

**AMENDMENT TO
DISCLOSURE STATEMENT**

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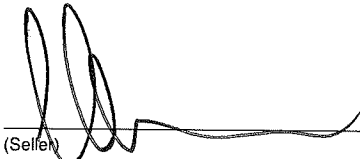
1. Date 5-5-17

2. Page _____

3. Amendment to Disclosure Statement dated 5/5, 20 17, pertaining to the
4. property located at 5021 SPARROW ROAD, MINNETONKA, MN 55345
5. _____

6. Seller discloses the following facts (new or changed) that differ from the facts previously disclosed by Seller.

7. 3B - WORK COMPLETED ON HOME -
8. WOOD PANELING IN LL REMOVED + DRY WALL INSTALLED.
9. NEW BRICK FACIA + GAS INSERT UL.
10. LL BATHROOM/FLOOR REMODEL
11. UL BATHROOM REMODEL
12. KITCHEN REMODEL WITH NEW APPLIANCES
13. GAS RUN TO UPPER LEVEL OF HOUSE (TONKA PLUMBING) FOR GAS STOVE
14. OPTION.
15. NEW ROOF SUMMER '13
16. NEW CARPETING '13
17. IN CEILING STEREO SYSTEM INSTALLED.
18. NEW FOYER/LAUNDRY TILE
19. NEW MAINT. FREE DECKING INSTALLED.
20. NEW WOOD BURNING FIREPLACE IN COTTAGE
21. NEW OUTDOOR NIGHT LIGHTING SYSTEM (LANDSCAPE lights) WITH LED.
- 22.
- 23.
- 24.
- 25.
- 26.
- 27.
- 28.
- 29.

30.  5-5-2017
(Seller) (Date)

(Buyer) (Date)

31. _____
(Seller) (Date)

(Buyer) (Date)

**DISCLOSURE STATEMENT: SELLER'S
PROPERTY DISCLOSURE STATEMENT**

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

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

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

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

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

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

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

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

33. Property located at 5021 Sparrow Road,

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

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

36. (1) What date NOVEMBER 11, 2011 did you ☒ **Acquire** ☐ **Build** the home?
------(Check one.)-----

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

38. Location of Abstract: _____

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

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

41. If "No," explain: _____

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

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

49. Property located at 5021 Sparrow Road Minnetonka MN 55345

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

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

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

54. If "Yes," which zone? NOT IN FLOOD ZONE.

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

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

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

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

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

60. If "Yes," please explain: _____

61. _____

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

67. Are there any

68. (9) encroachments? ☐ Yes ☒ No

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

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

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

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

75. _____

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 ☐ No

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

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

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

92. Property located at 5021 Sparrow Road Minnetonka MN 5534593. (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,
99. retaining wall, general finishing) ☒ Yes ☐ No100. If "Yes," please explain: LL + MAIN FLOOR BATH UPDATED, KITCHEN UPDATED/NEW
101. APPLIANCES/OLD BAR REMOVED - BASEMENT GAS RUN TO UPSTAIRS (TONKA)*102. (c) Are you aware of any work performed on the property for which
103. appropriate permits were not obtained? ☐ Yes ☒ No104. If "Yes," please explain: _____
105. _____106. (4) Has there been any damage to flooring or floor covering? ☐ Yes ☒ No107. If "Yes," give details of what happened and when: _____
108. _____109. (5) Do you have or have you previously had any pets? ☒ Yes ☐ No110. If "Yes," indicate type GERMAN SHEPARD/WEIMERNGER and number 2111. (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 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: 4 years Garage(s)/Outbuilding(s): 4 years

124. (b) Has there been any interior or exterior damage?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
125. (c) Has there been interior damage from ice buildup?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
126. (d) Has there been any leakage?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
127. (e) Have there been any repairs or replacements made to the roof?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

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

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

132. Property located at 5021 Sparrow Road Minnetonka MN 55345

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

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

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": SMALL LEAK FROM UPPER LEVEL TOILET

139. WAXRING - LEAK INTO LAUNDRY ROOM. Repaired by Tonka Plumbing.

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

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

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

	Working Order				Working Order		
	Yes	No	NA		Yes	No	NA
147. Air-conditioning.....	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Propane tank.....	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
148. <input checked="" type="checkbox"/> Central <input type="checkbox"/> Wall <input type="checkbox"/> Window				<input type="checkbox"/> Rented <input type="checkbox"/> Owned			
149. Air exchange system.....	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Range/oven.....	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
150. Carbon monoxide detector.....	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" type="checkbox"/>	Security system.....	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
153. Clothes dryer.....	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Rented <input checked="" type="checkbox"/> Owned			
154. Clothes washer.....	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Smoke detectors (battery).....	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
155. Dishwasher.....	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Smoke detectors (hardwired).....	<input 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 type="checkbox"/>	<input checked="" type="checkbox"/>	Sump pump.....	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
158. Electrical system.....	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Toilet mechanisms.....	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
159. Environmental remediation system				Trash compactor.....	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
160. (e.g., radon, vapor intrusion).....	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	TV antenna system.....	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
161. Exhaust system.....	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	TV cable system.....	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	TV satellite dish.....	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
164. Fireplace mechanisms.....	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Water purification system.....	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
167. Garage door auto reverse.....	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/> Rented <input checked="" type="checkbox"/> Owned			
168. Garage door opener.....	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Water softener.....	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
169. Garage door opener remote.....	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Rented <input checked="" type="checkbox"/> Owned			
170. Garbage disposal.....	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Water treatment system.....	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Wood-burning stove.....	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
175. Lawn sprinkler system.....	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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"/>

DISCLOSURE STATEMENT: SELLER'S
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180. THE INFORMATION DISCLOSED IS GIVEN TO THE BEST OF SELLER'S KNOWLEDGE.

181. Property located at 5021 Sparrow Road Minnetonka MN 55345
182. Are there any items or systems on the property connected or controlled wirelessly, via internet protocol ("IP"), to
183. a router or gateway or directly to the cloud? ☐ Yes ☒ No
184. Comments regarding issues in Section C: _____
185. _____
186. **D. SUBSURFACE SEWAGE TREATMENT SYSTEM DISCLOSURE:**
187. (A subsurface sewage treatment system disclosure is required by MN Statute 115.55.) (Check appropriate box.)
188. Seller certifies that Seller ☐ DOES ☒ DOES NOT know of a subsurface sewage treatment system on or serving
----- (Check one.) -----
189. the above-described real property. (If answer is **DOES**, and the system does not require a state permit, see
190. *Disclosure Statement: Subsurface Sewage Treatment System.*)
191. ☐ There is an abandoned subsurface sewage treatment system on the above-described real property.
192. (See *Disclosure Statement: Subsurface Sewage Treatment System.*)
193. **E. PRIVATE WELL DISCLOSURE:** (A well disclosure and Certificate are required by MN Statute 103I.235.)
194. (Check appropriate box.)
195. ☐ Seller certifies that Seller does not know of any wells on the above-described real property.
196. ☒ Seller certifies there are one or more wells located on the above-described real property.
197. (See *Disclosure Statement: Well.*)
198. Are there any wells serving the above-described property that are not located on the
199. property? ☐ Yes ☒ No
200. If "Yes":
201. (1) How many properties or residences does the shared well serve? _____
202. (2) Is there a maintenance agreement for the shared well? ☐ Yes ☐ No
203. If "Yes," what is the annual maintenance fee? \$ _____
204. Is this property in a Special Well Construction Area? ☐ Yes ☐ No
205. **F. PROPERTY TAX TREATMENT:**
206. **Valuation Exclusion Disclosure** (Required by MN Statute 273.11, Subd. 18.)
207. There ☐ IS ☒ IS NOT an exclusion from market value for home improvements on this property. Any
----- (Check one.) -----
208. valuation exclusion shall terminate upon sale of the property, and the property's estimated market value for
209. property tax purposes shall increase. If a valuation exclusion exists, Buyers are encouraged to look into the
210. resulting tax consequences.
211. Additional comments: _____
212. _____
213. **Preferential Property Tax Treatment**
214. Is the property subject to any preferential property tax status or any other credits affecting the property?
215. (e.g., Disability, Green Acres, CRP, RIM, Rural Preserve, Veterans' Benefits,
216. Non-Profit Status) ☐ Yes ☒ No
217. If "Yes," would these terminate upon the sale of the property? ☐ Yes ☐ No
218. Explain: _____
219. _____

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

222. Property located at 5021 Sparrow Road Minnetonka MN 55345
223. **G. FOREIGN INVESTMENT IN REAL PROPERTY TAX ACT ("FIRPTA"):** Section 1445 of the Internal Revenue Code
 224. provides that a transferee ("Buyer") of a United States real property interest must be notified in writing and must
 225. withhold tax if the transferor ("Seller") is a foreign person and no exceptions from FIRPTA withholding apply.
 226. Seller represents that Seller ☐ IS ☒ IS NOT a foreign person (i.e., a non-resident alien individual, foreign corporation,
 -----(Check one.)-----
 227. foreign partnership, foreign trust, or foreign estate) for purposes of income taxation. This representation shall
 228. survive the closing of any transaction involving the property described here.
 229. **NOTE:** If the above answer is "IS," Buyer may be subject to income tax withholding in connection with the
 230. transaction (unless the transaction is covered by an applicable exception to FIRPTA withholding). In
 231. non-exempt transactions, Buyer may be liable for the tax if Buyer fails to withhold.
 232. If the above answer is "IS NOT," Buyer may wish to obtain specific documentation from Seller ensuring
 233. Buyer is exempt from the withholding requirements as prescribed under Section 1445 of the Internal
 234. Revenue Code.
 235. Due to the complexity and potential risks of failing to comply with FIRPTA, including Buyer's responsibility
 236. for withholding the applicable tax, Buyer and Seller should **seek appropriate legal and tax advice regarding**
 237. **FIRPTA compliance, as the respective licensees representing or assisting either party will be unable to**
 238. **assure either party whether the transaction is exempt from the FIRPTA withholding requirements.**
 239. **H. METHAMPHETAMINE PRODUCTION DISCLOSURE:**
 240. (A Methamphetamine Production Disclosure is required by MN Statute 152.0275, Subd. 2 (m).)
 241. ☒ Seller is not aware of any methamphetamine production that has occurred on the property.
 242. ☐ Seller is aware that methamphetamine production has occurred on the property.
 243. (See Disclosure Statement: Methamphetamine Production.)
 244. **I. NOTICE REGARDING AIRPORT ZONING REGULATIONS:** The property may be in or near an airport safety
 245. zone with zoning regulations adopted by the governing body that may affect the property. Such zoning regulations
 246. are filed with the county recorder in each county where the zoned area is located. If you would like to determine
 247. if such zoning regulations affect the property, you should contact the county recorder where the zoned area is
 248. located.
 249. **J. NOTICE REGARDING CARBON MONOXIDE DETECTORS:** MN Statute 299F.51 requires Carbon Monoxide
 250. Detectors to be located within ten (10) feet from all sleeping rooms. Carbon Monoxide Detectors may or may not
 251. be personal property and may or may not be included in the sale of the home.
 252. **K. CEMETERY ACT:** The following questions are to be answered to the best of Seller's knowledge.
 253. MN Statute 307.08 prohibits any damage or illegal molestation of human remains, burials or cemeteries. A person
 254. who intentionally, willfully and knowingly destroys, mutilates, injures, disturbs, or removes human skeletal remains
 255. or human burial grounds is guilty of a felony.
 256. Are you aware of any human remains, burials, or cemeteries located on the property? ☐ Yes ☒ No
 257. If "Yes," please explain: _____
 258. All unidentified human remains or burials found outside of platted, recorded or identified cemeteries and in
 259. contexts which indicate antiquity greater than 50 years shall be dealt with according to the provisions of MN
 260. Statute 307.08, Subd. 7.
 261. **L. ENVIRONMENTAL CONCERNS:** To your knowledge, have any of the following previously existed or do they
 262. currently exist on the property?
 263. (1) Animal/Insect/Pest Infestation? ☐ Yes ☒ No (6) Lead? (e.g., paint, plumbing) ☐ Yes ☒ No
 264. (2) Asbestos? ☐ Yes ☒ No (7) Mold? ☐ Yes ☒ No
 265. (3) Diseased trees? ☐ Yes ☒ No (8) Soil problems? ☐ Yes ☒ No
 266. (4) Formaldehyde? ☐ Yes ☒ No (9) Underground storage tanks? ☐ Yes ☒ No
 267. (5) Hazardous waste/substances? ☐ Yes ☒ No
 268. (10) Other? _____ ☐ Yes ☒ No

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

271. Property located at 5021 Sparrow Road Minnetonka MN 55345

272. (11) Have you ever been contacted or received any information from any governmental authority pertaining
273. to possible or actual environmental contamination affecting the property? ☐ Yes ☒ No

274. (12) Are you aware if there are currently, or have previously been, any orders issued on the
275. property by any governmental authority ordering the remediation of a public
276. health nuisance on the property? ☐ Yes ☒ No

277. If answer above is "Yes," Seller certifies that all orders ☐ HAVE ☐ HAVE NOT been vacated.
----- (Check one.) -----

278. (13) Please provide clarification or further explanation for all applicable "Yes" responses in Section L.

279. _____

280. _____

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

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

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

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

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

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

301. (a) Radon test(s) ☐ HAVE ☒ HAVE NOT occurred on the property.
----- (Check one.) -----

302. (b) Describe any known radon concentrations, mitigation, or remediation. **NOTE:** Seller shall attach the most
303. current records and reports pertaining to radon concentration within the dwelling:

304. _____

305. _____

306. (c) There ☐ IS ☒ IS NOT a radon mitigation system currently installed on the property.
----- (Check one.) -----

307. If "IS," Seller shall disclose, if known, information regarding the radon mitigation system, including system
308. description and documentation.

309. _____

310. _____

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

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

314. Property located at 5021 Sparrow Road Minnetonka MN 55345.

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

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

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

323. If "Yes," explain: _____

324. _____
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.

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

362. Property located at 5021 Sparrow Road Minnetonka MN 55345

363. **Q. ADDITIONAL COMMENTS:**

364. _____

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

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

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

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

414. Property located at 5021 Sparrow Road Minnetonka MN 55345

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.

(Seller) Mary Burger

(Date) 5-5-2017

(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)

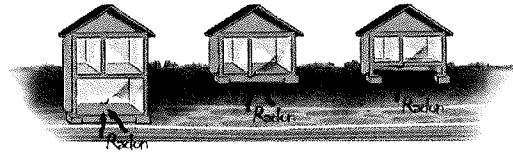
437. **LISTING BROKER AND LICENSEES MAKE NO REPRESENTATIONS HERE AND ARE**
438. **NOT RESPONSIBLE FOR ANY CONDITIONS EXISTING ON THE PROPERTY.**

Radon in Real Estate Transactions



All Minnesota homes can have dangerous levels of **radon gas** in them. Radon is a colorless, odorless and tasteless **radioactive gas** that can seep into homes from the earth. When inhaled, its radioactive particles can damage the cells that line 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, making it a serious health concern for all Minnesotans.

It **does not matter if the home is old or new** and 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 built before 2010** and **1 in 5 homes built since 2010** exceed the 4.0 pCi/L action level.



In Minnesota, buyers and sellers in a real estate transaction are free to negotiate radon testing and reduction. Ultimately, it is up to the buyer to decide an acceptable level of radon risk in the home. Prospective buyers should keep in mind that it is inexpensive and easy to measure radon, and radon levels can be lowered at a reasonable cost. The MDH Radon Program website provides more detailed information on radon, including the MDH brochure "Keeping Your Home Safe from Radon."

The Minnesota Radon Awareness Act does not require radon testing or mitigation. However, many relocation companies and lending institutions, as well as home buyers, require a radon test when purchasing a house. 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. This publication is being provided by the seller in order to meet a requirement of the Act. In addition, **before signing a purchase agreement to sell or transfer residential real property**, the seller shall disclose in writing to the buyer any knowledge the seller has of radon concentrations in the dwelling.

The disclosure shall include:

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 concentrations, mitigation, or remediation;
4. information regarding the radon mitigation system, including system description and documentation, if such system has been installed in the dwelling; and
5. a radon warning statement

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."

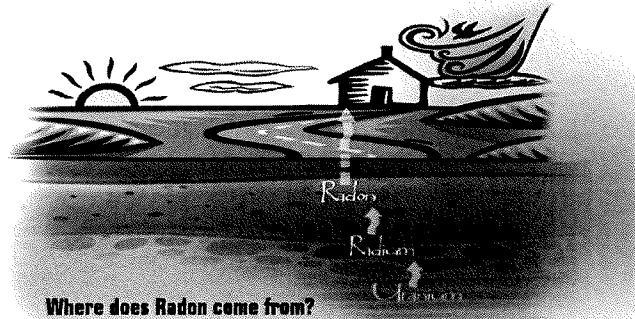
Radon Facts

How dangerous is radon?

Radon is the **number one cause of lung cancer in non-smokers** and the second leading cause of lung cancer overall, next to tobacco smoking. Thankfully, much of this risk can be prevented through testing and taking action to reduce high levels of radon gas when and where they are found. Your risk for lung cancer increases with higher levels of radon gas, prolonged exposure and whether or not you are a smoker.

Where is your greatest exposure to radon?

Radon is present everywhere, and there is no known safe level. Your greatest exposure is where it can concentrate indoors and where you spend most of your time. For most Minnesotans, this is at home. Whether a home is old or new, well-sealed or drafty, with or without a basement, **any home can have high levels of radon**.



Where does Radon come from?

Radon comes from the soil. It is produced by the natural decay of uranium and radium commonly found in nearly all soils in Minnesota. As a gas, radon moves freely through the soil and eventually into the air you breathe. Our homes tend to draw soil gases, including radon, into the structure.

I have a new home, aren't radon levels reduced already?

Homes built in Minnesota since June 2009 are required to contain construction features that may limit radon entry. These features are known as passive Radon Resistant New Construction (RRNC). While these passive RRNC features may lower the amount of radon in newer homes, it does not guarantee low levels. It is recommended all new homes be tested for radon, and if elevated levels are found, these passive RRNC features can be easily and inexpensively activated with the addition of a radon fan in the attic. If you are buying a new home, ask if the home has any RRNC features and if the home has been tested.

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 house should be fixed**. Consider fixing the home if radon levels are between 2 pCi/L and 3.9 pCi/L. While it isn't possible to reduce radon to zero, the best approach is to reduce the radon levels to as low as reasonably achievable. Any amount of radon, even below the recommended action level, carries some risk.

How are radon tests conducted in real estate transactions?

Because of the unique nature of real estate transactions, involving multiple parties and financial interests, there are special protocols for radon testing.



Continuous Radon Monitor (CRM)

Fastest

Test is completed by a certified contractor with a calibrated CRM for a minimum of 48 hours.

Test report is analyzed to ensure that it is a valid test.



Simultaneous Short-term Testing

Second fastest

Two short-term test kits are used at the same time, placed 6-12 inches apart, for a minimum of 48 hours.

Test kits are sent to the lab for analysis.

The two test results are averaged to get the radon level.



Sequential Short-term Testing

Slowest

One short-term test is performed for a minimum of 48 hours.

Test kit is sent to lab for analysis.

Another short-term kit is used in the same place as the first, started right after the first test is taken down. Test is performed for a minimum of 48 hours.

Test kit is sent to the lab for analysis.

The two test results are averaged to get the radon level.

Radon Testing

House conditions when testing

Be aware that any test lasting less than three months requires closed-house conditions.

Closed-house Conditions: Mean keeping 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.

Where the test should 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. In Minnesota, this is typically in the basement, whether it is finished or unfinished.

The test kit should be placed:

- two 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
- not in areas of high heat or humidity

If the house has multiple foundation types, it is recommended that each of these be tested. For instance, if the house has one or more of the following foundation types--basement, crawl space, slab-on-grade--a test should be performed in the basement and in at least one room over the crawlspace and one room with a slab-on-grade area.

Who should conduct radon testing in real estate transactions?

All radon tests should be conducted in accordance with national radon measurement protocols, by a certified and MDH-listed 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 web site. A seller may have previously conducted testing in a property. If the test result is at or above the action level, the home should be mitigated.

Radon Mitigation

Lowering radon in existing homes – Radon Mitigation

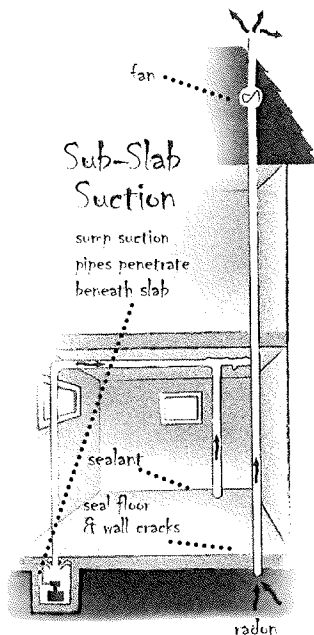
When elevated levels of radon are found, they should be mitigated. Elevated radon concentrations can be easily reduced by a nationally certified and MDH-listed radon mitigation professional. A list of these radon mitigation professionals can be found at MDH's Radon web site.

Radon mitigation is the process or system used to reduce radon concentrations in the breathing zones of occupied buildings. The goal of a radon mitigation system is to reduce the indoor radon levels to below the EPA action level of 4.0 pCi/L. A quality radon reduction (mitigation) system is often able to reduce the annual average radon level to below 2.0 pCi/L.

Active sub-slab suction (also called sub-slab depressurization, or SSD) is the most common and usually the most reliable type of system because it draws radon-filled air from beneath the house and vents it outside. There are standards of practice that need to be followed for the installation of these systems. More information on radon mitigation can be found at the MDH Radon website.

After a radon reduction system is installed

Perform an independent short-term test to ensure that the reduction system is effective. Make sure the radon system is operating during the entire test. Once a confirmatory radon test shows low levels of radon in the home, be sure to retest the house every two years to confirm continued radon reduction.



Contact the MDH Radon Program if you are uncertain about anything regarding radon testing or mitigation.

The MDH Radon Program can provide:

- Information about radon health effects, radon testing and radon mitigation;
- Names of trained, certified and MDH-listed radon professionals;

MDH Radon Program

625 Robert St N
P.O. Box 64975
St. Paul, MN 55164-0975
(651) 201-4601
1(800) 798-9050



Email: health.indoorair@state.mn.us
Web: www.health.state.mn.us/radon



10/2013 IC# 141-3722



PREVIOUS SELLERS DISCLOSURE

PROPERTY DISCLOSURE STATEMENT

Approved by the Minnesota Association of REALTORS®.
 Disclaims any liability arising out of use or misuse of this form.
 © 2010 Minnesota Association of REALTORS®, Edina, MN

1. Date April 18, 2011

2. Page 1 of _____ pages

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

4. **NOTICE:** This Disclosure Statement satisfies the disclosure requirements of MN Statutes 513.52 through 513.60.
 5. Under Minnesota law, Sellers of residential property, with limited exceptions listed on page nine (9), are obligated to
 6. disclose to prospective Buyers all material facts of which Seller is aware that could adversely and significantly affect
 7. an ordinary Buyer's use or enjoyment of the property or any intended use of the property of which Seller is aware.
 8. MN Statute 513.58 requires Seller to notify Buyer in writing as soon as reasonably possible, but in any event
 9. before closing, if Seller learns that Seller's disclosure was inaccurate. Seller has disclosure alternatives allowed
 10. by MN Statutes. See *Seller's Disclosure Alternatives* form for further information regarding disclosure alternatives. This
 11. disclosure is not a warranty or a guarantee of any kind by Seller or licensee representing or assisting any party in the
 12. transaction.

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

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

21. Property located at 5021 SPARROW,

22. City of Edina, County of Hennepin, State of Minnesota.

23. A. GENERAL INFORMATION:

24. (1) What date 1978, 20 _____ did you ☒ Acquire ☐ Build the home?
 (Check one.)

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

26. Location of Abstract: _____

27. To your knowledge, is there an existing Owner's Title Insurance Policy? ☒ Yes ☐ No

28. (3) Have you occupied this home continuously for the past 12 months? ☒ Yes ☐ No

29. If "No," explain: _____

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

31. (5) To your knowledge, is the property located in a designated flood plain? ☐ Yes ☒ No

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

33. (7) Is the property located on a public or a private road? ☒ Public ☐ Private

34. (8) For property abutting a lake, stream or river, does the property meet the minimum local government lot size
 35. requirements? ☒ Yes ☐ No ☐ Unknown

36. If "No," or "Unknown," Buyer should consult the local zoning authority.

37. Are you aware of any

38. (9) encroachments? ☐ Yes ☒ No

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

41. (11) easements, other than utility or drainage easements? ☐ Yes ☒ No

42. (12) Comments: _____

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

MN: SPDS-1 (8/10)

Coldwell Banker Burnet

SELLER'S DISCLOSURE

44. Page 2

PREVIOUS SELLERS DISCLOSURE

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

46. Property located at _____

47. B. GENERAL CONDITION: To your knowledge, have any of the following conditions previously existed or do they
48. currently exist?49. (1) Has there been any damage by wind, fire, flood, hail or other cause(s)? ☐ Yes ☒ No

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

51. _____

52. _____

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

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

56. _____

57. _____

58. Did you receive compensation for the claim(s)? ☐ Yes ☒ No59. If you received compensation, did you have the items repaired? ☐ Yes ☐ No

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

61. _____

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

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

65. PERCH GARAGE ADDITION

66. _____

67. (b) Has any work been performed on the property? (e.g., additions to the property, wiring, plumbing,
68. retaining wall, general finishing.) ☒ Yes ☐ No69. If "Yes," please explain: REMODELING

70. _____

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

73. If "Yes," please explain: _____

74. _____

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

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

77. _____

78. (5) Are you aware of any insect/animal/pest infestation? ☐ Yes ☒ No

79. If "Yes," please explain: _____

80. _____

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

Coldwell Banker Burnet

82. Page 3

SELLER'S PREVIOUS DISCLOSURE
DISCLOSURE
KNOWLEDGE.

83. THE INFORMATION DISCLOSED IS GIVEN TO THE BEST

84. Property located at _____

85. (6) Do you have or have you previously had any pets? ☐ Yes ☐ No

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

87. (7) Comments: _____

88. _____

89. _____

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

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

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

93. (a) cracked floor/walls ☐ Yes ☒ No (e) leakage/seepage ☐ Yes ☒ No94. (b) drain tile problem ☐ Yes ☒ No (f) sewer backup ☐ Yes ☒ No95. (c) flooding ☐ Yes ☒ No (g) wet floors/walls ☐ Yes ☒ No96. (d) foundation problem ☐ Yes ☒ No (h) other ☐ Yes ☒ No

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

98. _____

99. _____

100. _____

101. _____

102. _____

103. _____

104. _____

105. (2) THE ROOF: To your knowledge,

106. (a) what is the age of the roofing material? 10 years107. (b) has there been any interior or exterior damage? ☐ Yes ☒ No108. (c) has there been interior damage from ice buildup? ☐ Yes ☒ No109. (d) has there been any leakage? ☐ Yes ☒ No110. (e) have there been any repairs or replacements made to the roof? ☒ Yes ☐ No111. Give details to any questions answered "Yes": Replaced

112. _____

113. _____

114. _____

115. _____

116. _____

117. _____

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

Coldwell Banker Burnet

119. P.

SEI
PREVIOUS SELLERS DISCLOSURE
MENT

120. THE INFORMATION DISCLOSED IS GIVEN TO THE BE

SELLER'S KNOWLEDGE.

121. Property located at _____

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

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

126. 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
129. Air-conditioning	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Garbage disposal	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Trash Compactor	<input type="checkbox"/>	<input checked="" type="checkbox"/>
130. <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 checked="" type="checkbox"/>
131. Air exchange system	<input type="checkbox"/>	<input type="checkbox"/>	Heating system (supplemental)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	TV cable system	<input checked="" type="checkbox"/>	<input type="checkbox"/>
132. Carbon Monoxide Detector	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Incinerator	<input type="checkbox"/>	<input checked="" type="checkbox"/>	TV satellite dish	<input type="checkbox"/>	<input type="checkbox"/>
133. Ceiling fan	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Intercom	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Rented <input type="checkbox"/> Owned		
134. Dishwasher	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Lawn sprinkler system	<input checked="" type="checkbox"/>	<input type="checkbox"/>	TV satellite receiver	<input type="checkbox"/>	<input checked="" type="checkbox"/>
135. Doorbell	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Microwave	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Rented <input type="checkbox"/> Owned		
136. Drain tile system	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Plumbing	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Washer	<input checked="" type="checkbox"/>	<input type="checkbox"/>
137. Dryer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Pool and equipment	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Water heater	<input checked="" type="checkbox"/>	<input type="checkbox"/>
138. 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"/>
139. Exhaust system	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Range hood	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Rented <input checked="" type="checkbox"/> Owned		
140. Fire sprinkler system	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Refrigerator	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Windows	<input type="checkbox"/>	<input type="checkbox"/>
141. Fireplace	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Security system	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Window treatments	<input type="checkbox"/>	<input checked="" type="checkbox"/>
142. Fireplace mechanisms	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Rented <input type="checkbox"/> Owned			Wood-burning stove	<input type="checkbox"/>	<input checked="" type="checkbox"/>
143. Furnace humidifier	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Smoke detectors (battery)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Other	<input type="checkbox"/>	<input checked="" type="checkbox"/>
144. Freezer	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Smoke detectors (hardwired)	<input type="checkbox"/>	<input type="checkbox"/>	Other	<input type="checkbox"/>	<input checked="" type="checkbox"/>
145. Garage door opener (GDO)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Solar collectors	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Other	<input type="checkbox"/>	<input checked="" type="checkbox"/>
146. Garage auto reverse	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Sump pump	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Other	<input type="checkbox"/>	<input checked="" type="checkbox"/>
147. GDO remote	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Toilet mechanisms	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Other	<input type="checkbox"/>	<input checked="" type="checkbox"/>

148. Comments: Wood burning stove in Cottage

149. _____

150. E. SUBSURFACE SEWAGE TREATMENT SYSTEM DISCLOSURE:

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

152. Seller certifies that Seller ☐ DOES ☐ DOES NOT know of a subsurface sewage treatment system on or serving
(Check one.)153. the above-described real property. (If answer is DOES, and the system does not require a state permit, see
154. Subsurface Sewage Treatment System Disclosure Statement.)155. ☐ There is a subsurface sewage treatment system on or serving the above-described real property.
156. (See Subsurface Sewage Treatment System Disclosure Statement.)157. ☐ There is an abandoned subsurface sewage treatment system on the above-described real property.
158. (See Subsurface Sewage Treatment System Disclosure Statement.)

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

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160

SEI
PREVIOUS SELLERS DISCLOSURE
ENT

161. THE INFORMATION DISCLOSED IS GIVEN TO THE

SELLER'S KNOWLEDGE.

162. Property located at _____

163. F. **PRIVATE WELL DISCLOSURE:** (A well disclosure and Certificate are required by MN Statute 103I.235.)

164. (Check appropriate box.)

165. ☐ Seller certifies that Seller does not know of any wells on the above-described real property.166. ☒ Seller certifies there are one or more wells located on the above-described real property.

167. (See Well Disclosure Statement.)

168. Are there any wells serving the above-described property that are not located on the

169. property?

☐ Yes☒ No

170. To your knowledge, is this property in a Special Well Construction Area?

☒ Yes☒ No171. G. **PROPERTY TAX TREATMENT:**172. **Valuation Exclusion Disclosure** (Required by MN Statute 273.11, Subd. 16.)

173. (Check appropriate box.)

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

175. valuation exclusion shall terminate upon sale of the property, and the property's estimated market value for

176. property tax purposes shall increase. If a valuation exclusion exists, Buyers are encouraged to look into the

177. resulting tax consequences.

178. Additional comments: _____

179. _____

180. _____

181. **Preferential Property Tax Treatment**

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

183. (e.g., Disability, Green Acres, CRP, RIM, Rural Preserve)

☐ Yes☒ No

184. If "Yes," would these terminate upon the sale of the property?

☐ Yes☐ No

185. Explain: _____

186. _____

187. _____

188. H. **METHAMPHETAMINE PRODUCTION DISCLOSURE:**

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

190. ☒ Seller is not aware of any methamphetamine production that has occurred on the property.191. ☐ Seller is aware that methamphetamine production has occurred on the property.

192. (See Methamphetamine Production Disclosure Statement.)

193. I. **NOTICE REGARDING AIRPORT ZONING REGULATIONS:** The property may be in or near an airport safety

194. zone with zoning regulations adopted by the governing body that may affect the property. Such zoning regulations

195. are filed with the county recorder in each county where the zoned area is located. If you would like to determine

196. if such zoning regulations affect the property, you should contact the county recorder where the zoned area is

197. located.

198. J. **NOTICE REGARDING CARBON MONOXIDE DETECTORS:** MN Statute 299F.51 requires Carbon Monoxide

199. Detectors to be located within ten (10) feet from all sleeping rooms. Carbon Monoxide Detectors may or may not

200. be personal property and may or may not be included in the sale of the home.

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

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202. Page

SELLER'S
DISCLOSUREPREVIOUS SELLERS DISCLOSURE
SELLER'S KNOWLEDGE.**203. THE INFORMATION DISCLOSED IS GIVEN TO THE BUYER'S KNOWLEDGE.**

204. Property located at _____

205. K. CEMETERY ACT:

206. 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.

209. To your knowledge, are you aware of any human remains, burials or cemeteries located

210. on the property?

☐ Yes☒ No

211. If "Yes," please explain: _____

212. _____

213. 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.

216. L. ENVIRONMENTAL CONCERNS:

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

218. Asbestos?

☐ Yes☐ No

Mold?

☐ Yes☒ No

220. Diseased trees?

☐ Yes☐ No

Radon?

☐ Yes☒ No

221. Formaldehyde?

☐ Yes☐ No

Soil problems?

☐ Yes☒ No

222. Hazardous wastes/substances?

☐ Yes☐ No

Underground storage tanks?

☐ Yes☒ No

223. Lead? (e.g., paint, plumbing)

☐ Yes☐ No

Other?

☐ Yes☒ No

224. 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☒ No

226. If answer above is "Yes," seller certifies that all orders ☐ HAVE ☐ HAVE NOT been vacated.

(Check one.)

227. Give details to any question answered "Yes": _____

228. _____

228. _____

230. M. OTHER DEFECTS/MATERIAL FACTS:

231. 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☒ No

233. If "Yes," explain below: _____

234. _____

235. _____

236. _____

237. N. ADDITIONAL COMMENTS:

238. _____

239. _____

240. _____

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

Coldwell Banker Burnet

242. Page 7

**SELLER'S
DISCLOSURE
STATEMENT**

PREVIOUS SELLERS DISCLOSURE

KNOWLEDGE.

243. THE INFORMATION DISCLOSED IS GIVEN TO THE BUYER

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

247. Examples of exterior moisture sources may be

- 248.** • improper flashing around windows and doors,
- 249.** • improper grading,
- 250.** • flooding,
- 251.** • roof leaks.

252. Examples of interior moisture sources may be

- 253.** • plumbing leaks,
- 254.** • condensation (caused by indoor humidity that is too high or surfaces that are too cold),
- 255.** • overflow from tubs, sinks or toilets,
- 256.** • firewood stored indoors,
- 257.** • humidifier use,
- 258.** • inadequate venting of kitchen and bath humidity,
- 259.** • improper venting of clothes dryer exhaust outdoors (including electrical dryers),
- 260.** • line-drying laundry indoors,
- 261.** • houseplants—watering them can generate large amounts of moisture.

262. In addition to the possible structural damage water intrusion may do to the property, water intrusion may also result 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.

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

266.

267.

268.

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

270.

271.

272.

273.

274. For additional information about water intrusion, indoor air quality, moisture or mold issues, go to the Minnesota Association of REALTORS® web site at www.mnrealtor.com.

275.

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

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277. I

PREVIOUS SELLERS DISCLOSURE

278. THE INFORMATION DISCLOSED IS GIVEN TO THE BUYER

SELLER'S KNOWLEDGE.

279. Property located at _____

280. P. NOTICE REGARDING PREDATORY OFFENDER INFORMATION: Information regarding the predatory offender registry and persons registered with the predatory offender registry under MN Statute 243.166 may be obtained by contacting the local law enforcement offices in the community where the property is located or the Minnesota Department of Corrections at (851) 351-7200, or from the Department of Corrections web site at www.corr.state.mn.us.

285. LISTING BROKER AND LICENSEES MAKE NO REPRESENTATIONS AND ARE
286. NOT RESPONSIBLE FOR ANY CONDITIONS EXISTING ON THE PROPERTY.

287. Q. SELLER'S STATEMENT:

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

289. Seller(s) hereby states the material facts as stated above are true and accurate and authorizes any licensee(s) representing or assisting any party(ies) in this transaction to provide a copy of this Disclosure to any person or entity in connection with any actual or anticipated sale of the property.

292.

293. R. BUYER'S ACKNOWLEDGEMENT:

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

295. I/We, the Buyer(s) of the property, acknowledge receipt of this Seller's Property Disclosure Statement and agree
296. that no representations regarding material facts have been made other than those made above.

297.

298. S. SELLER'S ACKNOWLEDGMENT:

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

300. AS OF THE DATE BELOW, I/we, the Seller(s) of the property, state that the material facts stated above are the
301. same, except for changes as indicated below, which have been signed and dated.

302.

303.

304.

305.

306.

307.

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

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

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

315.

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

MNSPDS-B (8/10)

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316. Page 9

SELLER'S P
DISCLOSURE

PREVIOUS SELLERS DISCLOSURE

317. THE INFORMATION DISCLOSED IS GIVEN TO THE BEST

KNOWLEDGE.

318. Exceptions

319. The seller disclosure requirements of MN Statutes 513.52 through

if apply to

- 320. (1) real property that is not residential real property;
- 321. (2) a gratuitous transfer;
- 322. (3) a transfer pursuant to a court order;
- 323. (4) a transfer to a government or governmental agency;
- 324. (5) a transfer by foreclosure or deed in lieu of foreclosure;
- 325. (6) a transfer to heirs or devisees of a decedent;
- 326. (7) a transfer from a cotenant to one or more other cotenants;
- 327. (8) a transfer made to a spouse, parent, grandparent, child or grandchild of Seller;
- 328. (9) a transfer between spouses resulting from a decree of marriage dissolution or from a property agreement incidental to that decree;
- 329. (10) a transfer of newly constructed residential property that has not been inhabited;
- 330. (11) an option to purchase a unit in a common interest community, until exercised;
- 331. (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);
- 332. (13) a transfer to a tenant who is in possession of the residential real property; or
- 333. (14) a transfer of special declarant rights under section 515B.3-104.

336. Waiver

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

340. No Duty to Disclose

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

- 342. (1) is or was occupied by an owner or occupant who is or was suspected to be infected with Human Immunodeficiency Virus or diagnosed with Acquired Immunodeficiency Syndrome;
- 343. (2) was the site of a suicide, accidental death, natural death or perceived paranormal activity; or
- 344. (3) is located in a neighborhood containing any adult family home, community-based residential facility or nursing home.

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

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

354. D. Inspections.

- 355. (i) Except as provided in paragraph (ii), Seller is not required to disclose information relating to the real property if a written report that discloses the information has been prepared by a qualified third party and provided to the prospective buyer. For purposes of this paragraph, "qualified third party" means a federal, state or local governmental agency, or any person whom Seller or prospective buyer reasonably believes has the expertise necessary to meet the industry standards of practice for the type of inspection or investigation that has been conducted by the third party in order to prepare the written report.
- 361. (ii) Seller shall disclose to the prospective buyer material facts known by Seller that contradict any information included in a written report under paragraph (i) if a copy of the report is provided to Seller.

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

MN:SPDS-9 (8/10)

DISCLOSURE STATEMENT: WELL

This form approved by the Minnesota Association of REALTORS®, which disclaims any liability arising out of use or misuse of this form.
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1. Date _____

2. Page 1 of _____ pages: THE REQUIRED MAP IS

3. ATTACHED HERETO AND MADE A PART HEREOF.

4. Minnesota Statute 103I.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: 5021 Sparrow Road

19. Minnetonka 55345 Hennepin
(City) (Zip) (County)

20. LEGAL DESCRIPTION:
21. UNPLATTED 30-117-22 LENGHTY METER & BOUNDS

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.	Well Type	IN USE	NOT IN USE	SHARED	SEALED
27. Well 1				<u>WATER</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
28. Well 2					<input 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? N/A

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? \$ _____

43. Property located at 5021 Sparrow Road Minnetonka MN 55345

44. **OTHER WELL INFORMATION:**

45. Date well water last tested for contaminants: _____ Test results attached? ☐ Yes ☐ No

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

47. Comments: WELL USED FOR SPRINKLER SYSTEM. ALSO HAS
48. Faucet (SMALL GROHE TO THE RIGHT) IN KITCHEN SINK.
49. (SMALLEST FAUCET TO THE LEFT IS FOR FILTERED WATER).

50. _____

51. _____

52. _____

53. _____

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

55. When was the well sealed? N/A

56. Who sealed the well? _____

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

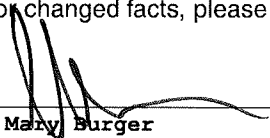
58. **MAP: Complete the attached Location Map showing the location of each well on the real property.**

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.  5-5-2017 _____
(Seller) **Mary Burger** (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.**

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).

LOCATION MAP

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1. Page _____ of _____ pages

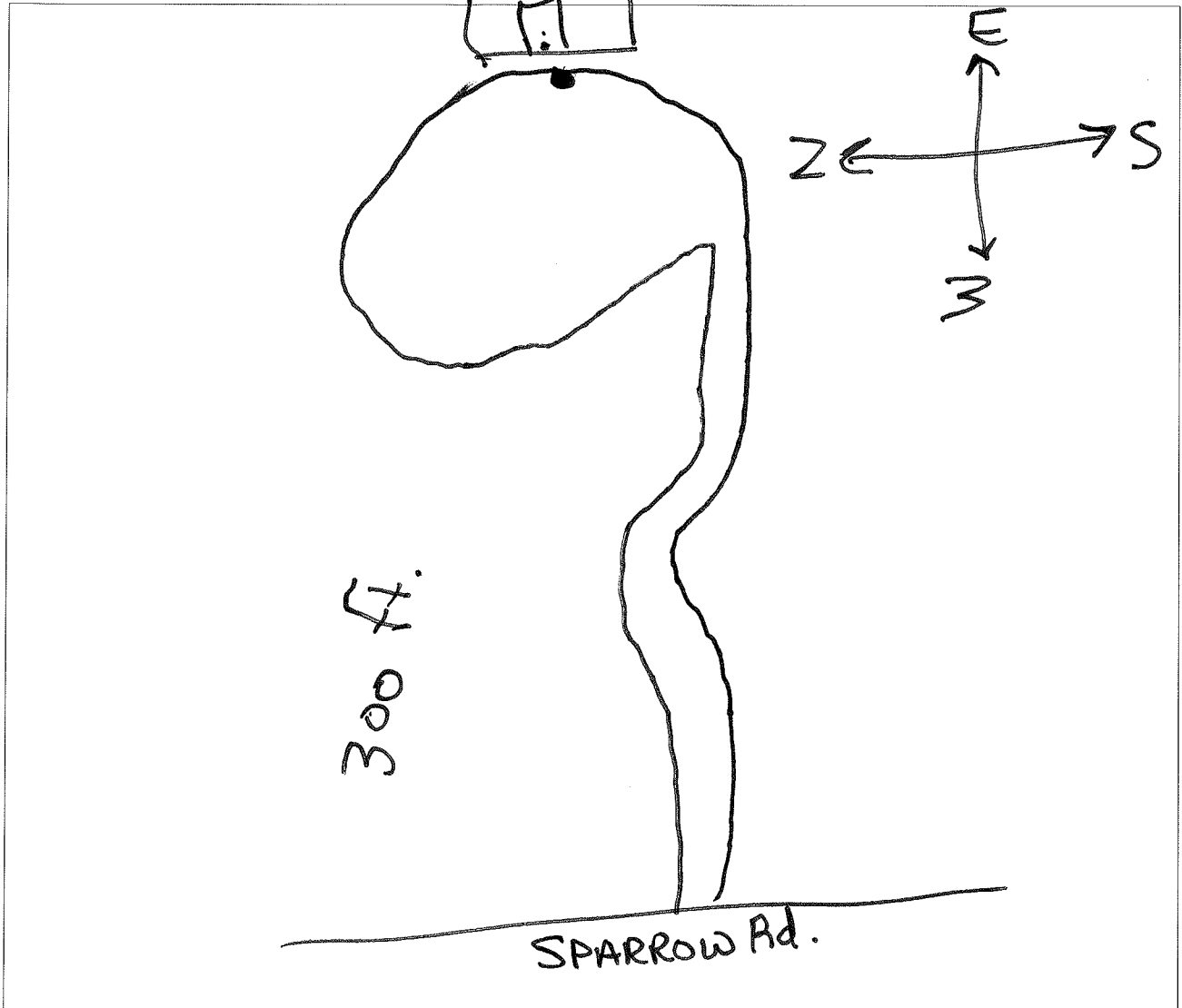
2. Please use the space below to sketch the real property being sold and, to Seller's knowledge, the approximate location of any of the following on the property.

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 5021 Sparrow Road

7. Minnetonka, MN 55345



8. ATTACH ADDITIONAL SHEETS AS NEEDED.

9. Seller and Buyer initial:

LM 5-5-2017

(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)