

Lakes | Sotheby's

INTERNATIONAL REALTY

DISCLOSURE STATEMENT: SELLER'S PROPERTY DISCLOSURE STATEMENT

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1. Date August 22, 2016
2. Page 1 of 28 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 5900 Hermitage Trail,
34. City of Minnetrista, 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, 1992 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

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

49. Property located at 5900 Hermitage Trail Minnetrista, MN.
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? X and AE
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)? burglary
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? 9/29/99

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

92. Property located at 5900 Hermitage Trail
93. (3) (a) Has/Have the structure(s) been altered? ☒ Yes ☐ No
94. (e.g., additions, altered roof lines, changes to load-bearing walls)
95. If "Yes," please specify what was done, when, and by whom (owner or contractor):
96. Addition - 1998-99 - Master Suite, Family Room, 2-car garage, porch, Lower Level
97. Family Room, Recreation Room and Wine Cellar.
98. (b) Has any work been performed on the property? (e.g., additions to the property, wiring, plumbing, retaining wall, general finishing) ☒ Yes ☐ No
99. If "Yes," please explain: see 3(a) above. Put in new asphalt driveway in 5/16.
- 100.
- 101.
102. (c) Are you aware of any work performed on the property for which appropriate permits were not obtained? ☐ Yes ☒ No
103. If "Yes," please explain:
- 104.
- 105.
106. (4) Has there been any damage to flooring or floor covering? ☐ Yes ☒ No
107. If "Yes," give details of what happened and when:
- 108.
109. (5) Do you have or have you previously had any pets? ☒ Yes ☐ No
110. If "Yes," indicate type 2 - Labrador retriever 1 - German and number 3 - Total
111. Short Hair
112. (6) THE FOUNDATION: The type of foundation is (i.e., block, poured, wood, stone, other):
113. block
114. (7) THE BASEMENT, CRAWLSPACE, SLAB:
115. (a) cracked floor/walls? ☐ Yes ☒ No
116. (b) drain tile problem? ☐ Yes ☒ No
117. (c) flooding? ☐ Yes ☒ No
118. (d) foundation problem? ☐ Yes ☒ No
119. (e) leakage/seepage? ☐ Yes ☒ No
120. (f) sewer backup? ☐ Yes ☒ No
121. (g) wet floors/walls? ☐ Yes ☒ No
122. (h) other? ☒ Yes ☐ No
123. Give details to any questions answered "Yes": Power Outage - sump pump off - some water in basement. Installed battery back up system. Porch - moisture around steps area - added water diverters on roof line about hallway and on porch side of entry roof - put in new wood floor in hallway and step.
124. (8) THE ROOF:
125. (a) What is the age of the roofing material?
126. Home: 17 years Garage(s)/Outbuilding(s): 17 years
127. (b) Has there been any interior or exterior damage? ☐ Yes ☒ No
128. (c) Has there been interior damage from ice buildup? ☐ Yes ☒ No
129. (d) Has there been any leakage? ☒ Yes ☐ No
130. (e) Have there been any repairs or replacements made to the roof? ☒ Yes ☐ No
131. Give details to any questions answered "Yes": (d) Family Room metal flashing at fire place replaced. Master bath / closet hall can light water leak - ice dam removed. (e) Interior / exterior can lights boxed in. foam insulation added and re-roofed - Addition except garage. 2014 all skylights resili-coated and Master Bath back skylight replaced in 2013. Tree limb fell on porch roof piercing top of rubber roof - no leakage repaired immediately.
132. MN:DS:SPDS-3 (8/16)

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132. Property located at 5900 Hermitage Trail Minnetrista, MN.

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

134. (a) The type(s) of siding is (e.g., vinyl, stucco, brick, other): clear cedar135. (b) cracks/damage? ☐ Yes ☒ No136. (c) leakage/seepage? ☐ Yes ☒ No137. (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"/>	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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Range/oven.....	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
150. Carbon monoxide detector.....	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Range hood.....	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
151. Ceiling fan.....	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Refrigerator <u>none</u> <u>is a washer and in</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
152. Central vacuum.....	<input checked="" 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 checked="" type="checkbox"/>
155. Dishwasher.....	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Smoke detectors (hardwired).....	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
156. Doorbell.....	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Solar collectors.....	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
157. Drain tile system.....	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Sump pump.....	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
158. Electrical system.....	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Toilet mechanisms.....	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
159. Environmental remediation system				Trash compactor.....	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
160. (e.g., radon, vapor intrusion).....	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	TV antenna system.....	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
161. Exhaust system.....	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	TV cable system.....	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
162. Fire sprinkler system.....	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	TV receiver.....	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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 type="checkbox"/> Rented <input checked="" type="checkbox"/> Owned			
165. Freezer.....	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Water heater.....	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
166. Furnace humidifier.....	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Water purification system.....	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
167. Garage door auto reverse.....	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Rented <input 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 checked="" 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
171. Heating system (central).....	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/> Rented <input type="checkbox"/> Owned			
172. Heating system (supplemental).....	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Windows.....	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
173. Incinerator.....	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Window treatments.....	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
174. Intercom.....	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Wood-burning stove.....	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
175. Lawn sprinkler system.....	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Other <u>stackable washer/dryer - main fl.</u>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
176. Microwave.....	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Other <u>hot tub - one pump not working</u>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Other.....	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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

181. Property located at 5900 Hermitage Trail Minnetrista, MN.
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 103A.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. _____

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

222. Property located at 5900 Hermitage Trail Minnetrista, MN.

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

225. Seller represents that Seller ☐ IS ☒ IS NOT a foreign person (i.e., a non-resident alien individual, foreign corporation, foreign partnership, foreign trust, or foreign estate) for purposes of income taxation. This representation shall survive the closing of any transaction involving the property described here.

227. **NOTE:** If the above answer is "IS," Buyer may be subject to income tax withholding in connection with the transaction (unless the transaction is covered by an applicable exception to FIRPTA withholding). In non-exempt transactions, Buyer may be liable for the tax if Buyer fails to withhold.

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

231. **FIRPTA compliance:** as the respective licensees representing or assisting either party with the transaction to assure either party whether the transaction is exempt from the FIRPTA withholding requirements.

233. **H. METHAMPHETAMINE PRODUCTION DISCLOSURE:**

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

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

242. ☐ Seller is aware that methamphetamine production has occurred on the property.

243. (See Disclosure Statement: Methamphetamine Production.)

244. **I. NOTICE REGARDING AIRPORT ZONING REGULATIONS:** The property may be in or near an airport safety zone with zoning regulations adopted by the governing body that may affect the property. Such zoning regulations are filed with the county recorder in each county where the zoned area is located. If you would like to determine if such zoning regulations affect the property, you should contact the county recorder where the zoned area is located.

249. **J. NOTICE REGARDING CARBON MONOXIDE DETECTORS:** MN Statute 299F.51 requires Carbon Monoxide Detectors to be located within ten (10) feet from all sleeping rooms. Carbon Monoxide Detectors may or may not be personal property and may or may not be included in the sale of the home.

252. **K. CEMETERY ACT:** The following questions are to be answered to the best of Seller's knowledge.

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

256. Are you aware of any human remains, burials, or cemeteries located on the property? ☐ Yes ☒ No

257. If "Yes," please explain: _____

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

261. **L. ENVIRONMENTAL CONCERNS:** To your knowledge, have any of the following previously existed or do they currently exist on the property?

263. (1) Animal/Insect/Pest Infestation?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	(8) Lead? (e.g., paint, plumbing)	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
264. (2) Asbestos?	<input checked="" type="checkbox"/> Yes	<input 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 checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
267. (5) Hazardous waste/substances?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No			

268. (10) Other? _____ ☐ Yes ☒ No

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271. Property located at 5900 Hermitage Trail Minnetrista, MN.272. (11) Have you ever been contacted or received any information from any governmental authority pertaining to possible or actual environmental contamination affecting the property? ☐ Yes ☒ No274. (12) 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 ☒ No276. 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. (13) Underneath tile in kitchen / 1/2 bath / hallway is asbestos flooring. Have panels under extension roof of original house have asbestos. (19) Heating oil tanks removed with remodel. Survey shows abandoned septic tanks.

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 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.

286. 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 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.

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

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

298. SELLER'S REPRESENTATIONS: The following are representations made by Seller to the extent of Seller's actual 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 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 description and documentation.

308.

309.

310.

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

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

312. Page 8

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

314. Property located at _____.
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. **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 Statute 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) 381-7200, or from the Department of
359. Corrections web site at www.corr.state.mn.us.

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INTERNATIONAL REALTY

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 5900 Hermitage Trail Minnetrista MN 55364

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.

MN:DS:SPDS-9 (8/16)

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

412. Page 10

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

414. Property located at 5900 Hermitage Trail Minnetrista MN 55364


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.

 8/22/16 Greg Hauser 8/22/16
(Seller) (Date) (Seller) (Date)

429. T. BUYER'S ACKNOWLEDGEMENT:

430. *(To be signed at time of purchase agreement.)*

431. I/We, the Buyer(s) of the property, acknowledge receipt of this Seller's Property Disclosure Statement and agree
432. that no representations regarding facts have been made other than those made above. This Disclosure Statement
433. is not a warranty or a guarantee of any kind by Seller or licensee(s) representing or assisting any party in the
434. transaction and is not a substitute for any inspections or warranties the party(ies) may wish to obtain.

435. The information disclosed is given to the best of Seller's knowledge.

436.

(Buyer) (Date) (Buyer) (Date)

437.

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

438.

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.

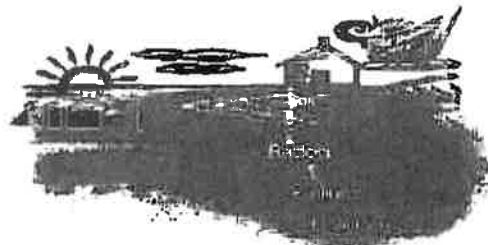
MDH Minnesota
Department of Health
INDOOR AIR UNIT

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

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Radon Testing

Any test lasting less than three months requires closed-house conditions. Keep all windows and doors closed, except for normal entry and exit.

Before testing: Begin closed-house conditions at least 12 hours before the start of the radon test.

During testing: Maintain closed-house conditions during the entire duration of the short-term test. Operate home heating or cooling systems normally during the test. Test for at least 48 hours.

Where should the test be conducted? Any radon test conducted for a real estate transaction needs to be placed in the lowest livable area of the home suitable for occupancy. This is typically in the basement, whether finished or unfinished.

Place the test kit:

- twenty inches to six feet above the floor
- at least three feet from exterior walls
- four inches away from other objects
- In a location where it won't be disturbed
- not in enclosed areas or areas of high heat or humidity

Radon Mitigation

When elevated levels of radon are found, they can be easily reduced by a certified radon mitigation professional.

Radon mitigation is the process used to reduce radon concentrations in buildings. This is done by drawing soil gas from under the house and venting it above the roof. A quality mitigation system should reduce levels to below 4.0 pCi/L, if not lower.

After a radon mitigation system is installed perform an independent short-term test to ensure the reduction system is effective. Operate the radon system during the entire test. This test will confirm low levels in the home. Be sure to retest the house every two years to confirm continued radon reduction.

Radon Warning Statement

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

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

How are radon tests conducted in real estate transactions? There are special protocols for radon testing. The two most common ways to test are either using a calibrated continuous radon monitor (CRM) or two-short term test kits used at the same time. The short-term test kits are placed 4 inches apart and the results are averaged.

Continuous Radon Monitor (CRM)

Fastest



Simultaneous Short-term Testing

Second Fastest



All radon tests should be conducted by a certified professional. This ensures the test was conducted properly, in the correct location, and under appropriate building conditions. A list of these radon measurement professionals can be found at MDH's Radon website. If the seller previously conducted testing in a property at or above 4 pCi/L, the home should be mitigated.

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INTERNATIONAL REALTY

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.
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1. Date August 22, 2014
2. Page (3 of 28) pages: THE REQUIRED MAP IS
3. ATTACHED HERETO AND MADE A PART HEREOF

4. Property located at 5900 Hermitage Trail in the City of Minnetrista
5. County of Hennepin State of Minnesota, legally described as follows or on
6. attached sheet (the "Property") REG. LAND SURVEY NO. 1052 TRACT A

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

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

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

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

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

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

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

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

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

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

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

34. ☐ Sealed System (holding tank)

35. ☐ Other (Describe): _____

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

37. Is the above-described Property served by a subsurface sewage treatment system

38. not located on the Property? ☐ Yes ☒ No

39. If "Yes," please explain: _____

40. _____

41. If "No," Is subsurface sewage treatment system entirely within Property boundary lines,

42. including set back requirements? _____

43. Comments: _____

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INTERNATIONAL REALTY

**DISCLOSURE STATEMENT: SUBSURFACE
SEWAGE TREATMENT SYSTEM**

44. Page 2/

45. Property located at 5200 Hermitage Trail Minnetrista MN 55364
46. Is the subsurface sewage treatment system(s) a shared system? ☐ Yes ☒ No
47. If "Yes,"
48. (1) How many properties or residences does the subsurface sewage treatment system serve?
49. _____
50. (2) Is there a maintenance agreement for the shared subsurface sewage treatment system? ☐ Yes ☒ No
51. If "Yes," what is the annual maintenance fee? \$ _____
52. **NOTE:** If any water use appliance, bedroom or bathroom has been added to the Property, the system may
53. no longer comply with applicable sewage treatment system laws and rules.
54. Seller or transferor shall disclose to Buyer or transferee what Seller or transferor has knowledge of relative to the
55. compliance status of the subsurface sewage treatment system. _____
56. _____
57. _____
58. Any previous inspection report in Seller's possession must be attached to this Disclosure Statement.
59. When was the subsurface sewage treatment system installed? _____
60. Installer Name/Phone _____
61. Where is tank located? _____
62. What is tank size? _____
63. When was tank last pumped? _____
64. How often is tank pumped? _____
65. Where is the drain field located? _____
66. What is the drain field size? _____
67. Describe work performed to the subsurface sewage treatment system since you have owned the Property.
68. _____
69. _____
70. Date work performed/by whom: _____
71. _____
72. Approximate number of:
73. people using the subsurface sewage treatment system _____
74. showers/baths taken per week _____
75. wash loads per week _____
76. **NOTE:** Changes in the number of people using the subsurface sewage treatment system or volume of water
77. used may affect the subsurface sewage treatment system performance.
78. Distance between well and subsurface sewage treatment system? _____
79. Have you received any notices from any government agencies relating to the subsurface sewage treatment system?
80. (If "Yes", see attached notice.) ☐ Yes ☒ No
81. Are there any known defects in the subsurface sewage treatment system? ☐ Yes ☒ No
82. If "Yes", please explain: _____
83. _____
84. _____

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**SUBSURFACE SEWAGE TREATMENT
SYSTEM DISCLOSURE STATEMENT**

85. Page 45

86. Property located at 5900 Hermitage Trail Minnetrista MN 55364

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

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

89.  8/22/16 Ann Wagner-Hansen 8/22/16
(Seller) (Date) (Seller) (Date)

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

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

104. _____
(Buyer) (Date) (Buyer) (Date)

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

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

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INTERNATIONAL REALTY

DISCLOSURE STATEMENT: WELL

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1. Date August 22, 2016
2. Page 1 of 28 pages: THE REQUIRED MAP IS
3. ATTACHED HERETO AND MADE A PART HEREOF.

4. Minnesota Statute 1031.235 requires that, before signing an agreement to sell or transfer real property, Seller must 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.
9. 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.
14. 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.
17. Instructions for completion of this form are on page three (3).

18. **PROPERTY DESCRIPTION: Street Address:** 5900 Hermitage Trail

19. Minnetrista 55364 Hennepin
(City) (Zip) (County)

20. **LEGAL DESCRIPTION:**
REG. LAND SURVEY NO. 1052 TRACT A

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

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

24.	Seller certifies that the following wells are located on this property:				IN USE	NOT IN USE	SHARED	SEALED
25.	MN Unique	Well	Year of	Well				
26.	Well No.	Depth	Const.	Type				
27.	Well 1	<u>unknown</u>	<u>unknown</u>	<u>unknown</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
28.	Well 2	<u> </u>	<u> </u>	<u> </u>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
29.	Well 3	<u> </u>	<u> </u>	<u> </u>	<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

91. If "Yes," please explain: _____

92. _____

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 wall is, "Shared":

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

39. (2) Who manages the shared well? _____

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

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



DISCLOSURE STATEMENT: WELL

42. Page 17

43. Property located at 5900 Hermitage Trail Minnetrista MN 55364
44. **OTHER WELL INFORMATION:**
45. Date well water last tested for contaminants: 1992 Test results attached? ☐ Yes ☒ No
46. Contaminated Well: Is there a well on the property containing contaminated water? ☐ Yes ☐ No
47. Comments: _____
48. _____
49. _____
50. _____
51. _____
52. _____
53. _____

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

55. When was the well sealed? _____
56. Who sealed the well? _____
57. Was a Sealed Well Report filed with the Minnesota Department of Health? ☐ Yes ☐ 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 party(ies) in 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 or assisting any party(ies) in this transaction to provide a copy of this Disclosure Statement to any person or entity in connection with any actual or anticipated sale of the property. A seller may provide this Disclosure Statement to a real estate licensee representing or assisting a prospective buyer. The Disclosure Statement provided to the real estate licensee representing or assisting a prospective buyer is considered to have been provided to the prospective buyer. If this Disclosure Statement is provided to the real estate licensee representing or assisting the prospective 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 (new or changed) of which Seller is aware that could adversely and significantly affect the Buyer's use or enjoyment of the property or any intended use of the property that occur up to the time of closing. To disclose new or changed facts, please use the *Amendment to Disclosure Statement* form.

73.


(Seller)

8/22/16
(Date)

Greg Hauser 8/22/16
(Buyer) (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 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 NOT RESPONSIBLE FOR ANY CONDITIONS EXISTING ON THE PROPERTY.

79.



DISCLOSURE STATEMENT: WELL

80. Page 316

81. INSTRUCTIONS FOR COMPLETING THE WELL DISCLOSURE STATEMENT

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

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

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

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

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

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

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

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

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

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

104. **NOT IN USE:** A well is "not in use" if the well does not meet the definition of "in use" above and has not been
105. sealed by a licensed well contractor.

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

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

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

MN-D8-W-3 (8/16)

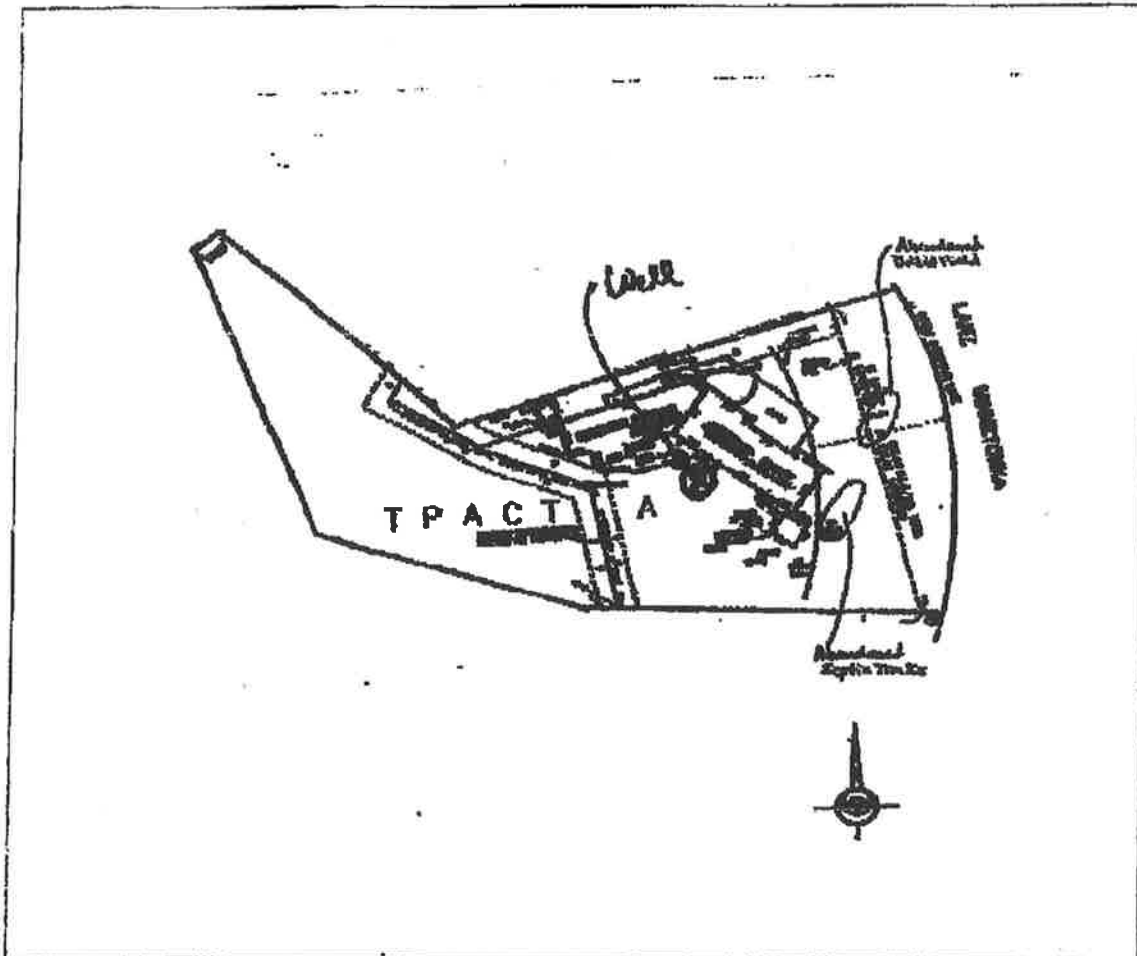
Lakes | **Sotheby's**
INTERNATIONAL REALTY

LOCATION MAP

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1. Page 19 of 28 pages


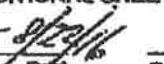

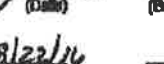
2. Please use the space below to sketch the real property being sold and, to Seller's knowledge, the approximate location of any of the following on the property.
- 3.
4. ☒ SUBSURFACE SEWAGE TREATMENT SYSTEM ☒ WELL ☐ METHAMPHETAMINE PRODUCTION AREA
(Check all that apply)
5. Include approximate distances from fixed reference points such as streets, buildings and landmarks.
6. Property located at 5900 Hermitage Trail Minnetrista, MN.
- 7.



8.

ATTACH ADDITIONAL SHEETS AS NEEDED.

9. Seller and Buyer initial:

	<u>9/23/16</u>		<u>9/23/16</u>
(Seller)	(Date)	(Buyer)	(Date)
	<u>8/23/16</u>		<u>8/23/16</u>
(Buyer)	(Date)	(Buyer)	(Date)

10.

11. MN-IM (8/08)

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

hstn
Forms

Lakes | Sotheby's
INTERNATIONAL REALTY

**ADDENDUM TO PURCHASE AGREEMENT
DISCLOSURE OF INFORMATION ON
LEAD-BASED PAINT AND LEAD-BASED
PAINT HAZARDS**

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1. Date August 22, 2014
2. Page 20

3. Addendum to Purchase Agreement between parties, dated _____,
4. pertaining to the purchase and sale of the property at 5900 Hermitage Trail
5. Minnetrista, MN 55364

6. **Section I: Lead Warning Statement**

7. Every buyer of any interest in residential real property on which a residential dwelling was built prior to 1978 is notified
8. that such property may present exposure to lead from lead-based paint that may place young children at risk of
9. developing lead poisoning. Lead poisoning in young children may produce permanent neurological damage, including
10. learning disabilities, reduced intelligence quotient, behavioral problems and impaired memory. Lead poisoning also
11. poses a particular risk to pregnant women. The seller of any interest in residential real property is required to provide
12. the buyer with any information on lead-based paint hazards from risk assessments or inspections in the seller's
13. possession and notify the buyer of any known lead-based paint hazards. A risk assessment or inspection for possible
14. lead-based paint hazards is recommended prior to purchase.

15. **Seller's Disclosure (initial)**

16. [Signature] (a) Presence of lead-based paint and/or lead-based paint hazards.
17. (Check one below.)
18. ☐ Known lead-based paint and/or lead-based paint hazards are present in the housing
19. (explain):
20. _____
21. [Signature] ☒ Seller has no knowledge of lead-based paint and/or lead-based paint hazards in the housing.
22. (b) Records and reports available to the seller.
23. (Check one below.)
24. ☐ Seller has provided Buyer with all available records and reports pertaining to lead-based paint
25. and/or lead-based paint hazards in the housing (list documents below):
26. _____
27. ☒ Seller has no reports or records pertaining to lead-based paint and/or lead-based paint hazards
28. in the housing.

29. **Buyer's Acknowledgment (initial)**

30. _____ (c) Buyer has received copies of all information listed under (b) above.
31. _____ (d) Buyer has received the pamphlet, *Protect Your Family from Lead in Your Home*.
32. _____ (e) Buyer has (check one below):
33. ☐ Received a 10-day opportunity (or mutually agreed-upon period) to conduct a risk assessment
34. or inspection for the presence of lead-based paint and/or lead-based paint hazards (if checked,
35. see Section II on page 2); or
36. ☐ Waived the opportunity to conduct a risk assessment or inspection for the presence of lead-
37. based paint and/or lead-based paint hazards.

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INTERNATIONAL REALTY

**ADDENDUM TO PURCHASE AGREEMENT
DISCLOSURE OF INFORMATION ON
LEAD-BASED PAINT AND LEAD-BASED
PAINT HAZARDS**

38. Page 21

39. Property located at 5900 Hermitage Trail Minnetrista, MN 55364

40. Real Estate Licensee's Acknowledgement (Initial)

41. _____ (f) Real estate licensee has informed Seller of Seller's obligations under 42 U.S.C. 4852(d) and is aware
42. of licensee's responsibility to ensure compliance.

43. Certification of Accuracy

44. The following parties have reviewed the information above and certify, to the best of their knowledge, that the information
45. provided by the signatory is true and accurate.

46. _____ 8/22/16 _____
(Seller) (Date) (Buyer) (Date)

47. Greg Hauser 8/22/16 _____
(Seller) (Date) (Buyer) (Date)

48. _____
(Real Estate Licensee) (Date) (Real Estate Licensee) (Date)

49. Section II: Contingency (Initial only if first box under (e) is checked in Buyer's Acknowledgment above.)

50. This contract is contingent upon a risk assessment or an inspection of the property for the presence of lead-
51. based paint and/or lead-based paint hazards to be conducted at Buyer's expense. The assessment or inspection

52. shall be completed within ☐ ten (10) ☐ _____ calendar days after Final Acceptance of the Purchase Agreement.
(Check one.)

53. This contingency shall be deemed removed, and the Purchase Agreement shall be in full force and effect, unless Buyer or
54. real estate licensee representing or assisting Buyer delivers to Seller or real estate licensee representing or assisting
55. Seller, within three (3) calendar days after the assessment or inspection is timely completed, a written list of the specific
56. deficiencies and the corrections required, together with a copy of any risk assessment or inspection report. If Seller
57. and Buyer have not agreed in writing within three (3) calendar days after delivery of the written list of required corrections
58. that: (A) some or all of the required corrections will be made; or (B) Buyer waives the deficiencies; or (C) an adjustment to
59. the purchase price will be made; this Purchase Agreement is canceled. Buyer and Seller shall immediately sign a
60. Cancellation of Purchase Agreement confirming said cancellation and directing all earnest money paid hereunder to
61. be refunded to Buyer. It is understood that Buyer may unilaterally waive deficiencies or defects, or remove this contingency,
62. providing that Buyer or real estate licensee representing or assisting Buyer notifies Seller or real estate licensee
63. representing or assisting Seller of the waiver or removal, in writing, within the time specified.

TLXSALE-2 (8/08)



Inspection Solutions

Inspection Solutions Radon Test Results Summary

Address of Test Performed: 5900 Hermitage Way, Minnetonka, MN 55364

Date & Time of Final Reading: February 15, 2014 at 9:30 AM

E.P.A. recommended maximum: 4.0

Your overall average reading at the Lower Level East Bedroom: 3.9

Your overall average reading at the Lower Level Amusement Room: 3.9

Your overall average reading at the Main Level East Bedroom: 3.7

(Refer to attached Professional Radon Monitor Data Sheet for detailed info)

Inspection Solutions does not recommend a qualified Radon-Reduction Contractor be hired to lower the Radon emissions at this time.

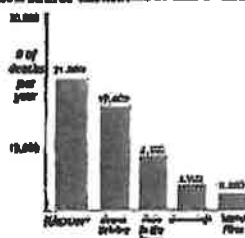
The following is only a small portion of available information which has been reproduced directly from the E.P.A. government website on Radon which can be found at <http://www.epa.gov/radon/radonstate.html>:

FACT: There are simple solutions to radon problems in homes. Hundreds of thousands of homeowners have a long-standing radon problem in their homes. Radon levels can be readily lowered for \$800 to \$2,300 (with an average cost of \$1,200). Call your state or local office for help in identifying qualified mitigation contractors.

EPA Recommendations:

- If you are buying a home or selling your home, have it tested for radon.
- For a new home, ask if radon-resistant construction features were used and if the home has been tested.
- Fix the home if the radon level is 4 picocuries per liter (pCi/L) or higher.
- Radon levels less than 4 pCi/L still pose a risk, and in many cases, may be reduced.
- Take steps to prevent device interference when conducting a radon test.

EPA estimates that radon causes thousands of cancer deaths



in the U.S. each year.

* Radon is estimated to cause about 21,000 lung cancer deaths per year, according to EPA's 2003 *Assessment of Risks from Radon in Homes* (EPA 402-R-03-003). The numbers of deaths from other causes are taken from the Centers for Disease Control and Prevention's 1999-2001 National Center for Injury Prevention and Control Report and 2002 National Safety Council Reports.

5900 Hermitage Way-Lower Level Amusement Room Results
5900 Hermitage Way,
Minnetrista, MN 55364

Professional Radon Monitor

```
Start Date : 02/13/2014
Start Time : 9:45 AM
End Date   : 02/13/2014
End Time   : 9:30 AM
Serial #   : 61231064
Location   : Lower Level Amusement Room
```

Signature:

Data in pci/1
Time Interval 1 Hr

1.1	4.4	6.4
7.6	7.6	7.2
5.6	4.0	4.4
5.0	4.4	4.8

4.0	4.0	4.0
3.6	5.2	4.0
6.4	5.2	3.6
2.1	2.4	1.5

6.0	3.6	4.4
5.2	1.1	1.5
2.8	3.2	2.4
4.0	3.6	1.5

3.2	4.8	2.4
1.5	3.6	2.8
3.2	4.0	3.6
2.0	4.0	

Overall Avg. = 3.9
EPA Protocol Avg. = 3.8

5900 Hermitage Way-Lower Level Amusement Room Results

[illegible]

Inspection Solutions
6973 Washington Ave S,
Edina, MN 55439
952.249.1251

5900 Hermitage Way-Lower Level East Bedroom
5900 Hermitage Way,
Minnetrista, MN 55364

Professional
Radon Monitor

Start Date : 02/13/2014
Start Time : 9:45 AM
End Date : 02/15/2014
End Time : 9:30 AM
Serial # : 102730DW-87485008
Location : Lower Level East Bedroom

signature:

Data in pCi/l
Time Interval 1 Hr

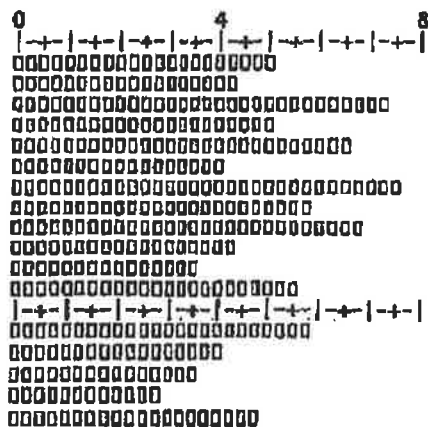
5.1	4.3	7.3
5.1	6.5	4.0
7.6	5.8	6.9
4.3	3.6	5.5

5.8	4.0	3.6
2.9	4.7	5.8
4.3	3.2	4.7
4.7	2.1	2.1

3.6	4.3	1.4
5.1	4.3	1.0
3.2	1.8	4.7
4.0	5.1	3.2

3.6	2.1	2.5
2.9	1.4	1.8
1.8	4.0	2.5
3.6	2.5	

Overall Avg. = 3.9
EPA Protocol Avg. = 3.8



5900 Hermitage Way-Lower Level East Bedroom

0 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 32 33 34 35 36 37 38 39 40 41 42 43 44 45 46 47 48 49 50 51 52 53 54 55 56 57 58 59 60 61 62 63 64 65 66 67 68 69 70 71 72 73 74 75 76 77 78 79 80 81 82 83 84 85 86 87 88 89 90 91 92 93 94 95 96 97 98 99 100 101 102 103 104 105 106 107 108 109 110 111 112 113 114 115 116 117 118 119 120 121 122 123 124 125 126 127 128 129 130 131 132 133 134 135 136 137 138 139 140 141 142 143 144 145 146 147 148 149 150 151 152 153 154 155 156 157 158 159 160 161 162 163 164 165 166 167 168 169 170 171 172 173 174 175 176 177 178 179 180 181 182 183 184 185 186 187 188 189 190 191 192 193 194 195 196 197 198 199 200 201 202 203 204 205 206 207 208 209 210 211 212 213 214 215 216 217 218 219 220 221 222 223 224 225 226 227 228 229 230 231 232 233 234 235 236 237 238 239 240 241 242 243 244 245 246 247 248 249 250 251 252 253 254 255 256 257 258 259 260 261 262 263 264 265 266 267 268 269 270 271 272 273 274 275 276 277 278 279 280 281 282 283 284 285 286 287 288 289 290 291 292 293 294 295 296 297 298 299 300 301 302 303 304 305 306 307 308 309 310 311 312 313 314 315 316 317 318 319 320 321 322 323 324 325 326 327 328 329 330 331 332 333 334 335 336 337 338 339 340 341 342 343 344 345 346 347 348 349 350 351 352 353 354 355 356 357 358 359 360 361 362 363 364 365 366 367 368 369 370 371 372 373 374 375 376 377 378 379 380 381 382 383 384 385 386 387 388 389 390 391 392 393 394 395 396 397 398 399 400 401 402 403 404 405 406 407 408 409 410 411 412 413 414 415 416 417 418 419 420 421 422 423 424 425 426 427 428 429 430 431 432 433 434 435 436 437 438 439 440 441 442 443 444 445 446 447 448 449 450 451 452 453 454 455 456 457 458 459 460 461 462 463 464 465 466 467 468 469 470 471 472 473 474 475 476 477 478 479 480 481 482 483 484 485 486 487 488 489 490 491 492 493 494 495 496 497 498 499 500 501 502 503 504 505 506 507 508 509 510 511 512 513 514 515 516 517 518 519 520 521 522 523 524 525 526 527 528 529 530 531 532 533 534 535 536 537 538 539 540 541 542 543 544 545 546 547 548 549 550 551 552 553 554 555 556 557 558 559 560 561 562 563 564 565 566 567 568 569 570 571 572 573 574 575 576 577 578 579 580 581 582 583 584 585 586 587 588 589 590 591 592 593 594 595 596 597 598 599 600 601 602 603 604 605 606 607 608 609 610 611 612 613 614 615 616 617 618 619 620 621 622 623 624 625 626 627 628 629 630 631 632 633 634 635 636 637 638 639 640 641 642 643 644 645 646 647 648 649 650 651 652 653 654 655 656 657 658 659 660 661 662 663 664 665 666 667 668 669 670 671 672 673 674 675 676 677 678 679 680 681 682 683 684 685 686 687 688 689 690 691 692 693 694 695 696 697 698 699 700 701 702 703 704 705 706 707 708 709 710 711 712 713 714 715 716 717 718 719 720 721 722 723 724 725 726 727 728 729 730 731 732 733 734 735 736 737 738 739 740 741 742 743 744 745 746 747 748 749 750 751 752 753 754 755 756 757 758 759 760 761 762 763 764 765 766 767 768 769 770 771 772 773 774 775 776 777 778 779 780 781 782 783 784 785 786 787 788 789 790 791 792 793 794 795 796 797 798 799 800 801 802 803 804 805 806 807 808 809 810 811 812 813 814 815 816 817 818 819 820 821 822 823 824 825 826 827 828 829 830 831 832 833 834 835 836 837 838 839 840 841 842 843 844 845 846 847 848 849 850 851 852 853 854 855 856 857 858 859 860 861 862 863 864 865 866 867 868 869 870 871 872 873 874 875 876 877 878 879 880 881 882 883 884 885 886 887 888 889 890 891 892 893 894 895 896 897 898 899 900 901 902 903 904 905 906 907 908 909 910 911 912 913 914 915 916 917 918 919 920 921 922 923 924 925 926 927 928 929 930 931 932 933 934 935 936 937 938 939 940 941 942 943 944 945 946 947 948 949 950 951 952 953 954 955 956 957 958 959 960 961 962 963 964 965 966 967 968 969 970 971 972 973 974 975 976 977 978 979 980 981 982 983 984 985 986 987 988 989 990 991 992 993 994 995 996 997 998 999 1000 1001 1002 1003 1004 1005 1006 1007 1008 1009 1010 1011 1012 1013 1014 1015 1016 1017 1018 1019 1020 1021 1022 1023 1024 1025 1026 1027 1028 1029 1030 1031 1032 1033 1034 1035 1036 1037 1038 1039 1040

Inspection Solutions
6973 Washington Ave S,
Edina, MN 55439
952.249.1251

5900 Hermitage Way-Main Floor East Bedroom

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 6973 Washington Ave S,
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