



RE/MAX
CLOQUET
 35 1/4th Street Cloquet, MN 55720
 Phone 218-878-1111 Fax 218-1948

Mark Kinsman
 Realtor
 Cell 218-310-9183
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 www.thehouseguy.net

**SELLER'S PROPERTY
 DISCLOSURE STATEMENT**

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1. Date 5-1-08
 2. Page 1 of _____ pages

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

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

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

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

21. Property located at 3003 CR 139
 22. City of Mahantowick, County of Carlton, State of Minnesota.

23. A. GENERAL INFORMATION:

24. (1) When did you **Acquire** **Build** the home? land 12 yrs / House 3 yrs
 (Check one.)

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

26. Location of Abstract: _____

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

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

29. If "No," explain: lake cabin

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

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

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

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

34. Are you aware of any

35. (8) encroachments? Yes No

36. (9) association, covenants, historical registry, reservations or restrictions that affect or
 37. may affect the use or future resale of the property? Yes No

38. (10) easements, other than utility or drainage easements? Yes No

39. (11) Comments: _____

40. _____

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



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

44. Property located at see pg 1

45. **B. GENERAL CONDITION:** To your knowledge, have any of the following conditions previously existed or do they
46. currently exist?

47. (1) Has there been any damage by wind, fire, flood, hail or other cause(s)? Yes No

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

49. _____

50. _____

51. _____

52. (2) (a) Has/Have the structure(s) been altered?
53. (e.g., additions, altered roof lines, changes to load-bearing walls) Yes No

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

55. _____

56. _____

57. _____

58. (b) Has any work been performed on the property? (e.g., additions to the property, wiring, plumbing,
59. retaining wall, general finishing.) Yes No

60. If "Yes," please explain: _____

61. _____

62. _____

63. _____

64. (c) Were appropriate permits pulled for any work performed on the property? Yes No

65. (3) Has there been any damage to flooring or floor covering? Yes No

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

67. _____

68. _____

69. _____

70. (4) Are you aware of any insect/animal/pest infestation? Yes No

71. (5) Do you have or have you previously had any pets? Yes No

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

73. (6) Comments: _____

74. _____

75. _____

76. _____

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

80. Property located at see pg 1

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

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

84. (1) **THE BASEMENT, CRAWLSPACE, SLAB:**

- | | | | | | |
|-----------------------------|------------------------------|--|----------------------|------------------------------|--|
| 85. (a) cracked floor/walls | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | (e) leakage/seepage | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| 86. (b) drain tile problem | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | (f) sewer backup | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| 87. (c) flooding | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | (g) wet floors/walls | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| 88. (d) foundation problem | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | (h) other | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |

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

90. _____
 91. _____
 92. _____
 93. _____
 94. _____
 95. _____
 96. _____
 97. _____
 98. _____

99. (2) **THE ROOF:** To your knowledge,

100. (a) what is the age of the roofing material? 3-4 years
101. (b) has there been any interior or exterior damage? Yes No
102. (c) has there been interior damage from ice buildup? Yes No
103. (d) has there been any leakage? Yes No
104. (e) have there been any repairs or replacements made to the roof? Yes No

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

106. _____
 107. _____
 108. _____
 109. _____
 110. _____
 111. _____
 112. _____
 113. _____
 114. _____

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

118. Property located at see pg 1

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

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

123. **Cross out only those items not physically located on the property.**

		In Working Order		In Working Order		In Working Order			
		Yes	No	Yes	No	Yes	No		
126.	Air-conditioning	<input type="checkbox"/>	<input type="checkbox"/>	Heating system (central)	<input type="checkbox"/>	<input type="checkbox"/>	TV antenna system	<input type="checkbox"/>	<input type="checkbox"/>
127.	<input type="checkbox"/> Central <input type="checkbox"/> Wall <input type="checkbox"/> Window			Heating system (supplemental)	<input type="checkbox"/>	<input type="checkbox"/>	TV cable system	<input type="checkbox"/>	<input type="checkbox"/>
128.	Air exchange system	<input type="checkbox"/>	<input type="checkbox"/>	Incinerator	<input type="checkbox"/>	<input type="checkbox"/>	TV satellite dish	<input type="checkbox"/>	<input type="checkbox"/>
129.	Ceiling fan	<input type="checkbox"/>	<input type="checkbox"/>	Intercom	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Rented <input type="checkbox"/> Owned		
130.	Dishwasher	<input type="checkbox"/>	<input type="checkbox"/>	Lawn sprinkler system	<input type="checkbox"/>	<input type="checkbox"/>	TV satellite receiver	<input type="checkbox"/>	<input type="checkbox"/>
131.	Doorbell	<input type="checkbox"/>	<input type="checkbox"/>	Microwave	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Rented <input type="checkbox"/> Owned		
132.	Drain tile system	<input type="checkbox"/>	<input type="checkbox"/>	Plumbing	<input type="checkbox"/>	<input type="checkbox"/>	Washer	<input type="checkbox"/>	<input type="checkbox"/>
133.	Dryer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Pool and equipment	<input type="checkbox"/>	<input type="checkbox"/>	Water heater	<input type="checkbox"/>	<input type="checkbox"/>
134.	Electrical system	<input type="checkbox"/>	<input type="checkbox"/>	Range/oven	<input type="checkbox"/>	<input type="checkbox"/>	Water treatment system	<input type="checkbox"/>	<input type="checkbox"/>
135.	Exhaust system	<input type="checkbox"/>	<input type="checkbox"/>	Range hood	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Rented <input type="checkbox"/> Owned		
136.	Fire sprinkler system	<input type="checkbox"/>	<input type="checkbox"/>	Refrigerator	<input type="checkbox"/>	<input type="checkbox"/>	Windows	<input checked="" type="checkbox"/>	<input type="checkbox"/>
137.	Fireplace	<input type="checkbox"/>	<input type="checkbox"/>	Security system	<input type="checkbox"/>	<input type="checkbox"/>	Window treatments	<input type="checkbox"/>	<input type="checkbox"/>
138.	Fireplace mechanisms	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Rented <input type="checkbox"/> Owned			Wood-burning stove	<input type="checkbox"/>	<input type="checkbox"/>
139.	Furnace humidifier	<input type="checkbox"/>	<input type="checkbox"/>	Smoke detectors (battery)	<input type="checkbox"/>	<input type="checkbox"/>	Other	<input type="checkbox"/>	<input type="checkbox"/>
140.	Freezer	<input type="checkbox"/>	<input type="checkbox"/>	Smoke detectors (hardwired)	<input type="checkbox"/>	<input type="checkbox"/>	Other	<input type="checkbox"/>	<input type="checkbox"/>
141.	Garage door opener (GDO)	<input type="checkbox"/>	<input type="checkbox"/>	Solar collectors	<input type="checkbox"/>	<input type="checkbox"/>	Other	<input type="checkbox"/>	<input type="checkbox"/>
142.	Garage auto reverse	<input type="checkbox"/>	<input type="checkbox"/>	Sump pump	<input type="checkbox"/>	<input type="checkbox"/>	Other	<input type="checkbox"/>	<input type="checkbox"/>
143.	GDO remote	<input type="checkbox"/>	<input type="checkbox"/>	Toilet mechanisms	<input type="checkbox"/>	<input type="checkbox"/>	Other	<input type="checkbox"/>	<input type="checkbox"/>
144.	Garbage disposal	<input type="checkbox"/>	<input type="checkbox"/>	Trash Compactor	<input type="checkbox"/>	<input type="checkbox"/>	Other	<input type="checkbox"/>	<input type="checkbox"/>

145. Comments: _____
 146. _____
 147. _____

148. E. PRIVATE SEWER SYSTEM DISCLOSURE:

149. (A private sewer system disclosure is required by MN Statute 115.55.)
 150. (Check appropriate box.)

- 151. Seller does not know of a private sewer system on or serving the above-described real property.
- 152. There is a private sewer system on or serving the above-described real property.
- 153. (See *Private Sewer System Disclosure Statement*.)
- 154. There is an abandoned private sewer system on the above-described real property.
- 155. (See *Private Sewer System Disclosure Statement*.)

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159. Property located at See pg 1

160. **F. PRIVATE WELL DISCLOSURE:** (A well disclosure and Certificate are required by MN Statute 1031.235.)

161. (Check appropriate box.)

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

163. Seller certifies there are one or more wells located on the above-described real property.

164. (See Well Disclosure Statement.)

165. Are there any wells serving the above-described property that are not located on the property? Yes No

166. To your knowledge, is this property in a Special Well Construction Area? Yes No

167. **G. PROPERTY TAX TREATMENT:**

168. **Valuation Exclusion Disclosure** (Required by MN Statute 273.11, Subd. 16.)

169. (Check appropriate box.)

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

171. valuation exclusion shall terminate upon sale of the property, and the property's estimated market value for
 172. property tax purposes shall increase. If a valuation exclusion exists, Buyers are encouraged to look into the
 173. resulting tax consequences.

174. Additional comments: _____

175. **Preferential Property Tax Treatment**

176. Is the property subject to any preferential property tax status or any other credits affecting the property which

177. would terminate upon the sale of the property? Yes No

178. (e.g., Disability, Green Acres, CRP, RIM)

179. If "Yes," please explain: _____

180. _____

181. **H. METHAMPHETAMINE PRODUCTION DISCLOSURE:**

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

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

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

185. (See Methamphetamine Production Disclosure Statement.)

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

191. **J. CEMETERY ACT:**

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

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

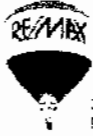
196. on the property? Yes No

197. If "Yes," please explain: _____

198. _____

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

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205. Property located at see pg 1

206. **K. ENVIRONMENTAL CONCERNS:**

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

- | | | | | | |
|------------------------------------|------------------------------|--|----------------------------|------------------------------|--|
| 209. Asbestos? | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | Mold? | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| 210. Diseased trees? | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | Radon? | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| 211. Formaldehyde? | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | Soil problems? | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| 212. Hazardous wastes/substances? | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | Underground storage tanks? | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| 213. Lead? (e.g., paint, plumbing) | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | Other? | <input type="checkbox"/> Yes | <input type="checkbox"/> No |

214. Are you aware if there are currently, or have previously been, any orders issued on the property by any governmental
 215. authority ordering the remediation of a public health nuisance on the property? Yes No

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

217. Give details to any question answered "Yes": _____
 218. _____
 219. _____
 220. _____
 221. _____
 222. _____

223. **L. OTHER DEFECTS/MATERIAL FACTS:**

224. Are you aware of any other material facts that could adversely and significantly affect an ordinary buyer's use or
 225. enjoyment of the property or any intended use of the property? Yes No

226. If "Yes," explain below: _____
 227. _____
 228. _____
 229. _____
 230. _____
 231. _____

232. **M. ADDITIONAL COMMENTS:**

233. _____
 234. _____
 235. _____
 236. _____
 237. _____
 238. _____

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SELLER'S PROPERTY DISCLOSURE STATEMENT

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

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

245. Examples of exterior moisture sources may be

- 246. • improper flashing around windows and doors,
- 247. • improper grading,
- 248. • flooding,
- 249. • roof leaks.

250. Examples of interior moisture sources may be

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

260. In addition to the possible structural damage water intrusion may do to the property, water intrusion may also result
261. in the growth of mold, mildew and other fungi. Mold growth may also cause structural damage to the property.
262. Therefore, it is very important to detect and remediate water intrusion problems.

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

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

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

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277. Property located at see pg 1

278. **O. NOTICE REGARDING PREDATORY OFFENDER INFORMATION:** Information regarding the predatory
279. offender registry and persons registered with the predatory offender registry under MN Statute 243.166
280. may be obtained by contacting the local law enforcement offices in the community where the property
281. is located or the Minnesota Department of Corrections at (651) 361-7200, or from the Department of
282. Corrections web site at www.corr.state.mn.us.

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

285. **P. SELLER'S STATEMENT:**

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

290. [Signature] 5-1-08 (Seller) (Date) [Signature] 5-1-08 (Seller) (Date)

291. **Q. BUYER'S ACKNOWLEDGEMENT:**

292. *(To be signed at time of purchase agreement.)*
293. I/We, the Buyer(s) of the property, acknowledge receipt of this Seller's Property Disclosure Statement and agree
294. that no representations regarding material facts have been made other than those made above.

295. _____ (Buyer) _____ (Date) _____ (Buyer) _____ (Date)

296. **R. SELLER'S ACKNOWLEDGMENT:**

297. *(To be signed at time of purchase agreement.)*
298. **AS OF THE DATE BELOW**, I/we, the Seller(s) of the property, state that the material facts stated above are the
299. same, **except for changes as indicated below, which have been signed and dated.**

300. _____
301. _____
302. _____
303. _____
304. _____

305. _____ (Seller) _____ (Date) _____ (Seller) _____ (Date)

306. For purposes of the seller disclosure requirements of MN Statutes 513.52 through 513.60:
307. "Residential real property" or "residential real estate" means property occupied as, or intended to be occupied as, a
308. single-family residence, including a unit in a common interest community as defined in MN Statute 515B.1-103, clause
309. (10), regardless of whether the unit is in a common interest community not subject to chapter 515B.
310. The seller disclosure requirements of MN Statutes 513.52 through 513.60 apply to the transfer of any interest in
311. residential real estate, whether by sale, exchange, deed, contract for deed, lease with an option to purchase or any
312. other option.

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316. **Exceptions**

317. The seller disclosure requirements of MN Statutes 513.52 through 513.60 **DO NOT** apply to
- 318. (1) real property that is not residential real property;
 - 319. (2) a gratuitous transfer;
 - 320. (3) a transfer pursuant to a court order;
 - 321. (4) a transfer to a government or governmental agency;
 - 322. (5) a transfer by foreclosure or deed in lieu of foreclosure;
 - 323. (6) a transfer to heirs or devisees of a decedent;
 - 324. (7) a transfer from a cotenant to one or more other cotenants;
 - 325. (8) a transfer made to a spouse, parent, grandparent, child or grandchild of Seller;
 - 326. (9) a transfer between spouses resulting from a decree of marriage dissolution or from a property agreement incidental to that decree;
 - 328. (10) a transfer of newly constructed residential property that has not been inhabited;
 - 329. (11) an option to purchase a unit in a common interest community, until exercised;
 - 330. (12) a transfer to a person who controls or is controlled by the grantor as those terms are defined with respect to a declarant under section 515B.1-103, clause (2);
 - 332. (13) a transfer to a tenant who is in possession of the residential real property; or
 - 333. (14) a transfer of special declarant rights under section 515B.3-104.

334. **Waiver**

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

338. **No Duty to Disclose**

339. A. There is no duty to disclose the fact that the property
- 340. (1) is or was occupied by an owner or occupant who is or was suspected to be infected with Human
 - 341. Immunodeficiency Virus or diagnosed with Acquired Immunodeficiency Syndrome;
 - 342. (2) was the site of a suicide, accidental death, natural death or perceived paranormal activity; or
 - 343. (3) is located in a neighborhood containing any adult family home, community-based residential facility or nursing
 - 344. home.
345. B. **Predatory Offenders.** There is no duty to disclose information regarding an offender who is required to register
346. under MN Statute 243.166 or about whom notification is made under that section, if Seller, in a timely manner,
347. provides a written notice that information about the predatory offender registry and persons registered with the
348. registry may be obtained by contacting the local law enforcement agency where the property is located or the
349. Department of Corrections.
350. C. The provisions in paragraphs A and B do not create a duty to disclose any facts described in paragraphs A and B
351. for property that is not residential property.
352. D. **Inspections.**
- 353. (i) Except as provided in paragraph (ii), Seller is not required to disclose information relating to the real property
 - 354. if a written report that discloses the information has been prepared by a qualified third party and provided to
 - 355. the prospective buyer. For purposes of this paragraph, "qualified third party" means a federal, state or local
 - 356. governmental agency, or any person whom Seller or prospective buyer reasonably believes has the expertise
 - 357. necessary to meet the industry standards of practice for the type of inspection or investigation that has been
 - 358. conducted by the third party in order to prepare the written report.
 - 359. (ii) Seller shall disclose to the prospective buyer material facts known by Seller that contradict any information
 - 360. included in a written report under paragraph (i) if a copy of the report is provided to Seller.

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



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**PRIVATE SEWER SYSTEM
DISCLOSURE STATEMENT**

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1. Date 5-1-08
2. Page 1 _____ of pages: THE REQUIRED MAP IS
3. ATTACHED HERETO AND MADE A PART HEREOF

4. Property located at 3003 CR 139 Mahkoma in the City of _____
 5. County of Carlton State of Minnesota, legally described as follows or on
 6. attached sheet (the "Property") NMA

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**
 11. **OF THE PRIVATE SEWER SYSTEM AND TO PROVIDE FOR APPROPRIATE PROVISIONS IN A CONTRACT**
 12. **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. The 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 an individual 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 individual 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 individual sewage treatment systems.
 25. Buyer is advised to contact the local unit(s) of government, state agency or qualified professional which regulates
 26. individual 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. **PRIVATE SEWER SYSTEM DISCLOSURE:**

30. *(Check the appropriate box.)*

31. Seller certifies that Seller does not know of any private sewer system on or serving the above described real
 32. property. *(If this option is checked, then skip to the last line and sign and date this Statement.)*

33. Seller certifies that the following private sewer system is on or serving the above described Property.

34. TYPE:

35. *(Check appropriate box(es) and indicate location on attached MAP.)*

36. Septic Tank: with drain field with mound system seepage tank with open end

37. Sealed System (holding tank)

38. Other (Describe): _____

39. Is the private sewer system(s) currently in use? Yes No

40. **NOTE: If any water use appliance, bedroom or bathroom has been added to the Property, the system may**
 41. **no longer comply with applicable sewage treatment system laws and rules.**

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



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**PRIVATE SEWER SYSTEM
DISCLOSURE STATEMENT**

- 44. Property located at _____
- 45. Is the private sewer system(s) in compliance with applicable sewage treatment system laws and rules?
- 46. Yes No
- 47. When was the private sewer system installed? _____
- 48. Installer Name/Phone _____
- 49. Where is tank located? _____
- 50. What is tank size? _____
- 51. When was tank last pumped? _____
- 52. How often is tank pumped? _____
- 53. Where is the drain field located? _____
- 54. What is the drain field size? _____
- 55. Describe work performed to the private system since you have owned the Property. _____
- 56. _____
- 57. _____
- 58. Date work performed/by whom: _____
- 59. _____
- 60. Is private sewer system entirely within Property boundary lines, including set back requirements? _____
- 61. Is the system shared? _____ How many units on system? _____ Annual Fee? _____
- 62. Comments: _____
- 63. _____
- 64. On this Property: _____
- 65. _____
- 66. Approximate number of:
- 67. people using the private sewer system _____
- 68. showers/baths taken per week _____
- 69. wash loads per week _____
- 70. Distance between well and private sewer system? _____
- 71. Have you received any notices from any government agencies relating to the private sewer system?
- 72. (If "Yes", see attached notice.) Yes No
- 73. Are there any known defects in the private sewer system? Yes No
- 74. If "Yes", please explain: _____
- 75. _____
- 76. _____
- 77. _____
- 78. _____

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



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**PRIVATE SEWER SYSTEM
 DISCLOSURE STATEMENT**

81. Property located at _____

82. **SELLER'S STATEMENT:**

83. *(To be signed at time of listing.)*

84. I/We, Seller(s) of the Property acknowledge the above private sewer system disclosure and MAP and authorize listing
 85. broker to disclose this information to prospective buyers.

86. _____ 5-1-08 _____ 5-1-08
 (Seller) (Date) (Seller) (Date)

87. **BUYER'S ACKNOWLEDGMENT:**

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

89. I/We, the Buyer(s) of the Property acknowledge receipt of this Private Sewer System Disclosure Statement and MAP
 90. and agree that no representation regarding the condition of the private sewer system have been made, other than
 91. those made above.

92. **LISTING BROKER AND LICENSEES MAKE NO REPRESENTATIONS AND ARE NOT RESPONSIBLE FOR ANY**
 93. **CONDITIONS EXISTING IN THE PRIVATE SEWER SYSTEM.**

94. _____
 (Buyer) (Date) (Buyer) (Date)

95. **SELLER'S ACKNOWLEDGMENT:**

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

97. AS OF THE DATE OF THE ACCEPTANCE OF THE PURCHASE AGREEMENT, I/We, the Seller(s) of the above
 98. Property, agree that the condition of the private sewer system is the same as noted above, except for changes as
 99. indicated below which have been signed and dated.

100. _____
 101. _____
 102. _____
 103. _____
 104. _____
 105. _____
 106. _____
 107. _____
 108. _____
 109. _____
 110. _____
 111. _____

112. _____
 (Seller) (Date) (Seller) (Date)

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



LOCATION MAP

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1. Page _____ of _____ pages

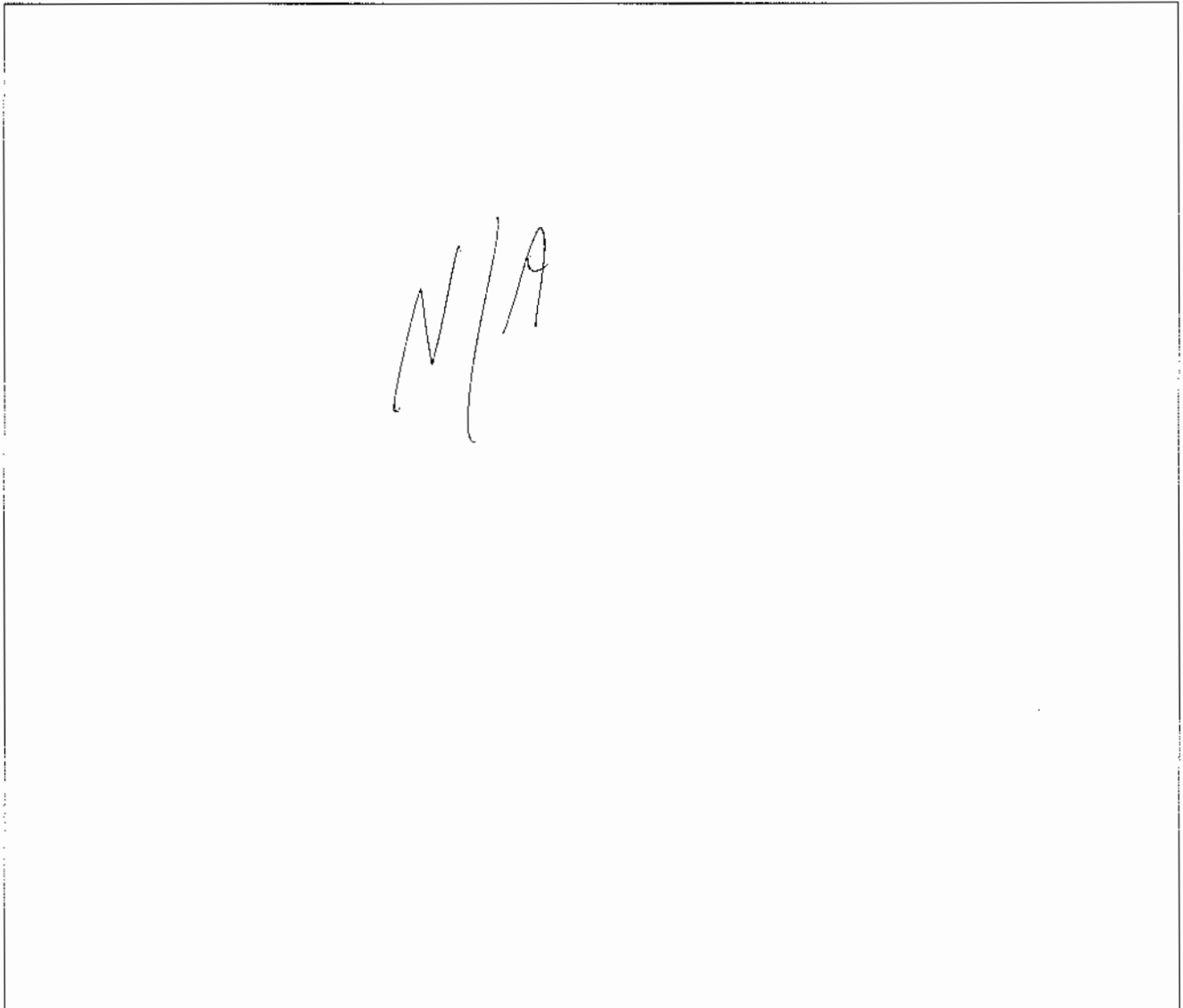
2. Please use the space below to sketch the real property being sold and, to Seller's knowledge, the approximate location of any of the following on the property.

4. PRIVATE SEWER 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 _____

7. _____



8. ATTACH ADDITIONAL SHEETS AS NEEDED.

9. *Seller and Buyer initial:* _____ (Seller) _____ (Date) _____ (Buyer) _____ (Date)

10. _____ (Seller) _____ (Date) _____ (Buyer) _____ (Date)

11. **ORIGINAL COPY TO LISTING BROKER; COPIES TO SELLER, BUYER, SELLING BROKER**
MN-IM (8/06)



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WELL DISCLOSURE STATEMENT

43. Property located at 3003 Cir 139 Marktown

44. **OTHER WELL INFORMATION:**

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

46. Comments: _____

47. _____

48. _____

49. _____

50. _____

51. _____

52. _____

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

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 MAP showing the location of each well on the real property.

59. This disclosure is not a warranty of any kind by Seller(s) or any licensee(s) representing or assisting any part(/ies) in
 60. this transaction and is not a substitute for any inspections or warranties the party(ies) may wish to obtain.

61. **CERTIFICATION BY SELLER:** I certify that the information provided above is accurate and complete to the
 62. best of my knowledge.

63. [Signature] 5-1-08 [Signature] 5-1-08
 (Seller or Designated Representative) (Date) (Seller or Designated Representative) (Date)

64. **BUYER'S ACKNOWLEDGEMENT:**

65. _____ (Buyer) _____ (Date) _____ (Buyer) _____ (Date)

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



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WELL DISCLOSURE STATEMENT

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

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

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

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

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

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

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

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

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

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

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

91. **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
 92. sealed by a licensed well contractor.

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

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

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

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