



a Berkshire Hathaway affiliate

DISCLOSURE STATEMENT: SELLER'S PROPERTY DISCLOSURE STATEMENT

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- 1. Date 2/2/2024
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 405 3rd Street NE

34. City of Montgomery, County of Le Sueur

35. State of Minnesota, Zip Code 56069 ("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 [X] Acquire [] Build the home? 9/30/2022
(Check one.)

38. (2) Type of title evidence: [] Abstract [] Registered (Torrens) [X] 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? [X] Yes [] No

42. If "No," explain:
43. (4) Is the home suitable for year-round use? [X] Yes [] No

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

45. (6) Does the Property include a manufactured home? [] Yes [X] No

46. If "Yes," HUD #(s) is/are
47. Has the title been surrendered to the Registrar of Motor Vehicles for cancellation? [] Yes [] No

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

50. Property located at 405 3rd Street NE Montgomery MN 56069.

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:

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)?

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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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):

98. (b) Has any work been performed on the Property? (e.g., additions to the
99. Property, wiring, plumbing, retaining wall, general finishing) Yes No
100. If "Yes," please explain:

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:

107. (4) Has there been any damage to flooring or floor covering? Yes No
108. If "Yes," give details of what happened and when:

110. (5) Do you have or have you previously had any pets? Yes No
111. If "Yes," indicate type dog and number 1

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

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 (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. There was tree roots in the sewer lateral, had the roots cleared out,
121. tree was also removed

122. (8) **THE ROOF:**

123. (a) What is the age of the roofing material?
124. Home: 9 years Garage(s)/Outbuilding(s): Unknown 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":

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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): vinyl

- 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": few chips in siding

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.

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

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182. Property located at 405 3rd Street NE Montgomery MN 56069

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: WiFi thermostat

186.
187. **D. SUBSURFACE SEWAGE TREATMENT SYSTEM DISCLOSURE:**
188. (A subsurface sewage treatment system disclosure is required by MN Statute 115.55.) (Check appropriate box.)

189. Seller DOES DOES NOT know of a subsurface sewage treatment system on or serving the above-described
------(Check one.)-----
190. real Property. (If answer is **DOES**, and the system does not require a state permit, see *Disclosure Statement:*
191. *Subsurface Sewage Treatment System.*)

192. There is an abandoned subsurface sewage treatment system on the above-described real Property.
193. (See *Disclosure Statement: Subsurface Sewage Treatment System.*)

194. **E. PRIVATE WELL DISCLOSURE:** (A well disclosure and Certificate are required by MN Statute 1031.235.)
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:
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

236. zone with zoning regulations adopted by the governing body that may affect the Property. Such zoning regulations

237. are filed with the county recorder in each county where the zoned area is located. If you would like to determine

238. if such zoning regulations affect the Property, you should contact the county recorder where the zoned area is

239. located.

240. J. NOTICE REGARDING CARBON MONOXIDE DETECTORS: MN Statute 299F.51 requires Carbon Monoxide

241. Detectors to be located within ten (10) feet from all sleeping rooms. Carbon Monoxide Detectors may or may not

242. be personal property and may or may not be included in the sale of the home.

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

244. MN Statute 307.08 prohibits any damage or illegal molestation of human remains, burials or cemeteries. A

245. person who intentionally, willfully and knowingly destroys, mutilates, injures, disturbs, or removes human skeletal

246. remains or human burial grounds is guilty of a felony.

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

248. If "Yes," please explain: _____

249. All unidentified human remains or burials found outside of platted, recorded or identified cemeteries and in

250. contexts which indicate antiquity greater than 50 years shall be dealt with according to the provisions of MN

251. Statute 307.08, Subd. 7.

252. L. ENVIRONMENTAL CONCERNS: To your knowledge, have any of the following previously existed or do they

253. currently exist on the Property?

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

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

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

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

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

259. (11) Other? _____ Yes No

260. (12) Have you ever been contacted or received any information from any governmental

261. authority pertaining to possible or actual environmental contamination (e.g., vapor

262. intrusion, drinking water, and/or soil contamination, etc.) affecting the Property? Yes No

263. (13) Are you aware if there are currently, or have previously been, any orders issued

264. on the Property by any governmental authority ordering the remediation of a

265. public health nuisance on the Property? Yes No

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

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

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

268. *Ash tree in backyard treated preventatively for emerald ash borer in June '23*

269.

270.

271.



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DISCLOSURE STATEMENT: SELLER'S PROPERTY DISCLOSURE STATEMENT

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 [X] 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.

299.

300. (c) There [] IS [X] 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. CHRONIC WASTING DISEASE IN CERVIDAE: (The following Seller disclosure satisfies MN Statute 35.155, Subd. 11(d).)

307. Has Chronic Wasting Disease been detected on the Property? [] YES [X] NO
308. If Yes, see Disclosure Statement: Chronic Wasting Disease. ------(Check one.)-----

309. O. NOTICES/OTHER DEFECTS/MATERIAL FACTS: The following questions are to be answered to the best of
310. Seller's knowledge.

311. Notices: Seller [X] HAS [] HAS NOT received a notice regarding any proposed improvement project from any
------(Check one.)-----

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

314. Street, water, and sewer mains were reconstructed summer '23

315.

316.

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

319. Property located at 405 3rd Street NE Montgomery MN 56069.

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

322. If "Yes," explain:

323.
324.
325.
326.

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

330. Examples of exterior moisture sources may be:

- 331. • improper flashing around windows and doors,
- 332. • improper grading,
- 333. • flooding,
- 334. • roof leaks.

335. Examples of interior moisture sources may be:

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

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

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

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

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

363.	THE INFORMATION DISCLOSED IS GIVEN TO THE BEST OF SELLER'S KNOWLEDGE.
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364. Property located at 405 3rd Street NE Montgomery MN 56069

365. **R. MN STATUTES 513.52 THROUGH 513.60: SELLER'S MATERIAL FACT DISCLOSURE:**

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

367. (1) real property that is not residential real property;
368. (2) a gratuitous transfer;
369. (3) a transfer pursuant to a court order;
370. (4) a transfer to a government or governmental agency;
371. (5) a transfer by foreclosure or deed in lieu of foreclosure;
372. (6) a transfer to heirs or devisees of a decedent;
373. (7) a transfer from a co-tenant to one or more other co-tenants;
374. (8) a transfer made to a spouse, parent, grandparent, child, or grandchild of Seller;
375. (9) a transfer between spouses resulting from a decree of marriage dissolution or from a property agreement incidental to that decree;
376. (10) a transfer of newly constructed residential property that has not been inhabited;
377. (11) an option to purchase a unit in a common interest community, until exercised;
378. (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);
379. (13) a transfer to a tenant who is in possession of the residential real property; or
380. (14) a transfer of special declarant rights under section 515B.3-104.

383. **MN STATUTES 144.496: RADON AWARENESS ACT**

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

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

389. **No Duty to Disclose:**

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

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

414. Property located at 405 3rd Street NE Montgomery MN 56069

415. **S. ADDITIONAL COMMENTS:**

- 416.
- 417.
- 418.
- 419.
- 420.
- 421.
- 422.

423. **T. SELLER'S STATEMENT:**

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

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

432. **Seller is obligated to continue to notify Buyer in writing of any facts that differ from the facts disclosed**
 433. **here (new or changed) of which Seller is aware that could adversely and significantly affect the Buyer's**
 434. **use or enjoyment of the Property or any intended use of the Property that occur up to the time of closing.**

435. To disclose new or changed facts, please use the *Amendment to Disclosure Statement* form.

436.  2/2/24 _____
 (Seller) Michelle Evers (Date) (Seller) (Date)

437. **U. BUYER'S ACKNOWLEDGEMENT:**

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

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

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

444. _____
 (Buyer) (Date) (Buyer) (Date)

445. **LISTING BROKER AND LICENSEES MAKE NO REPRESENTATIONS HERE AND ARE**
 446. **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

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

Last Updated 4/2023