

Lakes | Sotheby's

INTERNATIONAL REALTY

DISCLOSURE STATEMENT: SELLER'S PROPERTY DISCLOSURE STATEMENT

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1. Date 11/1/2017
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 2855 SOMERSET LANE

34. City of ORONO, 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 8/2/2001 did you ☒ Acquire ☐ Build the home?

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: Changed primary residence to Arizona in late 2014

42. (4) Is the home suitable for year-round use? CURRENTLY SPENDS APPROX 5 mo/yr in this house ☒ 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

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

49. Property located at 2855 SOMERSET LANE ORONO MN 55356
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? _____
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. **NOTE:** Whether or not Seller currently carries flood insurance, it may be required in the future. Flood insurance

62. premiums are increasing, and in some cases will rise by a substantial amount over the premiums

63. previously charged for flood insurance for the property. As a result, Buyer should not rely on the

64. premiums paid for flood insurance on this property previously as an indication of the premiums that

65. 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. SUBJECT TO OLD CRYSTAL BAY FARMS HOA COVENANTS
76. AND BY-LAWS

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: SEE ATTACHED ADDENDUM
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)? SEE LINES 80 AND 81
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? EARLY JULY, 2013

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

92. Property located at 2855 SOMERSET LANE ORONO MN 55356
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. SEE ATTACHED ADDENDUM
- 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 ☐ No
 100. If "Yes," please explain: ELECTRICAL OUTLETS AND HEATED FLOOR IN PORCH
 101. INSTALLED IN CONNECTION WITH WORK DESCRIBED AT 93.(3)(a)
102. (c) Are you aware of any work performed on the property for which
 103. appropriate permits were not obtained? ☐ Yes ☒ No
 104. If "Yes," please explain:
 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: BASEMENT CARPET DAMAGED IN 2013 AS
 108. NOTED AT 81. ABOVE. ALL CARPET AND PADDING REPLACED
109. (5) Do you have or have you previously had any pets? ☒ Yes ☐ No
 110. If "Yes," indicate type DOG (2001-2014) and number 1
111. (6) **THE FOUNDATION:** The type of foundation is (i.e., block, poured, wood, stone, other):
 112. POURED
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 checked="" type="checkbox"/> Yes <input 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": SEE 81. ABOVE
- 119.
- 120.
121. (8) **THE ROOF:**
122. (a) What is the age of the roofing material?
 123. Home: 3 years Garage(s)/Outbuilding(s): N/A 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": SEE ADDENDUM
- 129.

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

 132. Property located at 2855 SOMERSET LANE ORONO MN 55356

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

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

 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.

 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*.

 144. **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"/>	147. 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				148. <input type="checkbox"/> Rented <input type="checkbox"/> Owned			
149. Air exchange system.....	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	149. Range/oven.....	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
150. Carbon monoxide detector.....	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	150. Range hood.....	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
151. Ceiling fan (2).....	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	151. Refrigerator.....	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
152. Central vacuum.....	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	152. 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"/>	153. <input type="checkbox"/> Rented <input checked="" type="checkbox"/> Owned			
154. Clothes washer.....	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	154. Smoke detectors (battery).....	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
155. Dishwasher.....	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	155. Smoke detectors (hardwired).....	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
156. Doorbell.....	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	156. Solar collectors.....	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
157. Drain tile system.....	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	157. 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"/>	158. Toilet mechanisms.....	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
159. Environmental remediation system				159. 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"/>	160. TV antenna system.....	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
161. Exhaust system.....	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	161. TV cable system.....	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
162. Fire sprinkler system.....	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	162. TV receiver.....	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
163. Fireplace.....	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	163. TV satellite dish.....	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
164. Fireplace mechanisms.....	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	164. <input type="checkbox"/> Rented <input type="checkbox"/> Owned			
165. Freezer.....	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	165. 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"/>	166. Water purification system.....	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
167. Garage door auto reverse.....	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	167. <input type="checkbox"/> Rented <input checked="" type="checkbox"/> Owned			
168. Garage door opener (3).....	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	168. 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"/>	169. <input type="checkbox"/> Rented <input checked="" type="checkbox"/> Owned			
170. Garbage disposal.....	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	170. 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"/>	171. <input type="checkbox"/> Rented <input type="checkbox"/> Owned			
172. Heating system (supplemental).....	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	172. Windows.....	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
173. Incinerator.....	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	173. Window treatments.....	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
174. Intercom.....	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	174. Wood-burning stove.....	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
175. Lawn sprinkler system.....	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	175. Other <u>HEATED PORCH FLOOR</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
176. Microwave.....	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	176. Other <u>WELL/PUMP</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
177. Plumbing.....	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	177. Other <u>MOUND SYSTEM</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
178. Pool and equipment.....	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	178. 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 2855 SOMERSET LANE ORONO MN 55356
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: (1) HOME THERMOSTAT CAN BE CONTROLLED VIA
185. WIRELESS NETWORK (2) SEE Q. RE: LIVING ROOM FIREPLACE
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
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
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 2855 SOMERSET LANE ORONO MN 55356
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,
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? | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | (6) Lead? (e.g., paint, plumbing) | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| 264. (2) Asbestos? | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | (7) Mold? | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| 265. (3) Diseased trees? | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | (8) Soil problems? | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| 266. (4) Formaldehyde? | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | (9) Underground storage tanks? | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| 267. (5) Hazardous waste/substances? | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | | | |
| 268. (10) Other? | _____ | | | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |

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

271. Property located at 2855 SOMERSET LANE ORONO MN 55356

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. ACCEPTABLE RADON TEST PERFORMED AT TIME OF PURCHASE
305. BY CURRENT OWNER (2001)

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.

**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 2855 SOMERSET LANE ORONO MN 55356

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
(Check one.)

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. **D. 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.

MN:DS:SPDS-8 (8/16)

**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 2855 SOMERSET LANE ORONO MN 55356

363. **Q. ADDITIONAL COMMENTS:** SEE ADDENDUM RE: "NO" RESPONSE TO LINE

364. 164

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.



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 2855 SOMERSET LANE ORONO MN 55356

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. Edward J. Kernan 11/1/2017 Laureen B. Kernan 11/1/2017
(Seller) EDWARD JAMES KERNAN III (Date) (Seller) LAUREEN BRADGET KERNAN (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)

Seller's Property Disclosure Statement Addendum

**2855 Somerset Lane
Orono, MN 55356**

<u>Line #</u>	<u>Additional Comments</u>
81	<p>July, 2013 - Approx 2" of water in basement resulting from an extended power outage (over 12 hours) during a record rain event. Complete water damage remediation.</p> <p>March 2018 - Water damage to basement carpet due to sump pump failure, caused by abnormal winter freeze conditions and unoccupied house. Complete water damage remediation by ServiceMaster, and complete replacement of carpet and pad. New sump pumps and battery back-up pumps were installed. Water run-off grade under rear deck will be improved by seller as soon as weather permits.</p>
96	<p>Original 3-season porch converted to year-round use, including heated floor and fireplace. Deck extended at the same time, and entire deck converted to low-maintenance Trex material. All work performed in August/September, 2005 by Remodel Specialty. Inc. Basement fireplace converted to gas by Fireside Hearth & Home in 2008.</p>
128	<p>Full roofing replacement (Lindus Construction) in May, 2013 using GAF architectural asphalt shingles (50 year transferrable warranty). Work included attic insulation upgrade and installation of Leaf-Guard gutters and downspouts (transferrable lifetime warranty).</p>
164/363	<p>Line 163 comment - Living room fireplace flue has some internal mortar and tile cracks. We have used the fireplace regularly without issue. Flue could be repaired and lined by new owner to allow future wood-burning, or could be converted to gas</p>

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.

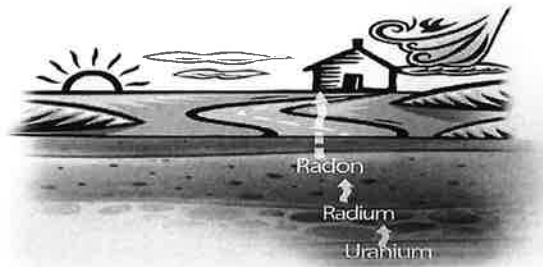
MDH Minnesota
Department of Health
INDOOR AIR UNIT

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.



DISCLOSURE STATEMENT: SUBSURFACE SEWAGE TREATMENT SYSTEM

This form approved by the Minnesota Association of REALTORS®, which disclaims any liability arising out of use or misuse of this form. © 2017 Minnesota Association of REALTORS®, Edina, MN

1. Date _____
2. Page 1 of _____ pages:
3. THE REQUIRED MAP IS ATTACHED AND MADE A
4. PART OF THIS DISCLOSURE

5. Property located at 2855 SOMERSET LANE in the City of ORONO
6. County of HENNEPIN State of Minnesota, legally described as follows or on
7. attached sheet (the "Property") LOT 003 BLOCK 004 OLD CRYSTAL BAY ROAD 2ND ADDN

8. _____
9. This disclosure is not a warranty of any kind by Seller(s) or any licensee(s) representing or assisting any party(ies) in
10. this transaction, and is not a substitute for any inspections or warranties the party(ies) may wish to obtain.

11. **BUYER(S) AND SELLER(S) MAY WISH TO OBTAIN PROFESSIONAL ADVICE AND/OR INSPECTIONS OF THE**
12. **SUBSURFACE SEWAGE TREATMENT SYSTEM AND TO PROVIDE FOR APPROPRIATE PROVISIONS IN A**
13. **CONTRACT BETWEEN BUYER(S) AND SELLER(S) WITH RESPECT TO ANY ADVICE/INSPECTION/DEFECTS.**

14. **SELLER'S INFORMATION:** The following Seller disclosure satisfies MN Statutes Chapter 115.55. Seller discloses
15. the following information with the knowledge that even though this is not a warranty, prospective Buyers may rely on
16. this information in deciding whether and on what terms to purchase the Property. The Seller(s) authorizes any
17. licensee(s) representing or assisting any party(ies) in this transaction to provide a copy of this statement to any person
18. or entity in connection with any actual or anticipated sale of the Property.

19. Unless Buyer and Seller agree to the contrary in writing before the closing of the sale, a Seller who fails to disclose
20. the existence or known status of a subsurface sewage treatment system at the time of sale, and who knew or had
21. reason to know of the existence or known status of the system, is liable to Buyer for costs relating to bringing the
22. system into compliance with subsurface sewage treatment system rules and for reasonable attorney fees for collection
23. of costs from Seller. An action under this subdivision must be commenced within two years after the date on which
24. Buyer closed the purchase of the real property where the system is located.

25. Legal requirements exist relating to various aspects of location and status of subsurface sewage treatment systems.
26. Buyer is advised to contact the local unit(s) of government, state agency, or qualified professional which regulates
27. subsurface sewage treatment systems for further information about these issues.

28. The following are representations made by Seller(s) to the extent of Seller(s) actual knowledge. This information is a
29. disclosure and is not intended to be part of any contract between Buyer and Seller.

30. **SUBSURFACE SEWAGE TREATMENT SYSTEM DISCLOSURE:** (Check the appropriate boxes.)

31. Seller certifies that the following subsurface sewage treatment system is on or serving the above-described Property.

32. TYPE: (Check appropriate box(es) and indicate location on attached Location Map.)

33. ☒ Septic Tank: ☐ with drain field ☒ with mound system ☐ seepage tank ☐ with open end

34. Is this system a straight-pipe system? ☐ Yes ☐ No ☒ Unknown

35. ☐ Sealed System (holding tank)

36. ☐ Other (Describe.): _____

37. Is the subsurface sewage treatment system(s) currently in use? ☒ Yes ☐ No

38. Is the above-described Property served by a subsurface sewage treatment system
39. not located on the Property? ☐ Yes ☒ No

40. If "Yes," please explain: _____

41. _____

42. If "No," is subsurface sewage treatment system entirely within Property boundary lines,

43. including set back requirements? YES

44. Comments: _____

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**DISCLOSURE STATEMENT: SUBSURFACE
SEWAGE TREATMENT SYSTEM**

45. Page 2

46. Property located at 2855 SOMERSET LANE ORONO MN 55356
47. Is the subsurface sewage treatment system(s) a shared system? ☐ Yes ☒ No
48. If "Yes,"
49. (1) How many properties or residences does the subsurface sewage treatment system serve?
50. _____
51. (2) Is there a maintenance agreement for the shared subsurface sewage treatment system? ☐ Yes ☐ No
52. If "Yes," what is the annual maintenance fee? \$ _____
53. **NOTE:** If any water use appliance, bedroom, or bathroom has been added to the Property, the system may
54. no longer comply with applicable sewage treatment system laws and rules.
55. Seller or transferor shall disclose to Buyer or transferee what Seller or transferor has knowledge of relative to the
56. compliance status of the subsurface sewage treatment system. SYSTEM IS MAINTAINED IN
57. ACCORDANCE WITH RELEVANT LAWS AND REGULATIONS
58. _____
59. Any previous inspection report in Seller's possession must be attached to this Disclosure Statement.
60. When was the subsurface sewage treatment system installed? 1996 1995
61. Installer Name/Phone UNKNOWN
62. Where is tank located? EAST OF HOME, BETWEEN HOME AND MOUND SYSTEM
63. What is tank size? UNKNOWN. 3 TANKS IN THE SYSTEM
64. When was tank last pumped? 2015
65. How often is tank pumped? EVERY 3 YEARS, AS REQUIRED BY LOCAL REGULATIONS
66. Where is the drain field located? MOUND SYSTEM IS ESE OF HOME
67. What is the drain field size? UNKNOWN
68. Describe work performed to the subsurface sewage treatment system since you have owned the Property.
69. N/A
70. _____
71. Date work performed/by whom: N/A
72. _____
73. Approximate number of:
74. people using the subsurface sewage treatment system 2
75. showers/baths taken per week 15
76. wash loads per week 5
77. **NOTE:** Changes in the number of people using the subsurface sewage treatment system or volume of water
78. used may affect the subsurface sewage treatment system performance.
79. Distance between well and subsurface sewage treatment system? > 50 YARDS
80. Have you received any notices from any government agencies relating to the subsurface sewage treatment system?
81. (If "Yes," see attached notice.) ☐ Yes ☒ No
82. Are there any known defects in the subsurface sewage treatment system? ☐ Yes ☒ No
83. If "Yes," please explain: _____
84. _____
85. _____

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INTERNATIONAL REALTY

**DISCLOSURE STATEMENT: SUBSURFACE
SEWAGE TREATMENT SYSTEM**

86. Page 3

87. Property located at 2855 SOMERSET LANE ORONO MN 55356

88. **SELLER'S STATEMENT:** *(To be signed at time of listing.)*

89. Seller(s) hereby states the facts as stated above are true and accurate and authorizes any licensee(s) representing or
90. assisting any party(ies) in this transaction to provide a copy of this Disclosure Statement to any person or entity in
91. connection with any actual or anticipated sale of the property. A seller may provide this Disclosure Statement to a real
92. estate licensee representing or assisting a prospective buyer. The Disclosure Statement provided to the real estate
93. licensee representing or assisting a prospective buyer is considered to have been provided to the prospective buyer.
94. If this Disclosure Statement is provided to the real estate licensee representing or assisting the prospective buyer, the
95. real estate licensee must provide a copy to the prospective buyer.

96. Seller is obligated to continue to notify Buyer in writing of any facts that differ from the facts disclosed here
97. (new or changed) of which Seller is aware that could adversely and significantly affect the Buyer's use or
98. enjoyment of the property or any intended use of the property that occur up to the time of closing. To disclose
99. new or changed facts, please use the *Amendment to Disclosure Statement* form.

100. Edward J. Kernan 11/1/2017 Laureen B. Kernan 11/1/2017
(Seller) EDWARD JAMES KERNAN III (Date) (Seller) LAUREEN BRIDGET KERNAN (Date)

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

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

105. _____
(Buyer) (Date) (Buyer) (Date)

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

MN-DS:SSTS-3 (8/17)

**DISCLOSURE STATEMENT: WELL**

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1. Date _____
2. Page 1 of _____ pages: THE REQUIRED MAP
3. IS ATTACHED HERE AND MADE A PART OF THIS
4. DISCLOSURE
5. Minnesota Statute 103I.235 requires that, before signing an agreement to sell or transfer real property, Seller must disclose information in writing to Buyer about the status and location of all known wells on the property. This requirement is satisfied by delivering to Buyer either a statement by Seller that Seller does not know of any wells on the property, or a disclosure statement indicating the legal description and county, and a map showing the location of each well. In the disclosure statement Seller must indicate, for each well, whether the well is in use, not in use or sealed.
10. Unless Buyer and Seller agree to the contrary in writing, before the closing of the sale, a Seller who fails to disclose 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 status of the well, is liable to Buyer for costs relating to sealing of the well and reasonable attorneys' fees for collection of costs from Seller, if the action is commenced within six years after the date Buyer closed the purchase of the real property where the well is located.
15. Legal requirements exist relating to various aspects of location and status of wells. Buyer is advised to contact the local unit(s) of government, state agency, or qualified professional which regulates wells for further information about these issues. For additional information on wells, please visit the Minnesota Department of Health's website at www.health.state.mn.us.
19. Instructions for completion of this form are on page three (3).
20. **PROPERTY DESCRIPTION:** Street Address: 2855 SOMERSET LANE
21. ORONO 55356 HENNEPIN
(City) (Zip) (County)
22. **LEGAL DESCRIPTION:**
23. LOT 003 BLOCK 004 OLD CRYSTAL BAY ROAD 2ND ADDN
- 24.
25. **WELL DISCLOSURE STATEMENT:** (Check appropriate boxes.)
26. 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
29. Well 1	<u>UNKNOWN</u>	<u>~</u>	<u>1995</u>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
30. Well 2	<u>N/A</u>				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
31. Well 3	<u>N/A</u>				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

32. Is this property served by a well not located on the property? ☐ Yes ☒ No
33. If "Yes," please explain: _____
- 34.
35. **NOTE:** See definition of terms "IN USE," "NOT IN USE," and "SEALED" on lines 102-113. If a well is not in use, it must be sealed by a licensed well contractor or a well owner must obtain a maintenance permit from the Minnesota Department of Health and pay an annual maintenance fee. Maintenance permits are not transferable. If a well is operable and properly maintained, a maintenance permit is not required.
39. If the well is, "Shared":
40. (1) How many properties or residences does the shared well serve? _____
41. (2) Who manages the shared well? _____
42. (3) Is there a maintenance agreement for the shared well? ☐ Yes ☐ No
43. If "Yes," what is the annual maintenance fee? \$ _____

DISCLOSURE STATEMENT: WELL

44. Page 2

45. Property located at 2855 SOMERSET LANE ORONO MN 5535646. **OTHER WELL INFORMATION:**47. Date well water last tested for contaminants: 2003 (approx) Test results attached? ☐ Yes ☒ No48. Contaminated Well: Is there a well on the property containing contaminated water? ☐ Yes ☒ No

49. Comments: _____

50. _____

51. _____

52. _____

53. _____

54. _____

55. _____

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

57. When was the well sealed? _____

58. Who sealed the well? _____

59. Was a Sealed Well Report filed with the Minnesota Department of Health? ☐ Yes ☐ No60. **MAP:** Complete the attached *Location Map* showing the location of each well on the real property.61. This disclosure is not a warranty of any kind by Seller(s) or any licensee(s) representing or assisting any party(ies) in
62. this transaction and is not a substitute for any inspections or warranties the party(ies) may wish to obtain.63. **SELLER'S STATEMENT:** *(To be signed at time of listing.)*64. Seller(s) hereby states that the facts as stated above are true and accurate and authorizes any licensee(s) representing
65. or assisting any party(ies) in this transaction to provide a copy of this Disclosure Statement to any person or entity
66. in connection with any actual or anticipated sale of the property. A seller may provide this Disclosure Statement to
67. a real estate licensee representing or assisting a prospective buyer. The Disclosure Statement provided to the real
68. estate licensee representing or assisting a prospective buyer is considered to have been provided to the prospective
69. buyer. If this Disclosure Statement is provided to the real estate licensee representing or assisting the prospective
70. buyer, the real estate licensee must provide a copy to the prospective buyer.71. Seller is obligated to continue to notify Buyer in writing of any facts that differ from the facts disclosed here
72. (new or changed) of which Seller is aware that could adversely and significantly affect the Buyer's use or
73. enjoyment of the property or any intended use of the property that occur up to the time of closing. To disclose
74. new or changed facts, please use the *Amendment to Disclosure Statement* form.75. Edward J. Kernan 11/1/2017 Laureen B. Kernan 11/1/2017
(Seller) EDWARD JAMES KERNAN III (Date) (Seller) LAUREEN BRIDGET KERNAN (Date)76. **BUYER'S ACKNOWLEDGEMENT:** *(To be signed at time of purchase agreement.)*77. I/We, the Buyer(s) of the property, acknowledge receipt of this *Disclosure Statement: Well and Location Map* and
78. agree that no representations regarding facts have been made other than those made above.79. _____
(Buyer) (Date) (Buyer) (Date)80. **LISTING BROKER AND LICENSEES MAKE NO REPRESENTATIONS HERE AND ARE**
81. **NOT RESPONSIBLE FOR ANY CONDITIONS EXISTING ON THE PROPERTY.**

82. **INSTRUCTIONS FOR COMPLETING THE WELL DISCLOSURE STATEMENT**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

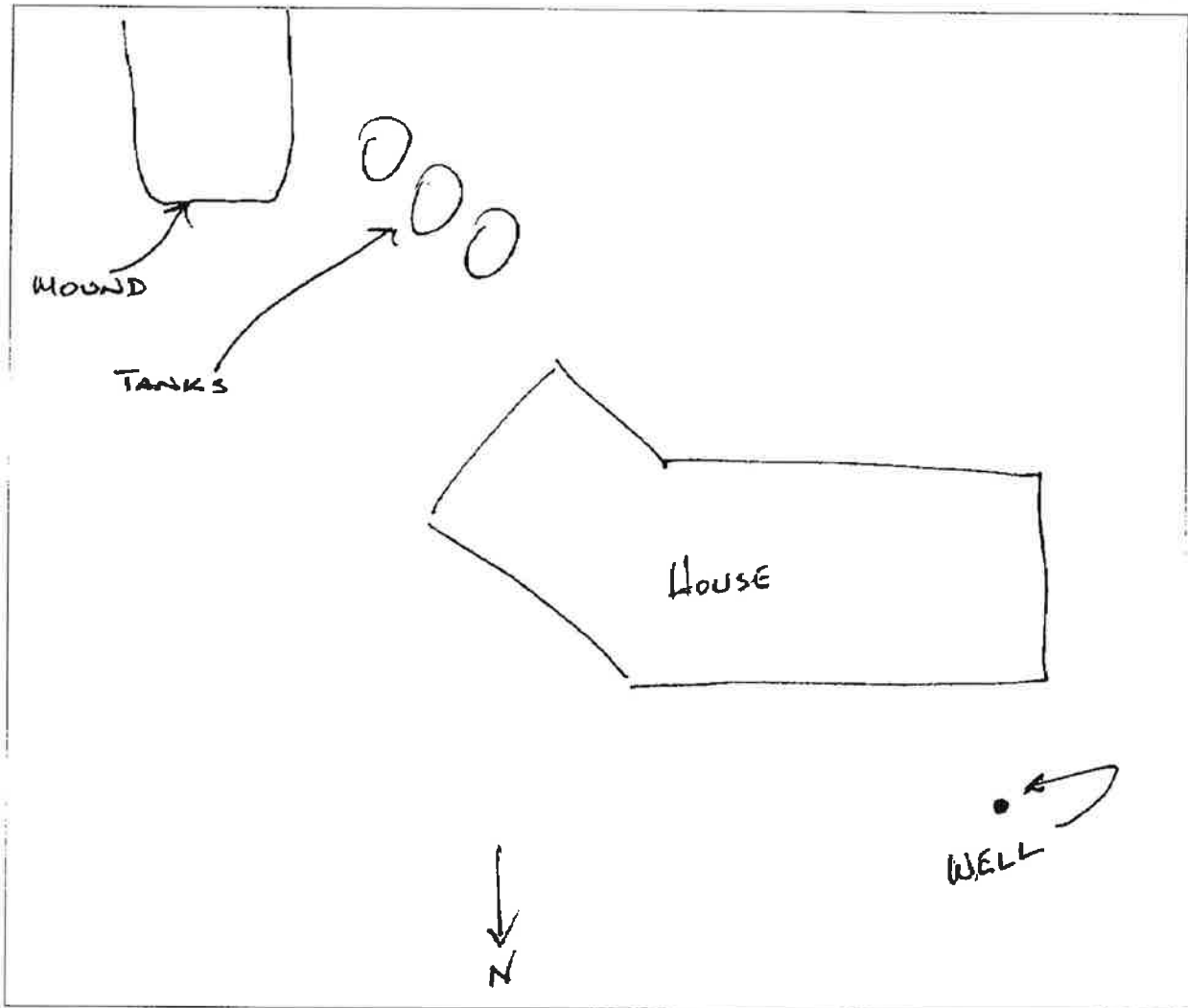
MN-DS-W-3 (8/17)

Lakes Sotheby's
INTERNATIONAL REALTY

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.
- 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 2855 SOMERSET LANE
7. ORONO, MN 55356



8. ATTACH ADDITIONAL SHEETS AS NEEDED.

9. Seller and Buyer initial:

ESK 11/1/2017
(Seller) (Date)

(Buyer) (Date)

10.

ABK 11/1/2017
(Seller) (Date)

(Buyer) (Date)

11. MN-IM (8/09)

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