

Close~Converse

521 Charles Street | Brainerd, Minnesota 56401
PHONE: 218-828-3334 | FAX: 218-828-4330

www.CloseConverse.com

SELLER'S DISCLOSURE ALTERNATIVES

This form approved by the Minnesota Association of REALTORS®,
which disclaims any liability arising out of use or misuse of this form.
© 2009 Minnesota Association of REALTORS®, Edina, MN

1. Date _____

2. Page 1 of 4 _____ pages

3. Property located at 6330 Pine Beach Rd _____ ,

4. City of Brainerd _____ , County of Crow Wing _____ , State of Minnesota.

5. NOTICE

6. Sellers of residential property, with limited exceptions, are obligated to satisfy the requirements of MN Statutes 513.52
7. through 513.60. **To comply with the statute, Seller must provide either a written disclosure to the prospective**
8. **Buyer (see *Seller's Property Disclosure Statement*) or satisfy one of the following two options:**

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

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

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

19. The inspection report was prepared by _____

20. _____ ,

21. and dated _____ , 20 _____ .

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

24. _____

25. _____

26. _____

27. _____

28. _____

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

31. _____

32. _____

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

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

SELLER'S DISCLOSURE ALTERNATIVES

41. Page 2

42. Property located at 6330 Pine Beach Rd

43. OTHER REQUIRED DISCLOSURES:

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

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

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

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

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

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

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

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

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

63. Contaminated Well: Is there a well on or serving the property that contains contaminated water? ☐ Yes ☐ No

64. To your knowledge, is the property in a Special Well Construction Area? ☐ Yes ☒ No

65. Comments: _____

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

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

71. Additional comments: _____

72. _____

73. D. METHAMPHETAMINE PRODUCTION DISCLOSURE:

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

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

76. ☐ Seller is aware that methamphetamine production has occurred on the property.
77. *(See Methamphetamine Production Disclosure Statement.)*

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

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

SELLER'S DISCLOSURE ALTERNATIVES

83. Page 3

84. Property located at 6330 Pine Beach Rd

85. F. SLK Buyer has had the opportunity to review page four (4) of this Agreement.
(Initial) (Initial)

86. G. NOTICE REGARDING CARBON MONOXIDE DETECTORS:

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

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

95. I. SELLER'S STATEMENT:

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

97. Seller(s) hereby authorizes any licensee(s) representing or assisting any party(ies) in this transaction to provide
98. a copy of this Disclosure to any person or entity in connection with any actual or anticipated sale of the property.

99. Sherry L. Kushe 8-26-10
(Seller) (Date) (Seller) (Date)

100. J. BUYER'S ACKNOWLEDGEMENT:

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

102. I/We, the Buyer(s) of the property, acknowledge receipt of this SELLER'S DISCLOSURE ALTERNATIVES form
103. and agree to the seller's disclosure option selected in this form. I/We further agree that no representations regarding
104. material facts have been made, other than those made in this form.

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

106. K. ADDITIONAL DISCLOSURES: _____

107. _____

108. _____

109. _____

110. L. SELLER'S ACKNOWLEDGEMENT:

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

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

114. _____

115. _____

116. _____

117. _____
(Seller) (Date) (Seller) (Date)

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

120. **M. OTHER INFORMATION:**

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

124. Examples of exterior moisture sources may be
125. • improper flashing around windows and doors,
126. • improper grading,
127. • flooding,
128. • roof leaks.

129. Examples of interior moisture sources may be
130. • plumbing leaks,
131. • condensation (caused by indoor humidity that is too high or surfaces that are too cold),
132. • overflow from tubs, sinks or toilets,
133. • firewood stored indoors,
134. • humidifier use,
135. • inadequate venting of kitchen and bath humidity,
136. • improper venting of clothes dryer exhaust outdoors (including electrical dryers),
137. • line-drying laundry indoors,
138. • houseplants—watering them can generate large amounts of moisture.

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

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

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

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

152. **LISTING BROKER AND LICENSEES MAKE NO REPRESENTATIONS AND ARE**
153. **NOT RESPONSIBLE FOR ANY CONDITIONS EXISTING IN THE PROPERTY.**

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