



DISCLOSURE STATEMENT: SELLER'S PROPERTY DISCLOSURE STATEMENT

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1. Date August 20th 2024
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 20319 Killdeer Rd +/- 41.6 Acres,

34. City of Preston, County of Fillmore,

35. State of Minnesota, Zip Code 55965 ("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? 11/20/2020
------(Check one.)-----

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

39. Location of Abstract: _____

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: Seasonal vacation home

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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50. Property located at 20319 Killdeer Rd +/- 41.6 Acres Preston 55965

51. (7) Is the Property located on a public or a private road? [X] Public [] Private [] Public: no maintenance

52. (8) Flood Insurance: All properties in the state of Minnesota have been assigned a flood zone designation. Some flood zones may require flood insurance.

53. (a) Do you know which zone the Property is located in? [] Yes [X] No

54. If "Yes," which zone? _____

55. (b) Have you ever had a flood insurance policy? [] Yes [X] No

56. If "Yes," is the policy in force? [] Yes [] No

57. If "Yes," what is the annual premium? \$ _____

58. If "Yes," who is the insurance carrier? _____

59. (c) Have you ever had a claim with a flood insurance carrier or FEMA? [] Yes [X] No

60. If "Yes," please explain: _____

61. _____

62. NOTE: Whether or not Seller currently carries flood insurance, it may be required in the future. Flood insurance premiums are increasing, and in some cases will rise by a substantial amount over the premiums previously charged for flood insurance for the Property. As a result, Buyer should not rely on the premiums paid for flood insurance on this Property previously as an indication of the premiums that will apply after Buyer completes their purchase.

63. Are there any (9) homeowners associations or shared amenities? [] Yes [X] No

64. (10) encroachments? [] Yes [X] No

65. (11) covenants, historical registry, reservations, or restrictions, that affect or may affect the use or future resale of the Property? [] Yes [X] No

66. (12) governmental requirements or restrictions that affect or may affect the use or future enjoyment of the Property (e.g., shoreland restrictions, non-conforming use, etc.)? [X] Yes [] No

67. (13) easements, other than utility or drainage easements? [] Yes [X] No

68. (14) Please provide clarification or further explanation for all applicable "Yes" responses in Section A: Trout stream frontage

69. _____

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

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

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

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

74. _____

75. (2) Have you ever had an insurance claim(s) related to the Property? [] Yes [X] No

76. If "Yes," what was the claim(s) for (e.g., hail damage to roof)? _____

77. _____

78. Did you receive compensation for the claim(s)? [] Yes [] No

79. Did you have the items repaired? [] Yes [] No

80. What dates did the claim(s) occur? _____

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94. (3) (a) Has/Have the structure(s) been altered? (e.g., additions, altered roof lines, changes to load-bearing walls) [X] Yes [] No

95. If "Yes," please specify what was done, when, and by whom (owner or contractor): Rotted log replacement on South side of home, deck support post replacement, sliding glass door replacement including log repair. Work done by contractor - Black River Country Log Home Repair LLC

99. (b) Has any work been performed on the Property? (e.g., additions to the Property, wiring, plumbing, retaining wall, general finishing) [X] Yes [] No

100. If "Yes," please explain: Mini split HVAC added, whole house dual stage water filter with UV sterilizer, tankless water heater and pressure pump added.

103. (c) Are you aware of any work performed on the Property for which appropriate permits were not obtained? [] Yes [X] No

104. If "Yes," please explain:

107. (4) Has there been any damage to flooring or floor covering? [] Yes [X] No

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

110. (5) Do you have or have you previously had any pets? [] Yes [X] No

111. If "Yes," indicate type and number

112. (6) THE FOUNDATION: The type of foundation is (i.e., block, poured, wood, stone, other): Poured

114. (7) THE BASEMENT, CRAWLSPACE, SLAB:

- 115. (a) cracked floor/walls? [X] Yes [] No (e) leakage/seepage? [] Yes [X] No
116. (b) drain tile problem? [] Yes [X] No (f) sewer backup? [] Yes [X] No
117. (c) flooding? [] Yes [X] No (g) wet floors/walls? [] Yes [X] No
118. (d) foundation problem? [] Yes [X] No (h) other? [] Yes [X] No

119. Give details to any questions answered "Yes": Crawl space walls on N and W side have cracks, they have been patched.

122. (8) THE ROOF:

123. (a) What is the age of the roofing material? Home: 8 years Garage(s)/Outbuilding(s): N/A years

- 125. (b) Has there been any interior or exterior damage? [] Yes [X] No
126. (c) Has there been interior damage from ice buildup? [] Yes [X] No
127. (d) Has there been any leakage? [X] Yes [] No
128. (e) Have there been any repairs or replacements made to the roof? [] Yes [X] No

129. Give details to any questions answered "Yes": Previous owner disclosure noted roof replacement 9/1/2016 with 50 year transferable warranty. Leakage - old sealant at chimney junction to roof had slight leak, was repaired.



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

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

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
145. Air-conditioning	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	145. Pool and equipment	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
146. <input type="checkbox"/> Central <input checked="" type="checkbox"/> Wall <input type="checkbox"/> Window				146. Propane tank	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
147. Air exchange system	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Rented <input type="checkbox"/> Owned			
148. Carbon monoxide detector	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	147. Range/oven	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
149. Ceiling fan	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	148. Range hood	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
150. Central vacuum	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	149. Refrigerator	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
151. Clothes dryer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	150. Security system	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
152. Clothes washer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Rented <input type="checkbox"/> Owned			
153. Dishwasher	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	151. Smoke detectors (battery)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
154. Doorbell	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	152. Smoke detectors (hardwired)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
155. Drain tile system	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	153. Solar collectors	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
156. Electrical system	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	154. Sump pump	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
157. Environmental remediation system	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Toilet mechanisms	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
158. (e.g., radon, vapor intrusion)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	155. Trash compactor	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
159. Exhaust system	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	156. TV antenna system	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
160. Fire sprinkler system	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	157. TV cable system	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
161. Fireplace	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	158. TV receiver	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
162. Fireplace mechanisms	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	159. TV satellite dish	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
163. Freezer	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Rented <input type="checkbox"/> Owned			
164. Furnace humidifier	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	160. Water heater	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
165. Garage door auto reverse	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	161. Water purification system	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
166. Garage door opener	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Rented <input checked="" type="checkbox"/> Owned			
167. Garage door opener remote	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	162. Water softener	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
168. Garbage disposal	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Rented <input type="checkbox"/> Owned			
169. Heating system (central)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	163. Water treatment system	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
170. Heating system (supplemental)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Rented <input type="checkbox"/> Owned			
171. Incinerator	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	164. Windows	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
172. Intercom	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	165. Window treatments	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
173. In-ground pet containment system	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	166. Wood-burning stove	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
174. Lawn sprinkler system	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Other	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
175. Microwave	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Other	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
176. 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 20319 Killdeer Rd +/- 41.6 Acres Preston 55965.

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: Crack in lower bathroom window glass.

186. HVAC system controlled wirelessly

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? \$ _____

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: Woodlands Stewardship eligible

210. _____

211. G. NOTICES/ SPECIAL ASSESSMENTS: The following questions are to be answered to the best of Seller's knowledge.

212. Seller **HAS** **HAS NOT** received a notice regarding **any** proposed, ongoing, or completed improvement
------(Check one.)-----

213. project from **any** assessing authorities, the cost of which may be assessed, or is currently assessed, against the
214. Property. If "HAS", please attach and/or explain:

215. _____

216. _____

217. _____

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

221. Seller represents that Seller **IS** **IS NOT** a foreign person (i.e., a non-resident alien individual, foreign corporation,
------(Check one.)-----

222. foreign partnership, foreign trust, or foreign estate) for purposes of income taxation. This representation shall
223. survive the closing of any transaction involving the Property described here.

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

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

237. **I. METHAMPHETAMINE PRODUCTION DISCLOSURE:**
 238. (A Methamphetamine Production Disclosure is required by MN Statute 152.0275, Subd. 2 (m).)
 239. Seller is not aware of any methamphetamine production that has occurred on the Property.
 240. Seller is aware that methamphetamine production has occurred on the Property.
 241. (See Disclosure Statement: Methamphetamine Production.)

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

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

250. **L. CEMETERY ACT:** The following questions are to be answered to the best of Seller's knowledge.
 251. MN Statute 307.08 prohibits any damage or illegal molestation of human remains, burials or cemeteries. A
 252. person who intentionally, willfully and knowingly destroys, mutilates, injures, disturbs, or removes human skeletal
 253. remains or human burial grounds is guilty of a felony.
 254. Are you aware of any human remains, burials, or cemeteries located on the Property? Yes No
 255. If "Yes," please explain: _____
 256. All unidentified human remains or burials found outside of platted, recorded or identified cemeteries and in
 257. contexts which indicate antiquity greater than 50 years shall be dealt with according to the provisions of MN
 258. Statute 307.08, Subd. 7.

259. **M. ENVIRONMENTAL CONCERNS:** To your knowledge, have any of the following previously existed or do they
 260. currently exist on the Property?
 261. (1) Animal/Insect/Pest Infestation? Yes No (6) Lead? (e.g., paint, plumbing) Yes No
 262. (2) Asbestos? Yes No (7) Mold? Yes No
 263. (3) Diseased trees? Yes No (8) Soil problems? Yes No
 264. (4) Formaldehyde? Yes No (9) Underground storage tanks? Yes No
 265. (5) Hazardous waste/substances? Yes No (10) Vapor intrusion? Yes No
 266. (11) Other? _____ Yes No
 267. (12) Have you ever been contacted or received any information from any governmental
 268. authority pertaining to possible or actual environmental contamination (e.g., vapor
 269. intrusion, drinking water, and/or soil contamination, etc.) affecting the Property? Yes No



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273. (13) Are you aware if there are currently, or have previously been, any orders issued
 274. on the Property by any governmental authority ordering the remediation of a
 275. public health nuisance on the Property? Yes No
 276. If answer above is "Yes," all orders HAVE HAVE NOT been vacated.
 -----(Check one.)-----

277. (14) Please provide clarification or further explanation for all applicable "Yes" responses in Section M.
 278. Previously had mice, we sealed and blocked all entry points-no longer a problem.
 279. Underground storage tanks = septic holding tank.

280.
 281.

282. **N. RADON DISCLOSURE:** (The following Seller disclosure satisfies MN Statute 144.496.)
 283. **RADON WARNING STATEMENT:** The Minnesota Department of Health strongly recommends that ALL
 284. homebuyers have an indoor radon test performed prior to purchase or taking occupancy, and recommends
 285. having the radon levels mitigated if elevated radon concentrations are found. Elevated radon concentrations can
 286. easily be reduced by a qualified, certified, or licensed, if applicable, radon mitigator.

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

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

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

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

302. (a) Radon test(s) HAVE HAVE NOT occurred on the Property.
 -----(Check one.)-----
 303. (b) Describe any known radon concentrations, mitigation, or remediation. **NOTE:** Seller shall attach the most
 304. current records and reports pertaining to radon concentration within the dwelling:

305.
 306.
 307. (c) There IS IS NOT a radon mitigation system currently installed on the Property.
 -----(Check one.)-----
 308. If "IS," Seller shall disclose, if known, information regarding the radon mitigation system, including system
 309. description and documentation.

310.
 311.
 312. **EXCEPTIONS:** See Section S for exceptions to this disclosure requirement.

313. **O. CHRONIC WASTING DISEASE IN CERVIDAE:** (The following Seller disclosure satisfies MN Statute 35.155, Subd. 11(d).)
 314. Has Chronic Wasting Disease been detected on the Property? YES NO
 315. If Yes, see *Disclosure Statement: Chronic Wasting Disease*.
 -----(Check one.)-----

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319. **P. OTHER DEFECTS/MATERIAL FACTS/ADDITIONAL COMMENTS:** Are there any other material facts that could
 320. adversely and significantly affect an ordinary buyer's use or enjoyment of the Property or any intended use of the
 321. Property? Yes No. If "Yes," explain:
 322. A few floor joists in the crawl space have minimal damage that occurred previously, before the
 323. outside logs were repaired.
 324. Outside fascia boards are aged and could be replaced.
 325.
 326.
 327.
 328.
329. **Q. WATER INTRUSION AND MOLD GROWTH:** Studies have shown that various forms of water intrusion affect
 330. many homes. Water intrusion may occur from exterior moisture entering the home and/or interior moisture
 331. leaving the home.
 332. Examples of exterior moisture sources may be:
 333. • improper flashing around windows and doors,
 334. • improper grading,
 335. • flooding,
 336. • roof leaks.
 337. Examples of interior moisture sources may be:
 338. • plumbing leaks,
 339. • condensation (caused by indoor humidity that is too high or surfaces that are too cold),
 340. • overflow from tubs, sinks, or toilets,
 341. • firewood stored indoors,
 342. • humidifier use,
 343. • inadequate venting of kitchen and bath humidity,
 344. • improper venting of clothes dryer exhaust outdoors (including electrical dryers),
 345. • line-drying laundry indoors,
 346. • houseplants—watering them can generate large amounts of moisture.
 347. In addition to the possible structural damage water intrusion may do to the Property, water intrusion may also result
 348. in the growth of mold, mildew, and other fungi. Mold growth may also cause structural damage to the Property.
 349. Therefore, it is very important to detect and remediate water intrusion problems.
 350. Fungi are present everywhere in our environment, both indoors and outdoors. Many molds are beneficial to
 351. humans. However, molds have the ability to produce mycotoxins that may have a potential to cause serious
 352. health problems, particularly in some immunocompromised individuals and people who have asthma or allergies
 353. to mold.
 354. To complicate matters, mold growth is often difficult to detect, as it frequently grows within the wall structure. If you
 355. have a concern about water intrusion or the resulting mold/mildew/fungi growth, you may want to consider having the
 356. Property inspected for moisture problems before entering into a purchase agreement or as a condition of your
 357. purchase agreement. Such an analysis is particularly advisable if you observe staining or musty odors on the
 358. Property.
359. **R. NOTICE REGARDING PREDATORY OFFENDER INFORMATION:** Information regarding the predatory
 360. offender registry and persons registered with the predatory offender registry under MN Statue 243.166
 361. may be obtained by contacting the local law enforcement offices in the community where the property
 362. is located or the Minnesota Department of Corrections at (651) 361-7200, or from the Department of
 363. Corrections web site at <https://coms.doc.state.mn.us/publicregistrantsearch>.

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

364. Page 9

365.	THE INFORMATION DISCLOSED IS GIVEN TO THE BEST OF SELLER'S KNOWLEDGE.
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366. Property located at 20319 Killdeer Rd +/- 41.6 Acres Preston 55965.

367. S. MN STATUTES 513.52 THROUGH 513.60: SELLER'S MATERIAL FACT DISCLOSURE:

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

- 369. (1) real property that is not residential real property;
- 370. (2) a gratuitous transfer;
- 371. (3) a transfer pursuant to a court order;
- 372. (4) a transfer to a government or governmental agency;
- 373. (5) a transfer by foreclosure or deed in lieu of foreclosure;
- 374. (6) a transfer to heirs or devisees of a decedent;
- 375. (7) a transfer from a co-tenant to one or more other co-tenants;
- 376. (8) a transfer made to a spouse, parent, grandparent, child, or grandchild of Seller;
- 377. (9) a transfer between spouses resulting from a decree of marriage dissolution or from a property agreement incidental to that decree;
- 379. (10) a transfer of newly constructed residential property that has not been inhabited;
- 380. (11) an option to purchase a unit in a common interest community, until exercised;
- 381. (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);
- 383. (13) a transfer to a tenant who is in possession of the residential real property; or
- 384. (14) a transfer of special declarant rights under section 515B.3-104.

385. MN STATUTES 144.496: RADON AWARENESS ACT

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

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

391. No Duty to Disclose:

- 392. (A) There is no duty to disclose the fact that the Property
 - 393. (1) is or was occupied by an owner or occupant who is or was suspected to be infected with Human
 - 394. Immunodeficiency Virus or diagnosed with Acquired Immunodeficiency Syndrome;
 - 395. (2) was the site of a suicide, accidental death, natural death, or perceived paranormal activity; or
 - 396. (3) is located in a neighborhood containing any adult family home, community-based residential facility, or
 - 397. nursing home.
- 398. (B) **Predatory Offenders.** There is no duty to disclose information regarding an offender who is required to
399. register under MN Statute 243.166 or about whom notification is made under that section, if Seller, in a timely
400. manner, provides a written notice that information about the predatory offender registry and persons
401. registered with the registry may be obtained by contacting the local law enforcement agency where the
402. property is located or the Department of Corrections.
- 403. (C) The provisions in paragraphs (A) and (B) do not create a duty to disclose any facts described in paragraphs
404. (A) and (B) for property that is not residential property.
- 405. (D) **Inspections.**
 - 406. (1) Except as provided in paragraph (2), Seller is not required to disclose information relating to the real
 - 407. Property if a written report that discloses the information has been prepared by a qualified third party
 - 408. and provided to the prospective buyer. For purposes of this paragraph, "qualified third party" means a
 - 409. federal, state, or local governmental agency, or any person whom Seller or prospective buyer reasonably
 - 410. believes has the expertise necessary to meet the industry standards of practice for the type of inspection
 - 411. or investigation that has been conducted by the third party in order to prepare the written report.
 - 412. (2) Seller shall disclose to the prospective buyer material facts known by Seller that contradict any
 - 413. 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**

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

416. Property located at 20319 Killdeer Rd +/- 41.6 Acres Preston 55965

417. **T. ADDITIONAL COMMENTS:**

- 418. a.) #'s 220082010, 220072000 & 220073000
- 419. b.) Property includes a septic holding tank (no SSTs).

420.
421.
422.
423.
424.

425. **U. SELLER'S STATEMENT:**

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

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

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

438. _____ (Seller) _____ (Date) _____ (Seller) _____ (Date)

439. **V. BUYER'S ACKNOWLEDGEMENT:**

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

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

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

446.  08/27/2024  08/26/2024
(Buyer) (Date) (Buyer) (Date)

447. **LISTING BROKER AND LICENSEES MAKE NO REPRESENTATIONS HERE AND ARE**
448. **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 and odorless gas that comes from the soil. The gas can accumulate in the home. 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 nonsmokers, 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. A home's radon levels may change in the future, so test every 2–5 years, or sooner if there is major remodeling or changes to the foundation, heating, cooling, or ventilation.

Radon Warning Statement

“The Minnesota Department of Health strongly recommends that ALL home buyers 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**. Closed-house conditions include keeping all windows and doors closed, except for normal entry and exit, and temperature set to 65 – 80 °F. For a full list of closed-house conditions please visit mn.gov/radon/notice.

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. If other foundations are present, such as a crawl space or slab on grade, also test the rooms above these foundations.

Place the test kit:

- 20 inches to 6 feet above the floor
- 3 feet from exterior doors and windows
- 1 foot from exterior walls
- away from heat sources and drafts caused by vents and fans
- 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. Because these tests are time-sensitive there are two testing options. For both tests, test for a minimum of 2 days.

Continuous Radon Monitor (CRM)

MDH recommends CRMs in real estate testing. CRMs are calibrated, provide more data, and may detect tampering. The average of the results are used to make a decision to mitigate.

Simultaneous Short-Term Testing

Two short-term test kits are placed side by side, 4” – 8” apart. The results of the two tests are averaged and used to make a decision to mitigate.

Radon Mitigation

When elevated levels of radon are found, they can be easily reduced by a licensed 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 \$1,500 to \$3,000.

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.

All radon testing and mitigation should be conducted by licensed radon professionals. Radon service providers, such as home inspectors, must be licensed. A list of these licensed radon professionals can be found at MDH’s radon web site. MDH conducts free inspections, upon request, of recently installed radon mitigation systems, to check that they meet requirements.

More Radon Information

www.mn.gov/radon

Last Updated 4/2023

MDH Indoor Air Unit

PO Box 64975
St Paul, MN 55164-0975

Contact Information

651-201-4601
800-798-9050
health.indoorair@state.mn.us



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. © 2021 Minnesota Association of REALTORS®

- 1. Date August 7th, 2024
- 2. Page 1 of _____ pages:
- 3. THE REQUIRED MAP IS ATTACHED AND MADE A
- 4. PART OF THIS DISCLOSURE

5. Property located at 20319 Killdeer Rd +/- 41.6 Acres,

6. City of Preston, County of Fillmore,

7. State of Minnesota, Zip Code 55965, legally described as follows or on attached sheet:

8. SECT-08 TWP-102 RANGE-011 & SECT-09 TWP-102 RANGE-011 See full legal ("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 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 SUBSURFACE SEWAGE TREATMENT SYSTEM AND TO PROVIDE FOR APPROPRIATE PROVISIONS IN A CONTRACT BETWEEN BUYER(S) AND SELLER(S) WITH RESPECT TO ANY ADVICE/INSPECTION/ DEFECTS.**

15. **SELLER'S INFORMATION:** The following Seller disclosure satisfies MN Statutes Chapter 115.55. Seller discloses the following information with the knowledge that even though this is not a warranty, prospective Buyers may rely on this information in deciding whether and on what terms to purchase the Property. The Seller(s) authorizes any licensee(s) representing or assisting any party(ies) in this transaction to provide a copy of this statement to any person 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 the existence or known status of a subsurface sewage treatment system at the time of sale, and who knew or had reason to know of the existence or known status of the system, is liable to Buyer for costs relating to bringing the system into compliance with subsurface sewage treatment system rules and for reasonable attorney fees for collection of costs from Seller. An action under this subdivision must be commenced within two years after the date on which 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. Buyer is advised to contact the local unit(s) of government, state agency, or qualified professional which regulates 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 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 located entirely within the Property boundary lines, including setback requirements? Yes No

41. If "No," please explain:

42.

43. Comments:

44.

DISCLOSURE STATEMENT: SUBSURFACE SEWAGE TREATMENT SYSTEM

45. Page 2

46. Property located at 20319 Killdeer Rd +/- 41.6 Acres Preston 55965

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? Near upper parking area

63. What is tank size? 1500 gallons

64. When was tank last pumped? November 2023

65. How often is tank pumped? Typically once per year

66. Where is the drain field located? n/a

67. What is the drain field size? n/a

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 ² _____

75. showers/baths taken per week ² _____

76. wash loads per week ⁰ _____

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 20319 Killdeer Rd +/- 41.6 Acres Preston 55965

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. _____
(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.  08/27/2024  08/26/2024
(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)