



DISCLOSURE STATEMENT: SUBSURFACE SEWAGE TREATMENT SYSTEM

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- 1. Date September 27th, 2023
- 2. Page 1 of _____ pages:
- 3. THE REQUIRED MAP IS ATTACHED AND MADE A
- 4. PART OF THIS DISCLOSURE

5. Property located at 14892 Palomino Rd,

6. City of Bertha, County of Todd,

7. State of Minnesota, Zip Code 56437, legally described as follows or on attached sheet:

8. S14/T132/R035 home on approximately 116 +/- acres see attached legal description ("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. _____

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46. Property located at 14892 Palomino Rd Bertha 56437

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 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 compliance status of the subsurface sewage treatment system. _____

56. _____

57. _____

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? unknown

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 used may affect the subsurface sewage treatment system performance.**

79. Distance between well and subsurface sewage treatment system? 150 ft approx

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: unknown

84. _____

85. _____

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87. Property located at 14892 Palomino Rd Bertha 56437

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. John D. Yoder 9-27-23 (Seller) (Date) Kathryn D. Yoder 9-27-23 (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)