ☐ SUBSURFACE SEWAGE TREATMENT SYSTEM ☐ WELL ☐ METHAMPHETAMINE PRODUCTION AREA  
(Check all that apply.)
5. Include approximate distances from fixed reference points such as streets, buildings and landmarks.
6. Property located at 20427 HWY 15 HUTCHINSON
- 7.



8. ATTACH ADDITIONAL SHEETS AS NEEDED.

9. Seller and Buyer Initial: RO 6-15-17  
(Seller) (Date) (Buyer) (Date)

10. \_\_\_\_\_  
(Seller) (Date) (Buyer) (Date)

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

MN-IM (8/09)

ER 125A-1 (8/09)