



Brennan

DISCLOSURE STATEMENT: SELLER'S PROPERTY DISCLOSURE STATEMENT

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1. Date June 12 2023
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.

NOTICE: This Disclosure Statement satisfies the disclosure requirements of MN Statutes 513.52 through 513.60. Under Minnesota law, sellers of residential property, with limited exceptions listed on page nine (9), are obligated to disclose to prospective buyers all material facts of which Seller is aware that could adversely and significantly affect an ordinary buyer's use or enjoyment of the property or any intended use of the property of which Seller is aware. MN Statute 513.58 requires Seller to notify buyer in writing as soon as reasonably possible, but in any event before closing, if Seller learns that Seller's disclosure was inaccurate. Seller is obligated to continue to notify Buyer, in writing, of any facts disclosed here (new or changed) of which Seller is aware that could adversely and significantly affect the Buyer's use or enjoyment of the property or any intended use of the property that occur up to the time of closing. Seller has disclosure alternatives allowed by MN Statutes. See *Disclosure Statement: Seller's Disclosure Alternatives* form for further information regarding disclosure alternatives. **This disclosure is not a warranty or a guarantee of any kind by Seller or licensee(s) representing or assisting any party in the transaction and is not a substitute for any inspections or warranties the party(ies) may wish to obtain.**

For purposes of the seller disclosure requirements of MN Statutes 513.52 through 513.60:

"Residential real property" or "residential real estate" means property occupied as, or intended to be occupied as, a single-family residence, including a unit in a common interest community as defined in MN Statute 515B.1-103, clause (10), regardless of whether the unit is in a common interest community not subject to chapter 515B.

The seller disclosure requirements of MN Statutes 513.52 through 513.60 apply to the transfer of any interest in residential real estate, whether by sale, exchange, deed, contract for deed, lease with an option to purchase, or any other option.

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

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

Property located at 23679 Homer Valley Rd

City of Winona, County of Winona

State of Minnesota, Zip Code 55987 ("Property").

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

(1) What date did you ☐ Acquire ☐ Build the home? early 1900's
----- (Check one.) -----

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

Location of Abstract: _____

Is there an existing Owner's Title Insurance Policy?

☐ Yes

☐ No

(3) Have you occupied this home continuously during your ownership?

☒ Yes

☐ No

If "No," explain: _____

(4) Is the home suitable for year-round use?

☒ Yes

☐ No

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

(6) Does the Property include a manufactured home?

☐ Yes

☒ No

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

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 23679 Homer Valley Rd Winona 55987.
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) homeowners associations or shared amenities? ☐ Yes ☒ No
70. (10) encroachments? ☐ Yes ☒ No
71. (11) covenants, historical registry, reservations, or restrictions, that affect
72. or may affect the use or future resale of the Property? ☐ Yes ☒ No
73. (12) governmental requirements or restrictions that affect or may affect the use or future
74. enjoyment of the Property (e.g., shoreland restrictions, non-conforming use, etc.)? ☐ Yes ☒ No
75. (13) easements, other than utility or drainage easements? ☐ Yes ☒ No
76. (14) Please provide clarification or further explanation for all applicable "Yes" responses in Section A:
77. _____
78. _____

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

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

82. (1) Has there been any damage by wind, fire, flood, hail, or other cause(s)? ☒ Yes ☐ No
83. If "Yes," give details of what happened and when: New roof 2021
84. _____
85. (2) Have you ever had an insurance claim(s) related to the Property? ☒ Yes ☐ No
86. If "Yes," what was the claim(s) for (e.g., hail damage to roof)? Roofs
87. _____
88. Did you receive compensation for the claim(s)? ☐ Yes ☐ No
89. 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 23679 Homer Valley Rd Winona 55987
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. unknown
 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: unknown
 102. _____
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: unknown
 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: unknown
 109. _____
110. (5) Do you have or have you previously had any pets? ☒ Yes ☐ No
 111. If "Yes," indicate type Dog & cat and number _____
 112. (6) **THE FOUNDATION:** The type of foundation is (i.e., block, poured, wood, stone, other):
 113. poured
114. (7) **THE BASEMENT, CRAWLSPACE, SLAB:**
- | | |
|---|--|
| 115. (a) cracked floor/walls? ☐ Yes ☒ No | (e) leakage/seepage? ☐ Yes ☐ No |
| 116. (b) drain tile problem? ☐ Yes ☐ No <u>none</u> | (f) sewer backup? ☐ Yes ☐ No |
| 117. (c) flooding? ☐ Yes ☒ No | (g) wet floors/walls? ☐ Yes ☐ No |
| 118. (d) foundation problem? ☐ Yes ☒ No | (h) other? _____ ☐ Yes ☐ No |
119. Give details to any questions answered "Yes":
 120. unknown
 121. _____
122. (8) **THE ROOF:**
123. (a) What is the age of the roofing material?
 124. Home: 2021 years Garage(s)/Outbuilding(s): 2021 years
125. (b) Has there been any interior or exterior damage? ☐ Yes ☐ No
 126. (c) Has there been interior damage from ice buildup? ☐ Yes ☐ No
 127. (d) Has there been any leakage? ☐ Yes ☐ No
 128. (e) Have there been any repairs or replacements made to the roof? ☐ Yes ☐ No
 129. Give details to any questions answered "Yes": unknown
 130. _____

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

133. Property located at 23679 Homer Valley Rd Winona 55987

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

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

136. (b) cracks/damage?

137. (c) leakage/seepage?

138. (d) other?

☐ Yes ☐ No
☐ Yes ☐ No
☐ Yes ☐ No

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

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
143. condition. Check "No" for items not in working condition. Working order means all components of the
144. items specified below.

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

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

182. Property located at 23679 Homer Valley Rd Winona 55987
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*.) New system installed 2023

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? \$ _____

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: Currently in Green Acres
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.**

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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 zone with zoning regulations adopted by the governing body that may affect the Property. Such zoning regulations are filed with the county recorder in each county where the zoned area is located. If you would like to determine if such zoning regulations affect the Property, you should contact the county recorder where the zoned area is located.

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

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 person who intentionally, willfully and knowingly destroys, mutilates, injures, disturbs, or removes human skeletal 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 contexts which indicate antiquity greater than 50 years shall be dealt with according to the provisions of MN Statute 307.08, Subd. 7.

252. **L. ENVIRONMENTAL CONCERNS:** To your knowledge, have any of the following previously existed or do they 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? <u>unknown</u> | | | | ☐ Yes | ☐ No |

260. (12) Have you ever been contacted or received any information from any governmental authority pertaining to possible or actual environmental contamination (e.g., vapor 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 on the Property by any governmental authority ordering the remediation of a 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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273. **THE INFORMATION DISCLOSED IS GIVEN TO THE BEST OF SELLER'S KNOWLEDGE.**

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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. Home test indicated radon high

299. (c) There ☐ **IS** ☐ **IS NOT** a radon mitigation system currently installed on the Property.
----- (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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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. no floor drain in basement
321. Burn buried in front yard.
322. dog & cat in house
323. clothes washer drain uses sump pump

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.

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361. Property located at 23679 Homer Valley Rd Winona 55987

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
373. agreement incidental to that decree;
374. (10) a transfer of newly constructed residential property that has not been inhabited;
375. (11) an option to purchase a unit in a common interest community, until exercised;
376. (12) a transfer to a person who controls or is controlled by the grantor as those terms are defined with
377. respect to a declarant under section 515B.1-103, clause (2);
378. (13) a transfer to a tenant who is in possession of the residential real property; or
379. (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 23679 Homer Valley Rd Winona 55987

412. R. ADDITIONAL COMMENTS:

413. I, Mary Speltz, acting as P.O.A & Trustee of the
414. estate have never occupied the property
415.
416.
417.
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. Mary Speltz P.O.A./Trustee 6/12/23
(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.

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:

- 20 inches to 6 feet above the floor
- 3 feet from exterior doors and windows
- 1 foot from exterior walls
- 4 inches away from other objects
- in a location where it won't be disturbed
- not in enclosed areas or areas of high heat/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 (CRM)

This test is completed by a certified 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(s), which includes testing the lowest liveable level in each unique foundation type 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 licensed professional. A list of these licensed radon mitigation professionals can be found on MDH's Radon website.

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

Last Updated 3/2021

MDH Indoor Air Unit

PO Box 64975

St Paul, MN 55164-0975

651-201-4601

800-798-9050

health.indoorair@state.mn.us