

**DISCLOSURE STATEMENT:
SELLER'S DISCLOSURE ALTERNATIVES**

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- 1. Date 5-2-15
- 2. Page 1 of _____ pages: RECORDS AND
- 3. REPORTS, IF ANY, ARE ATTACHED HERETO AND
- 4. MADE A PART HEREOF

5. Property located at 16635 42nd Avenue N,
 6. City of Plymouth, County of Hennepin, State of Minnesota.

7. **NOTICE:** Sellers of residential property, with limited exceptions, are obligated to satisfy the requirements of MN Statutes
 8. 513.52 through 513.60. **To comply with the statute, Seller must provide either a written disclosure to the**
 9. **prospective Buyer (see Disclosure Statement: Seller's Property Disclosure Statement) or satisfy one of the**
 10. **following two options.** Disclosures made herein, if any, are not a warranty or guarantee of any kind by Seller or
 11. licensee(s) representing or assisting any party in this transaction and are not a substitute for any inspections or
 12. warranties the party(ies) may wish to obtain.

13. **(Select one option only.)**

14. 1) **QUALIFIED THIRD-PARTY INSPECTION:** Seller shall provide to prospective Buyer a written report that
 15. discloses material information relating to the real property that has been prepared by a qualified third party.
 16. "Qualified third party" means a federal, state or local governmental agency, or any person whom Seller or
 17. prospective Buyer reasonably believes has the expertise necessary to meet the industry standards of practice
 18. for the type of inspection or investigation that has been conducted by the third party in order to prepare the
 19. written report.

20. **Seller shall disclose to prospective Buyer material facts known by Seller that contradict any information**
 21. **that is included in a written report, or material facts known by Seller that are not included in the**
 22. **report.**

23. The inspection report was prepared by _____
 24. _____,
 25. and dated _____, 20_____.

26. Seller discloses to Buyer the following material facts known by Seller that contradict any information included
 27. in the above referenced inspection report.

28. _____
 29. _____
 30. _____

31. Seller discloses to Buyer the following material facts known by Seller that are not included in the above
 32. referenced inspection report.

33. _____
 34. _____
 35. _____

36. 2) **WAIVER:** The written disclosure required may be waived if Seller and prospective Buyer agree in writing. Seller
 37. and Buyer hereby waive the written disclosure required under MN Statutes 513.52 through 513.60.

38. **NOTE:** If both Seller and prospective Buyer agree, in writing, to waive the written disclosure required under
 39. MN Statutes 513.52 through 513.60, Seller is not obligated to disclose ANY material facts of which Seller
 40. is aware that could adversely and significantly affect the Buyer's use or enjoyment of the property or any
 41. intended use of the property, other than those disclosure requirements created by any other law. Seller is
 42. not obligated to update Buyer on any changes made to material facts of which Seller is aware that could
 43. adversely and significantly affect the Buyer's use or enjoyment of the property or any intended use of the
 44. property that occur, other than those disclosure requirements created by any other law.

45. **Waiver of the disclosure required under MN Statutes 513.52 through 513.60 does not waive, limit or**
 46. **abridge any obligation for Seller disclosure created by any other law.**

48. Property located at 16635 42nd Avenue N Plymouth MN 55446

49. **OTHER REQUIRED DISCLOSURES:**

50. **NOTE:** In addition to electing one of the above alternatives to the material fact disclosure, Minnesota law also
51. requires sellers to provide other disclosures to prospective buyers, such as those disclosures listed below.
52. Additionally, there may be other required disclosures by federal, state, local or other governmental entities
53. that are not listed below.

54. **A. SUBSURFACE SEWAGE TREATMENT SYSTEM DISCLOSURE:** (A subsurface sewage treatment system
55. disclosure is required by MN Statute 115.55.) *(Check appropriate box.)*

56. Seller certifies that Seller DOES DOES NOT know of a subsurface sewage treatment system on or serving
57. the above-described real property. (If answer is **DOES**, and the system does not require a state permit, see
58. *Disclosure Statement: Subsurface Sewage Treatment System.*)

59. There is a subsurface sewage treatment system on or serving the above-described real property.
60. *(See Disclosure Statement: Subsurface Sewage Treatment System.)*

61. There is an abandoned subsurface sewage treatment system on the above-described real property.
62. *(See Disclosure Statement: Subsurface Sewage Treatment System.)*

63. **B. PRIVATE WELL DISCLOSURE:** (A well disclosure and Certificate are required by MN Statute 103I.235.)
64. *(Check appropriate box.)*

65. Seller certifies that Seller does not know of any wells on the above-described real property.

66. Seller certifies there are one or more wells located on the above-described real property.
67. *(See Disclosure Statement: Well.)*

68. Are there any wells serving the above-described property that are not located on the property? Yes No
69. To your knowledge, is the property in a Special Well Construction Area? Yes No

70. Comments: _____
71. _____
72. _____

73. **C. VALUATION EXCLUSION DISCLOSURE:** (Required by MN Statute 273.11, Subd. 16)

74. There IS IS NOT an exclusion from market value for home improvements on this property. Any valuation
75. exclusion shall terminate upon sale of the property, and the property's estimated market value for property tax purposes
76. shall increase. If a valuation exclusion exists, Buyers are encouraged to look into the resulting tax
77. consequences.

78. Additional comments: _____
79. _____
80. _____

81. **D. METHAMPHETAMINE PRODUCTION DISCLOSURE:**

82. (A methamphetamine production disclosure is required by MN Statute 152.0275, Subd. 2 (m).)

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

84. Seller is aware that methamphetamine production has occurred on the property.
85. *(See Disclosure Statement: Methamphetamine Production.)*

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SELLER'S DISCLOSURE ALTERNATIVES
86. Page 3

87. Property located at 16635 42nd Avenue N Plymouth MN 55446

88. **E. RADON DISCLOSURE:**

89. (The following Seller disclosure satisfies MN Statute 144.496.)

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

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

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

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

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

109. (a) Radon test(s) HAVE HAVE NOT occurred on the property.

(Check one.)-----

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

112. _____
113. _____
114. _____

115. (c) There IS IS NOT a radon mitigation system currently installed on the property.

(Check one.)-----

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

118. _____
119. _____
120. _____

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

125. **G. NOTICE REGARDING CARBON MONOXIDE DETECTORS:**

126. MN Statute 299F.51 requires Carbon Monoxide Detectors to be located within ten (10) feet from all sleeping
127. rooms. Carbon Monoxide Detectors may or may not be personal property and may or may not be included in the
128. sale of the home.

130. Property located at 16635 42nd Avenue N Plymouth MN 55446.
131. **H. WATER INTRUSION AND MOLD GROWTH:** Recent studies have shown that various forms of water intrusion
132. affect many homes. Water intrusion may occur from exterior moisture entering the home and/or interior moisture
133. leaving the home.
134. Examples of exterior moisture sources may be
135. • improper flashing around windows and doors,
136. • improper grading,
137. • flooding,
138. • roof leaks.
139. Examples of interior moisture sources may be
140. • plumbing leaks,
141. • condensation (caused by indoor humidity that is too high or surfaces that are too cold),
142. • overflow from tubs, sinks or toilets,
143. • firewood stored indoors,
144. • humidifier use,
145. • inadequate venting of kitchen and bath humidity,
146. • improper venting of clothes dryer exhaust outdoors (including electrical dryers),
147. • line-drying laundry indoors,
148. • houseplants—watering them can generate large amounts of moisture.
149. In addition to the possible structural damage water intrusion may do to the property, water intrusion may also result
150. in the growth of mold, mildew and other fungi. Mold growth may also cause structural damage to the property.
151. Therefore, it is very important to detect and remediate water intrusion problems.
152. Fungi are present everywhere in our environment, both indoors and outdoors. Many molds are beneficial to humans.
153. However, molds have the ability to produce mycotoxins that may have a potential to cause serious health problems,
154. particularly in some immunocompromised individuals and people who have asthma or allergies to mold.
155. To complicate matters, mold growth is often difficult to detect, as it frequently grows within the wall structure. If you
156. have a concern about water intrusion or the resulting mold/mildew/fungi growth, you may want to consider having
157. the property inspected for moisture problems before entering into a purchase agreement or as a condition of your
158. purchase agreement. Such an analysis is particularly advisable if you observe staining or any musty odors on the
159. property.
160. For additional information about water intrusion, indoor air quality, moisture or mold issues, please view the
161. Minnesota Association of REALTORS® Desktop Reference Guide at www.mnrealtor.com.
162. **I. NOTICE REGARDING PREDATORY OFFENDER INFORMATION:** Information regarding the predatory
163. offender registry and persons registered with the predatory offender registry under MN Statute 243.166
164. may be obtained by contacting the local law enforcement offices in the community where the property is
165. located or the Minnesota Department of Corrections at (651) 361-7200, or from the Department of Corrections
166. web site at www.corr.state.mn.us.

168. Property located at 16635 42nd Avenue N Plymouth MN 55446

169. **J. SELLER'S STATEMENT:**

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

171. Seller(s) hereby authorizes any licensee(s) representing or assisting any party(ies) in this transaction to provide
172. a copy of this Disclosure Statement to any person or entity in connection with any actual or anticipated sale of the
173. property. A seller may provide this Disclosure Statement to a real estate licensee representing or assisting a
174. prospective buyer. The Disclosure Statement provided to the real estate licensee representing or assisting a
175. prospective buyer is considered to have been provided to the prospective buyer. If this Disclosure Statement is
176. provided to the real estate licensee representing or assisting the prospective buyer, the real estate licensee must
177. provide a copy to the prospective buyer.

178. **QUALIFIED THIRD-PARTY INSPECTION:** If Seller has made a disclosure under the Qualified Third-Party
179. Inspection, Seller is obligated to disclose to Buyer in writing of any new or changed facts of which Seller is aware
180. that could adversely and significantly affect the Buyer's use or enjoyment of the property or any intended use of
181. the property that occur up to the time of closing. To disclose new or changed facts, please use the *Amendment to*
182. *Disclosure Statement* form.

183. **WAIVER:** If Seller and Buyer agree to waive the seller disclosure requirement, Seller is NOT obligated to disclose
184. and will NOT disclose any new or changed information regarding facts.

185. **OTHER REQUIRED DISCLOSURES (Sections A-E):** Whether Seller has elected a Qualified-Third Party Inspection
186. or Waiver, Seller is obligated to notify Buyer, in writing, of any new or changed facts regarding Other Required
187. Disclosures up to the time of closing. To disclose new or changed facts, please use the *Amendment to Seller's*
188. *Disclosure* form.

189. _____ (Seller) _____ (Date) _____ (Seller) _____ (Date)

190. **K. BUYER'S ACKNOWLEDGEMENT:**

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

192. I/We, the Buyer(s) of the property, acknowledge receipt of this *Seller's Disclosure Alternatives* form and agree to
193. the seller's disclosure option selected in this form. I/We further agree that no representations regarding facts have
194. been made, other than those made in this form.

195. Beatrice M. Robertaccio Trust _____ (Date) _____ (Buyer) _____ (Date)
SEVEN

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

Radon in Real Estate Transactions



All Minnesota homes can have dangerous levels of **radon gas** in them. Radon is a colorless, odorless and tasteless **radioactive gas** that can seep into homes from the earth. When inhaled, its radioactive particles can damage the cells that line the lungs. Long-term exposure to radon can lead to **lung cancer**. About 21,000 lung cancer deaths each year in the United States are caused by radon, making it a serious health concern for all Minnesotans.

It **does not matter if the home is old or new** and the only way to know how much radon gas has entered the home is to conduct a radon test. MDH estimates **2 in 5 homes built before 2010** and **1 in 5 homes built since 2010** exceed the 4.0 pCi/L action level.



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

The Minnesota Radon Awareness Act does not require radon testing or mitigation. However, many relocation companies and lending institutions, as well as home buyers, require a radon test when purchasing a house. The purpose of this publication is to educate and inform potential home buyers of the risks of radon exposure, and how to test for and reduce radon as part of real estate transactions.



Disclosure Requirements

Effective January 1, 2014, the Minnesota Radon Awareness Act requires specific disclosure and education be provided to potential home buyers during residential real estate transactions in Minnesota. This publication is being provided by the seller in order to meet a requirement of the Act. In addition, **before signing a purchase agreement to sell or transfer residential real property**, the seller shall disclose in writing to the buyer any knowledge the seller has of radon concentrations in the dwelling.

The disclosure shall include:

1. whether a radon test or tests have occurred on the property;
2. the most current records and reports pertaining to radon concentrations within the dwelling;
3. a description of any radon concentrations, mitigation, or remediation;
4. information regarding the radon mitigation system, including system description and documentation, if such system has been installed in the dwelling; and
5. a radon warning statement

Radon Warning Statement

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

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

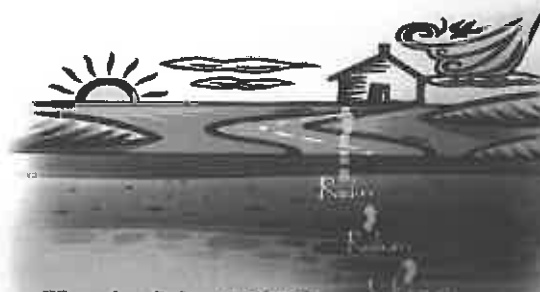
Radon Facts

How dangerous is radon?

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

Where is your greatest exposure to radon?

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



Where does Radon come from?

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

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

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

What is the recommended action based on my results?

If the average radon in the home is at or **above 4.0 pCi/L, the house should be fixed**. Consider fixing the home if radon levels are between 2 pCi/L and 3.9 pCi/L. While it isn't possible to reduce radon to zero, the best approach is to reduce the radon levels to as low as reasonably achievable. Any amount of radon, even below the recommended action level, carries some risk.

How are radon tests conducted in real estate transactions?

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



Continuous
Radon Monitor
(CRM)

Fastest

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

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



Simultaneous
Short-term Testing

Second fastest

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

Test kits are sent to the lab for analysis.

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



Sequential
Short-term Testing

Slowest

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

Test kit is sent to lab for analysis.

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

Test kit is sent to the lab for analysis.

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

Radon Testing

House conditions when testing

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

Closed-house Conditions: Mean keeping all windows and doors closed, except for normal entry and exit.

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

During Testing: Maintain closed-house conditions during the entire duration of the short term test. Operate home heating or cooling systems normally during the test.

Where the test should be conducted

Any radon test conducted for a real estate transaction needs to be placed in the lowest livable area of the home suitable for occupancy. In Minnesota, this is typically in the basement, whether it is finished or unfinished.

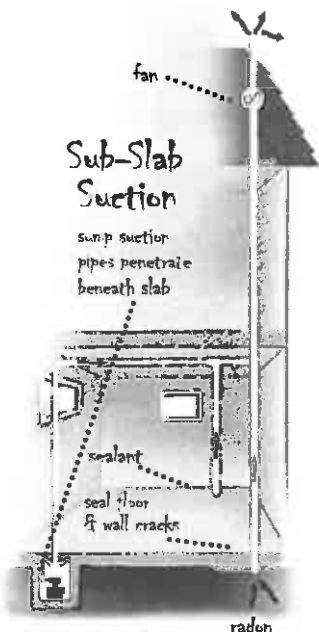
The test kit should be placed:

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

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

Who should conduct radon testing in real estate transactions?

All radon tests should be conducted in accordance with national radon measurement protocols, by a certified and MDH-listed professional. This ensures the test was conducted properly, in the correct location, and under appropriate building conditions. A list of these radon measurement professionals can be found at MDH's Radon web site. A seller may have previously conducted testing in a property. If the test result is at or above the action level, the home should be mitigated.



Radon Mitigation

Lowering radon in existing homes – Radon Mitigation

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

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

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

After a radon reduction system is installed

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

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

The MDH Radon Program can provide:

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

MDH Radon Program

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



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

Instant forms 10/2013 IC# 141-3722