



Johnson

DISCLOSURE STATEMENT: SELLER'S PROPERTY DISCLOSURE STATEMENT

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1. Date May 25, 2022
2. Page 1 of _____ pages: RECORDS AND
3. REPORTS, IF ANY, ARE ATTACHED AND MADE A
4. PART OF THIS DISCLOSURE

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

6. **NOTICE:** This Disclosure Statement satisfies the disclosure requirements of MN Statutes 513.52 through 513.60.
7. Under Minnesota law, sellers of residential property, with limited exceptions listed on page nine (9), are obligated to
8. disclose to prospective buyers all material facts of which Seller is aware that could adversely and significantly affect
9. an ordinary buyer's use or enjoyment of the property or any intended use of the property of which Seller is aware.
10. MN Statute 513.58 requires Seller to notify buyer in writing as soon as reasonably possible, but in any event before
11. closing, if Seller learns that Seller's disclosure was inaccurate. Seller is obligated to continue to notify Buyer, in writing,
12. of any facts disclosed here (new or changed) of which Seller is aware that could adversely and significantly affect the
13. Buyer's use or enjoyment of the property or any intended use of the property that occur up to the time of closing.
14. Seller has disclosure alternatives allowed by MN Statutes. See *Disclosure Statement: Seller's Disclosure Alternatives*
15. form for further information regarding disclosure alternatives. **This disclosure is not a warranty or a guarantee of any**
16. **kind by Seller or licensee(s) representing or assisting any party in the transaction and is not a substitute for**
17. **any 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,
21. clause (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
26. inspected by a third party, and to inquire about any specific areas of concern. **NOTE:** If Seller answers "NO" to any of
27. the questions listed below, it does not necessarily mean that it does not exist on the property, did not occur, or does
28. not apply. "NO" 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 26005 State Hwy 43,

34. City of Rushford, County of Fillmore,

35. State of Minnesota, Zip Code 55971 ("Property").

36. **A. GENERAL INFORMATION:** The following questions are to be answered to the best of Seller's knowledge.

37. (1) What date did you ☒ Acquire ☐ Build the home? 1990
------(Check one.)-----

38. (2) Type of title evidence: ☒ Abstract ☐ Registered (Torrens) ☐ Unknown

39. Location of Abstract: SELLER'S POSSESSION

40. Is there an existing Owner's Title Insurance Policy? ☐ Yes ? ☐ No

41. (3) Have you occupied this home continuously during your ownership? ☒ Yes ☐ No

42. If "No," explain: _____

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

44. (5) Are you in possession of prior seller's disclosure statement(s)? (If "Yes," please attach.) ☐ Yes ☒ No

45. (6) Does the Property include a manufactured home? ☐ Yes ☒ No

46. If "Yes," HUD #(s) is/are _____

47. Has the title been surrendered to the Registrar of Motor Vehicles for cancellation? ☐ Yes ☐ No

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

50. Property located at 26005 State Hwy 43 Rushford 55971.
51. (7) Is the Property located on a public or a private road? ☒ Public ☐ Private ☐ Public: no maintenance
52. (8) Flood Insurance: All properties in the state of Minnesota have been assigned a flood zone designation. Some
53. flood zones may require flood insurance.
54. (a) Do you know which zone the Property is located in? ☐ Yes ☒ No
55. If "Yes," which zone? _____
56. (b) Have you ever had a flood insurance policy? ☐ Yes ☐ No
57. If "Yes," is the policy in force? ☐ Yes ☐ No
58. If "Yes," what is the annual premium? \$ _____
59. If "Yes," who is the insurance carrier? _____
60. (c) Have you ever had a claim with a flood insurance carrier or FEMA? ☐ Yes ☐ No
61. If "Yes," please explain: _____
62. _____

63. **NOTE:** Whether or not Seller currently carries flood insurance, it may be required in the future. Flood insurance

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

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

66. premiums paid for flood insurance on this Property previously as an indication of the premiums that

67. will apply after Buyer completes their purchase.

68. Are there any
69. (9) encroachments? ☐ Yes ☒ No
70. (10) association, covenants, historical registry, reservations, or restrictions, that affect
71. or may affect the use or future resale of the Property? ☐ Yes ☒ No
72. (11) governmental requirements or restrictions that affect or may affect the use or future
73. enjoyment of the Property (e.g., shoreland restrictions, non-conforming use, etc.)? ☒ Yes CRP ☐ No
74. (12) easements, other than utility or drainage easements? ☒ Yes ☐ No
75. (13) Please provide clarification or further explanation for all applicable "Yes" responses in Section A:
76. HIGHWAY EASEMENT DOC #297373
77. TWP RIGHT of WAY to SOUTH of HOUSE

78. **B. GENERAL CONDITION:** To your knowledge, have any of the following conditions previously existed or do they

79. currently exist on the Property?

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

81. (1) Has there been any damage by wind, fire, flood, hail, or other cause(s)? ☐ Yes ☒ No
82. If "Yes," give details of what happened and when: _____
83. _____
84. (2) Have you ever had an insurance claim(s) against your Homeowner's
85. Insurance Policy? ☐ Yes ☒ No
86. If "Yes," what was the claim(s) for (e.g., hail damage to roof)? _____
87. _____
88. Did you receive compensation for the claim(s)? ☐ Yes ☐ No
89. If you received compensation, did you have the items repaired? ☐ Yes ☐ No
90. What dates did the claim(s) occur? _____

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

93. Property located at 26005 State Hwy 43 Rushford 55971
94. (3) (a) Has/Have the structure(s) been altered?
95. (e.g., additions, altered roof lines, changes to load-bearing walls) ☐ Yes ☒ No
96. If "Yes," please specify what was done, when, and by whom (owner or contractor):
97. _____
98. _____
99. (b) Has any work been performed on the Property? (e.g., additions to the
100. Property, wiring, plumbing, retaining wall, general finishing) ☒ Yes ☐ No
101. If "Yes," please explain:
102. NUMEROUS UPDATES
103. (c) Are you aware of any work performed on the Property for which
104. appropriate permits were not obtained? ☐ Yes ☒ No
105. If "Yes," please explain:
106. _____
107. (4) Has there been any damage to flooring or floor covering? ☐ Yes ☒ No
108. If "Yes," give details of what happened and when:
109. _____
110. (5) Do you have or have you previously had any pets? ☒ Yes ☐ No
111. If "Yes," indicate type ONE DOG and number 1
112. (6) THE FOUNDATION: The type of foundation is (i.e., block, poured, wood, stone, other):
113. STONE & BLOCK
114. (7) THE BASEMENT, CRAWLSPACE, SLAB:
- | | |
|---|---|
| 115. (a) cracked floor/walls? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No | (e) leakage/seepage? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No |
| 116. (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 |
| 117. (c) flooding? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | (g) wet floors/walls? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No |
| 118. (d) foundation problem? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | (h) other? _____ <input type="checkbox"/> Yes <input type="checkbox"/> No |
119. Give details to any questions answered "Yes":
120. HEAVY RAINS / PLUGGED ~~GUTTER~~ GUTTERS CAN CREATE
121. SEEPAGE
122. (8) THE ROOF:
123. (a) What is the age of the roofing material?
124. Home: 11 years Garage(s)/Outbuilding(s): ? years
- | | |
|--|---|
| 125. (b) Has there been any interior or exterior damage? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No | (c) Has there been interior damage from ice buildup? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
| 126. (d) Has there been any leakage? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No | (e) Have there been any repairs or replacements made to the roof? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No |
127. Give details to any questions answered "Yes":
128. 50 yr warranty/transferrable on the house
129. (b) Leak @ front porch - fixed by professional installer
130. c
d
e

MN:DS:SPDS-3 (8/21)

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133. Property located at 26005 State Hwy 43 Rushford 55971

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

135. (a) The type(s) of siding is (e.g., vinyl, stucco, brick, other): Aluminum

136. (b) cracks/damage? ☐ Yes ☒ No

137. (c) leakage/seepage? ☐ Yes ☒ No

138. (d) other? ☐ Yes ☒ No

139. Give details to any questions answered "Yes":

140.

141. **C. APPLIANCES, HEATING, PLUMBING, ELECTRICAL, AND OTHER MECHANICAL SYSTEMS:**

142. **NOTE:** Check "NA" if the item is not physically located on the Property. Check "Yes" for items in working condition. Check "No" for items not in working condition. Working order means all components of the items specified below.

		Working Order				Working Order		
	NA	Yes	No		NA	Yes	No	
148. Air-conditioning	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Pool and equipment	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
149. <input type="checkbox"/> Central <input type="checkbox"/> Wall <input type="checkbox"/> Window				Propane tank	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
150. Air exchange system	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/> Rented <input type="checkbox"/> Owned				
151. Carbon monoxide detector	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Range/oven	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
152. Ceiling fan	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Range hood	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
153. Central vacuum	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Refrigerator	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
154. Clothes dryer	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Security system	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
155. Clothes washer	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Rented <input type="checkbox"/> Owned				
156. Dishwasher	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Smoke detectors (battery)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
157. Doorbell	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Smoke detectors (hardwired)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
158. Drain tile system	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Solar collectors	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
159. Electrical system	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Sump pump	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
160. Environmental remediation system				Toilet mechanisms	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
161. (e.g., radon, vapor intrusion)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Trash compactor	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
162. Exhaust system	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	TV antenna system	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
163. Fire sprinkler system	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	TV cable system	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
164. Fireplace	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	TV receiver	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
165. Fireplace mechanisms	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	TV satellite dish	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
166. Freezer	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Rented <input type="checkbox"/> Owned				
167. Furnace humidifier	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Water heater	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
168. Garage door auto reverse	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Water purification system	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
169. Garage door opener	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Rented <input type="checkbox"/> Owned				
170. Garage door opener remote	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Water softener	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
171. Garbage disposal	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Rented <input checked="" type="checkbox"/> Owned				
172. Heating system (central)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Water treatment system	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
173. Heating system (supplemental)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Rented <input type="checkbox"/> Owned				
174. Incinerator	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Windows	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
175. Intercom	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Window treatments	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
176. Invisible fence	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Wood-burning stove	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
177. Lawn sprinkler system	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Other	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
178. Microwave	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Other	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
179. Plumbing	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Other	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

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

182. Property located at 26005 State Hwy 43 Rushford 55971
183. Are there any items or systems on the Property connected or controlled wirelessly,
184. via internet protocol ("IP"), to a router or gateway or directly to the cloud? ☐ Yes ☒ No
185. Comments regarding issues in Section C:

186.

187. D. SUBSURFACE SEWAGE TREATMENT SYSTEM DISCLOSURE:

188. (A subsurface sewage treatment system disclosure is required by MN Statute 115.55.) (Check appropriate box.)
189. Seller ☒ DOES ☐ DOES NOT know of a subsurface sewage treatment system on or serving the above-described
----- (Check one.) -----
190. real Property. (If answer is **DOES**, and the system does not require a state permit, see *Disclosure Statement:*
191. *Subsurface Sewage Treatment System*.)
192. ☐ There is an abandoned subsurface sewage treatment system on the above-described real Property.
193. (See *Disclosure Statement: Subsurface Sewage Treatment System*.)

194. E. PRIVATE WELL DISCLOSURE: (A well disclosure and Certificate are required by MN Statute 103I.235.)

195. (Check appropriate box(es).)
196. ☐ Seller does not know of any wells on the above-described real Property.
197. ☒ There are one or more wells located on the above-described real Property. (See *Disclosure Statement: Well*.)
198. ☐ This Property is in a Special Well Construction Area.
199. ☐ There are wells serving the above-described Property that are not located on the Property.
200. (1) How many properties or residences does the shared well serve? _____
201. (2) Is there a maintenance agreement for the shared well? ☒ Yes ☐ No
202. If "Yes," what is the annual maintenance fee? \$ 70/30 on electrical
50/50 on repair

203. F. PROPERTY TAX TREATMENT:

204. **Preferential Property Tax Treatment**
205. Is the Property subject to any preferential property tax status or any other credits
206. affecting the Property? (e.g., Disabled Veterans' Benefits, Disability, Green Acres,
207. Non-Profit Status, RIM, Rural Preserve, etc.) ☐ Yes ☒ No
208. If "Yes," would these terminate upon the sale of the Property? ☐ Yes ☐ No
209. Explain:

210.

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

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

217. **NOTE:** If the above answer is "IS," Buyer may be subject to income tax withholding in connection with the
218. transaction (unless the transaction is covered by an applicable exception to FIRPTA withholding). In non-
219. exempt transactions, Buyer may be liable for the tax if Buyer fails to withhold.
220. If the above answer is "IS NOT," Buyer may wish to obtain specific documentation from Seller ensuring
221. Buyer is exempt from the withholding requirements as prescribed under Section 1445 of the Internal
222. Revenue Code.

223. Due to the complexity and potential risks of failing to comply with FIRPTA, including Buyer's responsibility
224. for withholding the applicable tax, Buyer and Seller should **seek appropriate legal and tax advice regarding**
225. **FIRPTA compliance, as the respective licensees representing or assisting either party will be unable to**
226. **assure either party whether the transaction is exempt from the FIRPTA withholding requirements.**

MN:DS:SPDS-5 (8/21)

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

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230. **H. METHAMPHETAMINE PRODUCTION DISCLOSURE:**

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

232. ☒ Seller is not aware of any methamphetamine production that has occurred on the Property.

233. ☐ Seller is aware that methamphetamine production has occurred on the Property.

234. (See Disclosure Statement: Methamphetamine Production.)

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

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

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

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

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

248. If "Yes," please explain: _____

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

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

254. (1) Animal/Insect/Pest Infestation? ☐ Yes ☒ No (6) Lead? (e.g., paint, plumbing) ☐ Yes ☒ No

255. (2) Asbestos? ☐ Yes ☒ No (7) Mold? ☐ Yes ☒ No

256. (3) Diseased trees? ☐ Yes ☒ No (8) Soil problems? ☐ Yes ☒ No

257. (4) Formaldehyde? ☐ Yes ☒ No (9) Underground storage tanks? ☐ Yes ☒ No

258. (5) Hazardous waste/substances? ☐ Yes ☒ No (10) Vapor intrusion? ☐ Yes ☒ No

259. (11) Other? _____ ☐ Yes ☐ No

260. (12) Have you ever been contacted or received any information from any governmental
261. authority pertaining to possible or actual environmental contamination (e.g., vapor
262. intrusion, drinking water, and/or soil contamination, etc.) affecting the Property? ☐ Yes ☒ No

263. (13) Are you aware if there are currently, or have previously been, any orders issued
264. on the Property by any governmental authority ordering the remediation of a
265. public health nuisance on the Property? ☐ Yes ☒ No

266. If answer above is "Yes," all orders ☐ HAVE ☐ HAVE NOT been vacated.

----- (Check one.) -----

267. (14) Please provide clarification or further explanation for all applicable "Yes" responses in Section L.

268. _____

269. _____

270. _____

271. _____

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274. Property located at 26005 State Hwy 43 Rushford 55971

275. M. RADON DISCLOSURE: (The following Seller disclosure satisfies MN Statute 144.496.)

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

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

285. RADON IN REAL ESTATE: By signing this Statement, Buyer hereby acknowledges receipt of the Minnesota
286. Department of Health's publication entitled **Radon in Real Estate Transactions**, which is attached hereto and
287. can be found at www.health.state.mn.us/communities/environment/air/radon/radonre.html.

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

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

295. (a) Radon test(s) ☒ HAVE ☐ HAVE NOT occurred on the Property.
------(Check one.)-----

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

298. WAS OK - No longer have report

299. (c) There ☐ IS ☒ IS NOT a radon mitigation system currently installed on the Property.
300. ------(Check one.)-----

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

303. _____
304. _____

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

306. N. NOTICES/OTHER DEFECTS/MATERIAL FACTS: The following questions are to be answered to the best of
307. Seller's knowledge.

308. Notices: Seller ☐ HAS ☒ HAS NOT received a notice regarding any proposed improvement project from any
------(Check one.)-----

309. assessing authorities, the costs of which project may be assessed against the Property. If "HAS," please attach
310. and/or explain:

311. _____
312. _____
313. _____

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PROPERTY DISCLOSURE STATEMENT**

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

316. Property located at 26005 State Hwy 43 Rushford 55971

317. **Other Defects/Material Facts:** Are there any other material facts that could adversely and significantly affect an
318. ordinary buyer's use or enjoyment of the Property or any intended use of the Property? ☐ Yes ☒ No

319. If "Yes," explain:

320. OVEN: Does not come to temp

321. KITCHEN DRAIN GURGLES WHEN WASHER DRAINS

322. CORN BOILER (exterior) uncertain if it works

323.

324. **O. WATER INTRUSION AND MOLD GROWTH:** Studies have shown that various forms of water intrusion affect
325. many homes. Water intrusion may occur from exterior moisture entering the home and/or interior moisture
326. leaving the home.

327. Examples of exterior moisture sources may be:

- 328. • improper flashing around windows and doors,
- 329. • improper grading,
- 330. • flooding,
- 331. • roof leaks.

332. Examples of interior moisture sources may be:

- 333. • plumbing leaks,
- 334. • condensation (caused by indoor humidity that is too high or surfaces that are too cold),
- 335. • overflow from tubs, sinks, or toilets,
- 336. • firewood stored indoors,
- 337. • humidifier use,
- 338. • inadequate venting of kitchen and bath humidity,
- 339. • improper venting of clothes dryer exhaust outdoors (including electrical dryers),
- 340. • line-drying laundry indoors,
- 341. • houseplants—watering them can generate large amounts of moisture.

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

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

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

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

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

359. Page 9

360.	THE INFORMATION DISCLOSED IS GIVEN TO THE BEST OF SELLER'S KNOWLEDGE.
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361. Property located at <u>26005 State Hwy 43</u>	<u>Rushford</u>	<u>55971</u>
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362. Q. MN STATUTES 513.52 THROUGH 513.60: SELLER'S MATERIAL FACT DISCLOSURE:

363. **Exceptions:** The seller disclosure requirements of MN Statutes 513.52 through 513.60 **DO NOT** apply to

- 364. (1) real property that is not residential real property;
- 365. (2) a gratuitous transfer;
- 366. (3) a transfer pursuant to a court order;
- 367. (4) a transfer to a government or governmental agency;
- 368. (5) a transfer by foreclosure or deed in lieu of foreclosure;
- 369. (6) a transfer to heirs or devisees of a decedent;
- 370. (7) a transfer from a co-tenant to one or more other co-tenants;
- 371. (8) a transfer made to a spouse, parent, grandparent, child, or grandchild of Seller;
- 372. (9) a transfer between spouses resulting from a decree of marriage dissolution or from a property agreement incidental to that decree;
- 373. (10) a transfer of newly constructed residential property that has not been inhabited;
- 374. (11) an option to purchase a unit in a common interest community, until exercised;
- 375. (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);
- 376. (13) a transfer to a tenant who is in possession of the residential real property; or
- 377. (14) a transfer of special declarant rights under section 515B.3-104.

380. MN STATUTES 144.496: RADON AWARENESS ACT

381. The seller disclosure requirements of MN Statute 144.496 DO NOT apply to (1)-(9) and (11)-(14) above. Sellers
382. of newly constructed residential property must comply with the disclosure requirements of MN Statute 144.496.

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

386. No Duty to Disclose:

- 387. (A) There is no duty to disclose the fact that the Property
 - 388. (1) is or was occupied by an owner or occupant who is or was suspected to be infected with Human
 - 389. Immunodeficiency Virus or diagnosed with Acquired Immunodeficiency Syndrome;
 - 390. (2) was the site of a suicide, accidental death, natural death, or perceived paranormal activity; or
 - 391. (3) is located in a neighborhood containing any adult family home, community-based residential facility, or
 - 392. nursing home.
- 393. (B) **Predatory Offenders.** There is no duty to disclose information regarding an offender who is required to
394. register under MN Statute 243.166 or about whom notification is made under that section, if Seller, in a timely
395. manner, provides a written notice that information about the predatory offender registry and persons
396. registered with the registry may be obtained by contacting the local law enforcement agency where the
397. property is located or the Department of Corrections.
- 398. (C) The provisions in paragraphs (A) and (B) do not create a duty to disclose any facts described in paragraphs
399. (A) and (B) for property that is not residential property.
- 400. (D) **Inspections.**
 - 401. (1) Except as provided in paragraph (2), Seller is not required to disclose information relating to the real
 - 402. Property if a written report that discloses the information has been prepared by a qualified third party
 - 403. and provided to the prospective buyer. For purposes of this paragraph, "qualified third party" means a
 - 404. federal, state, or local governmental agency, or any person whom Seller or prospective buyer reasonably
 - 405. believes has the expertise necessary to meet the industry standards of practice for the type of inspection
 - 406. or investigation that has been conducted by the third party in order to prepare the written report.
 - 407. (2) Seller shall disclose to the prospective buyer material facts known by Seller that contradict any
 - 408. information included in a written report under paragraph (1) if a copy of the report is provided to Seller.

DISCLOSURE STATEMENT: SELLER'S
PROPERTY DISCLOSURE STATEMENT

409. Page 10

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

411. Property located at 26005 State Hwy 43 Rushford 55971

412. R. ADDITIONAL COMMENTS:

413. * CRP - SEE CRP CONTRACTS

414.

415. * Twp ROW along South Boundary

416.

417. Ten (10) animal deed restriction

418.

419.

420. S. SELLER'S STATEMENT:

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

422. Seller(s) hereby states the facts as stated above are true and accurate and authorizes any licensee(s) representing
423. or assisting any party(ies) in this transaction to provide a copy of this Disclosure Statement to any person or entity
424. in connection with any actual or anticipated sale of the Property. A seller may provide this Disclosure Statement
425. to a real estate licensee representing or assisting a prospective buyer. The Disclosure Statement provided to the
426. real estate licensee representing or assisting a prospective buyer is considered to have been provided to the
427. prospective buyer. If this Disclosure Statement is provided to the real estate licensee representing or assisting
428. the prospective buyer, the real estate licensee must provide a copy to the prospective buyer.

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

433. Donald Johnson 5-25-22 Baileys Johnson 5-25-22
(Seller) (Date) (Seller) (Date)

434. T. BUYER'S ACKNOWLEDGEMENT:

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

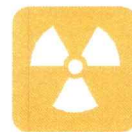
436. I/We, the Buyer(s) of the Property, acknowledge receipt of this Seller's Property Disclosure Statement and agree
437. that no representations regarding facts have been made other than those made above. This Disclosure Statement
438. is not a warranty or a guarantee of any kind by Seller or licensee(s)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

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

441. _____
(Buyer) (Date) (Buyer) (Date)

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

MN:DS:SPDS-10 (8/21)



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, its radioactive particles 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 (picocuries per liter) 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
5. a radon warning statement

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.

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 Testing

Any test lasting less than three months requires **closed-house conditions**. This means 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.

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

How are radon tests conducted in real estate transactions?

There are special protocols for radon testing in real estate transactions. Here are the two most common.

Continuous Radon Monitor

This test is completed by a licensed radon measurement professional with a calibrated CRM for a minimum of 48 hours. The data is analyzed to ensure a valid test. A report is generated by the measurement professional.

Simultaneous Short-Term Testing

Two short-term test kits are used at the same time, placed 4 inches apart, for a minimum of 48 hours. Test kits are sent to the lab for analysis. The lab generates a report. The two test results are averaged to get the radon level.

All radon tests should be conducted by a licensed professional. This ensures the test was conducted properly, in the correct location, and under appropriate building conditions. A list of these licensed radon measurement professionals can be found at MDH's Radon web site.

Radon Mitigation

When elevated levels of radon are found, they can be easily reduced by a nationally certified and MDH-listed radon mitigation professional.

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 action level. This is done by drawing soil gas from under the house and venting it above the roof. A quality mitigation system is often able to reduce the annual average radon level to below 2.0 pCi/L. The cost of a radon mitigation system averages \$1,200 to \$2,500.

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 short-term test will confirm low levels in the home. Be sure to retest the house every two years to confirm continued radon reduction.

Radon Information on the Web:
www.health.state.mn.us/radon

MDH Indoor Air Unit
PO Box 64975
St Paul, MN 55164-0975
651-201-4601
800-798-9050
health.indoorair@state.mn.us

Last Updated 1/2019



DISCLOSURE STATEMENT: WELL

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1. Date May 25, 2022
2. Page 1 of _____ pages: THE REQUIRED MAP
3. IS ATTACHED HERE AND MADE A PART OF THIS
4. DISCLOSURE

5. Minnesota Statute 103I.235 requires that, before signing an agreement to sell or transfer real property, Seller must disclose information in writing to Buyer about the status and location of all known wells on the property. This requirement is satisfied by delivering to Buyer either a statement by Seller that Seller does not know of any wells on the property, or a disclosure statement indicating the legal description and county, and a map showing the location of each well. In the disclosure statement Seller must indicate, for each well, whether the well is in use, not in use or sealed.

10. Unless Buyer and Seller agree to the contrary in writing, before the closing of the sale, a Seller who fails to disclose the existence or known status of a well at the time of sale, and knew or had reason to know of the existence or known status of the well, is liable to Buyer for costs relating to sealing of the well and reasonable attorneys' fees for collection of costs from Seller, if the action is commenced within six years after the date Buyer closed the purchase of the real property where the well is located.

15. Legal requirements exist relating to various aspects of location and status of wells. Buyer is advised to contact the local unit(s) of government, state agency, or qualified professional which regulates wells for further information about these issues. For additional information on wells, please visit the Minnesota Department of Health's website at www.health.state.mn.us.

19. Instructions for completion of this form are on page three (3).

20. PROPERTY DESCRIPTION: Street Address: 26005 State Hwy 43

21. City of Rushford, County of Fillmore

22. State of Minnesota, Zip Code 55971

23. LEGAL DESCRIPTION:

24. Sect-10 Twp-103 Range-008 20.13 AC A PT OF SE1/4 SE1/4 & A PT OF W1/2 SE1/4

25. _____ ("Property").

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

27. Seller certifies that the following wells are located on the above-described real Property.

	MN Unique Well No.	Well Depth	Year of Const.	Well Type	IN USE	NOT IN USE	SHARED	SEALED
30. Well 1	<u>506761</u>	<u>540'</u>	<u>1989</u>	<u>Grouted</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
31. Well 2	<u>?</u>				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
32. Well 3					<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

33. Is this property served by a well not located on the Property? ☐ Yes ☐ No

34. If "Yes," please explain:

35. _____

36. NOTE: See definition of terms "IN USE," "NOT IN USE," and "SEALED" on lines 102-113. If a well is not in use, it must be sealed by a licensed well contractor or a well owner must obtain a maintenance permit from the Minnesota Department of Health and pay an annual maintenance fee. Maintenance permits are not transferable. If a well is operable and properly maintained, a maintenance permit is not required.

40. If the well is, "Shared":

41. (1) How many properties or residences does the shared well serve? 2

42. (2) Who manages the shared well? SELLER'S

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

44. If "Yes," what is the annual maintenance fee? \$ 70/30 electric 50/50 repairs

DISCLOSURE STATEMENT: WELL

45. Page 2

46. Property located at 26005 State Hwy 43 Rushford 55971

47. **OTHER WELL INFORMATION:**

48. Date well water last tested for contaminants: 2019 Test results attached? ☒ Yes ☐ No

49. Contaminated Well: Is there a well on the Property containing contaminated water? ☐ Yes ☒ No

50. Comments:

51. New test to be done prior to close

52. _____

53. _____

54. _____

55. _____

56. _____

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

58. When was the well sealed? See attached

59. Who sealed the well? _____

60. Was a Sealed Well Report filed with the Minnesota Department of Health? ☒ Yes ☐ No

61. **MAP: Complete the attached *Disclosure Statement: Location Map* showing the location of each well on the**
62. **real Property.**

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

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

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

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

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

74. **WATER WELL:** A water well is any type of well used to extract groundwater for private or public use.

75. Examples of water wells are: domestic wells, drive-point wells, dug wells, remedial wells, and municipal
76. wells.

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

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

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

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

DISCLOSURE STATEMENT: WELL

86. Page 3

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

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

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

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

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

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

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

101. Seller(s) hereby states that the facts as stated above are true and accurate and authorizes any licensee(s) representing
102. or assisting any party(ies) in this transaction to provide a copy of this Disclosure Statement to any person or entity
103. in connection with any actual or anticipated sale of the Property. A seller may provide this Disclosure Statement to
104. a real estate licensee representing or assisting a prospective buyer. The Disclosure Statement provided to the real
105. estate licensee representing or assisting a prospective buyer is considered to have been provided to the prospective
106. buyer. If this Disclosure Statement is provided to the real estate licensee representing or assisting the prospective
107. buyer, the real estate licensee must provide a copy to the prospective buyer.

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

112.  5/25/22 (Date)  05/25/2022 (Date)
(Seller) (Date) (Seller) (Date)

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

114. I/We, the Buyer(s) of the Property, acknowledge receipt of this *Disclosure Statement: Well* and *Disclosure Statement:*
115. *Location Map* and agree that no representations regarding facts have been made other than those made above.

116. _____ (Buyer) _____ (Date) _____ (Buyer) _____ (Date)

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

MN-DS-W-3 (8/21)



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 May 25, 2022
2. Page 1 of _____ pages:
3. THE REQUIRED MAP IS ATTACHED AND MADE A
4. PART OF THIS DISCLOSURE

5. Property located at 26005 State Hwy 43,
6. City of Rushford, County of Fillmore,
7. State of Minnesota, Zip Code 55971, legally described as follows or on attached sheet:

8. Sect-10 Twp-103 Range-008 20.13 AC A PT OF SE1/4 SE1/4 & A PT OF W1/2 SE1/4 ("Property").
9. This disclosure is not a warranty of any kind by Seller(s) or any licensee(s) representing or assisting any party(ies) in
10. this transaction, and is not a substitute for any inspections or warranties the party(ies) may wish to obtain.

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

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

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

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

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

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

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

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

34. ☐ Septic Tank: ☐ with drain field ☐ with mound system ☐ seepage tank ☐ with open end
35. Is this system a straight-pipe system? ☐ Yes ☐ No ☐ Unknown

36. ☐ Sealed System (holding tank)
37. ☐ Other (Describe.): _____

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

39. Is the above-described Property served by a subsurface sewage treatment system
40. located entirely within the Property boundary lines, including setback requirements? ☐ Yes ☐ No

41. If "No," please explain:
42. _____

43. Comments:

44. NEW SYSTEM TO BE INSTALLED

DISCLOSURE STATEMENT: SUBSURFACE
SEWAGE TREATMENT SYSTEM

45. Page 2

46. Property located at 26005 State Hwy 43 Rushford 55971
47. Is the subsurface sewage treatment system(s) a shared system? ☐ Yes ☐ No
48. If "Yes,"
49. (1) How many properties or residences does the subsurface sewage treatment system serve?
50. _____
51. (2) Is there a maintenance agreement for the shared subsurface sewage treatment system? ☐ Yes ☐ No
52. If "Yes," what is the annual maintenance fee? \$ _____
53. **NOTE: If any water use appliance, bedroom, or bathroom has been added to the Property, the system may**
54. **no longer comply with applicable sewage treatment system laws and rules.**
55. Seller or transferor shall disclose to Buyer or transferee what Seller or transferor has knowledge of relative to the
56. compliance status of the subsurface sewage treatment system.
57. _____
58. _____
59. Any previous inspection report in Seller's possession must be attached to this Disclosure Statement.
60. When was the subsurface sewage treatment system installed? _____
61. Installer Name/Phone _____
62. Where is tank located? _____
63. What is tank size? _____
64. When was tank last pumped? _____
65. How often is tank pumped? _____
66. Where is the drain field located? _____
67. What is the drain field size? _____
68. Describe work performed to the subsurface sewage treatment system since you have owned the Property.
69. _____
70. _____
71. Date work performed/by whom: _____
72. _____
73. Approximate number of:
74. people using the subsurface sewage treatment system _____
75. showers/baths taken per week _____
76. wash loads per week _____
77. **NOTE: Changes in the number of people using the subsurface sewage treatment system or volume of water**
78. **used may affect the subsurface sewage treatment system performance.**
79. Distance between well and subsurface sewage treatment system? _____
80. Have you received any notices from any government agencies relating to the subsurface sewage treatment system?
81. (If "Yes," see attached notice.) ☐ Yes ☐ No
82. Are there any known defects in the subsurface sewage treatment system? ☐ Yes ☐ No
83. If "Yes," please explain:
84. _____
85. _____

**DISCLOSURE STATEMENT: SUBSURFACE
SEWAGE TREATMENT SYSTEM**

86. Page 3

87. Property located at 26005 State Hwy 43 Rushford 55971

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

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

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

100.  5-25-22  5-25-2022
(Seller) (Date) (Seller) (Date)

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

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

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

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

MN-DS:SSTS-3 (8/21)