

ADDENDUM TO PURCHASE AGREEMENT
DISCLOSURE OF INFORMATION ON
LEAD-BASED PAINT AND LEAD-BASED
PAINT HAZARDS

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1. Date 8-23-16
2. Page _____

3. Addendum to Purchase Agreement between parties, dated _____,
4. pertaining to the purchase and sale of the property at 4935 WEST LANE,
5. MINNETONKA MN 55345

6. **Section I: Lead Warning Statement**

7. Every buyer of any interest in residential real property on which a residential dwelling was built prior to 1978 is notified
8. that such property may present exposure to lead from lead-based paint that may place young children at risk of
9. developing lead poisoning. Lead poisoning in young children may produce permanent neurological damage, including
10. learning disabilities, reduced intelligence quotient, behavioral problems and impaired memory. Lead poisoning also
11. poses a particular risk to pregnant women. The seller of any interest in residential real property is required to provide
12. the buyer with any information on lead-based paint hazards from risk assessments or inspections in the seller's
13. possession and notify the buyer of any known lead-based paint hazards. A risk assessment or inspection for possible
14. lead-based paint hazards is recommended prior to purchase.

15. **Seller's Disclosure (initial)**

16. NSW _____ (a) Presence of lead-based paint and/or lead-based paint hazards.
17. (Check one below.)
18. Known lead-based paint and/or lead-based paint hazards are present in the housing
19. (explain):
20. _____
21. Seller has no knowledge of lead-based paint and/or lead-based paint hazards in the housing.
22. NSW _____ (b) Records and reports available to the seller.
23. (Check one below.)
24. Seller has provided Buyer with all available records and reports pertaining to lead-based paint
25. and/or lead-based paint hazards in the housing (list documents below):
26. _____
27. Seller has no reports or records pertaining to lead-based paint and/or lead-based paint hazards
28. in the housing.

29. **Buyer's Acknowledgment (initial)**

30. _____ (c) Buyer has received copies of all information listed under (b) above.
31. _____ (d) Buyer has received the pamphlet, *Protect Your Family from Lead in Your Home*.
32. _____ (e) Buyer has (check one below):
33. Received a 10-day opportunity (or mutually agreed-upon period) to conduct a risk assessment
34. or inspection for the presence of lead-based paint and/or lead-based paint hazards (if checked,
35. see Section II on page 2); or
36. Waived the opportunity to conduct a risk assessment or inspection for the presence of lead-
37. based paint and/or lead-based paint hazards.

39. Property located at 4935 WEST LANE, MINNETONKA MN 55345

40. ^{DS} Real Estate Licensee's Acknowledgement (initial)

41. SS (f) Real estate licensee has informed Seller of Seller's obligations under 42 U.S.C. 4852(d) and is aware
42. of licensee's responsibility to ensure compliance.

43. Certification of Accuracy

44. The following parties have reviewed the information above and certify, to the best of their knowledge, that the information
45. provided by the signatory is true and accurate.

46. [Signature] 8-25-16 _____
(Seller) (Date) (Buyer) (Date)

47. _____
(Seller) (Date) (Buyer) (Date)

48. DocuSigned by: _____
scott stabeck 8/23/2016 _____
E098CEE159A744B (Real Estate Licensee) (Date) (Real Estate Licensee) (Date)

49. Section II: Contingency (Initial only if first box under (e) is checked in Buyer's Acknowledgment above.)

50. This contract is contingent upon a risk assessment or an inspection of the property for the presence of lead-
51. based paint and/or lead-based paint hazards to be conducted at Buyer's expense. The assessment or inspection
52. shall be completed within ten (10) _____ calendar days after Final Acceptance of the Purchase Agreement.
(Check one.)

53. This contingency shall be deemed removed, and the Purchase Agreement shall be in full force and effect, unless Buyer or
54. real estate licensee representing or assisting Buyer delivers to Seller or real estate licensee representing or assisting
55. Seller, within three (3) calendar days after the assessment or inspection is timely completed, a written list of the specific
56. deficiencies and the corrections required, together with a copy of any risk assessment or inspection report. If Seller
57. and Buyer have not agreed in writing within three (3) calendar days after delivery of the written list of required corrections
58. that: (A) some or all of the required corrections will be made; or (B) Buyer waives the deficiencies; or (C) an adjustment to
59. the purchase price will be made; this Purchase Agreement is canceled. Buyer and Seller shall immediately sign a
60. Cancellation of Purchase Agreement confirming said cancellation and directing all earnest money paid hereunder to
61. be refunded to Buyer. It is understood that Buyer may unilaterally waive deficiencies or defects, or remove this contingency,
62. providing that Buyer or real estate licensee representing or assisting Buyer notifies Seller or real estate licensee
63. representing or assisting Seller of the waiver or removal, in writing, within the time specified.

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

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- 1. Date 8-23-16
- 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 any
 17. 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, clause
 21. (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. **INSTRUCTION TO BUYER:** Buyers are encouraged to thoroughly inspect the property personally or have it inspected
 26. by a third party, and to inquire about any specific areas of concern. **NOTE:** If Seller answers NO to any of the questions
 27. listed below, it does not necessarily mean that it does not exist on the property, did not occur, or does not apply. NO
 28. 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 4935 WEST LANE

34. City of MINNETONKA, County of HENNEPIN, State of Minnesota.

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

36. (1) What date 4-15-10 did you **Acquire** **Build** the home?
(Check one.)

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

38. Location of Abstract: _____

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

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

41. If "No," explain: _____

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

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

44. (6) Does the property include a manufactured home? Yes No

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

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

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

49. Property located at 4935 WEST LANE, MINNETONKA MN 55345

50. (7) Is the property located on a public or a private road? Public Private Public: no maintenance

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

52. (a) Do you know which zone the property is located in? Yes No

53. If "Yes," which zone? _____

54. (b) Have you ever had a flood insurance policy? Yes No

55. If "Yes," is the policy in force? Yes No

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

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

58. (c) Have you ever had a claim with a flood insurance carrier or FEMA? Yes No

59. If "Yes," please explain: _____

60. _____

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

64. (9) encroachments? Yes No

65. (10) association, covenants, historical registry, reservations, or restrictions, that affect or may affect the use or future resale of the property? Yes No

66. (11) 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.)? Yes No

67. (12) easements, other than utility or drainage easements? Yes No

68. (13) Please provide clarification or further explanation for all applicable "Yes" responses in Section A: _____

69. _____

70. _____

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

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

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

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

75. _____

76. (2) Have you ever had an insurance claim(s) against your Homeowner's Insurance Policy? Yes No

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

78. _____

79. Did you receive compensation for the claim(s)? Yes No

80. If you received compensation, did you have the items repaired? Yes No

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

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

92. Property located at 4935 WEST LANE MINNETONKA MN 55345

93. (3) (a) Has/Have the structure(s) been altered?
94. (e.g., additions, altered roof lines, changes to load-bearing walls) Yes No
95. If "Yes," please specify what was done, when, and by whom (owner or contractor):

96. _____
97. _____

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

100. If "Yes," please explain: GENERAL IMPROVEMENTS, TILE, COUNTER TOPS,
101. PAINT, FLOOR REFINISHING, LANDSLAPING, WATER HEATER

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

104. If "Yes," please explain: _____
105. _____

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

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

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

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

- | | | | | | |
|-------------------------------|------------------------------|--|-----------------------|------------------------------|--|
| 114. (a) cracked floor/walls? | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | (e) leakage/seepage? | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| 115. (b) drain tile problem? | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | (f) sewer backup? | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| 116. (c) flooding? | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | (g) wet floors/walls? | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| 117. (d) foundation problem? | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | (h) other? _____ | <input type="checkbox"/> Yes | <input type="checkbox"/> No |

118. Give details to any questions answered "Yes": _____
119. _____
120. _____

121. (8) THE ROOF:

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

- | | | |
|--|------------------------------|--|
| 124. (b) Has there been any interior or exterior damage? | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| 125. (c) Has there been interior damage from ice buildup? | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| 126. (d) Has there been any leakage? | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| 127. (e) Have there been any repairs or replacements made to the roof? | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |

128. Give details to any questions answered "Yes": _____
129. _____

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

132. Property located at 4935 WEST LANE

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

134. (a) The type(s) of siding is (e.g., vinyl, stucco, brick, other): SHAKE SIDING

135. (b) cracks/damage? Yes No

136. (c) leakage/seepage? Yes No

137. (d) other? Yes No

138. Give details to any questions answered "Yes": _____

139. _____

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

141. NOTE: This section refers only to the working condition of the following items. Answers apply to all such
142. items unless otherwise noted in comments below. Personal property is included in the sale ONLY IF
143. specifically referenced in the Purchase Agreement.

144. CHECK "NA" FOR ONLY THOSE ITEMS NOT PHYSICALLY LOCATED ON THE PROPERTY.

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

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

181. Property located at 4935 WEST LANE, MINNETONKA MN 55345

182. Are there any items or systems on the property connected or controlled wirelessly, via internet protocol ("IP"), to
183. a router or gateway or directly to the cloud? Yes No

184. Comments regarding issues in Section C: _____

185. _____

186. D. SUBSURFACE SEWAGE TREATMENT SYSTEM DISCLOSURE:

187. (A subsurface sewage treatment system disclosure is required by MN Statute 115.55.) (Check appropriate box.)

188. Seller certifies that Seller DOES DOES NOT know of a subsurface sewage treatment system on or serving
(Check one.)

189. the above-described real property. (If answer is DOES, and the system does not require a state permit, see
190. Disclosure Statement: Subsurface Sewage Treatment System.)

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

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

195. Seller certifies that Seller does not know of any wells on the above-described real property.

196. Seller certifies there are one or more wells located on the above-described real property.
197. (See Disclosure Statement: Well.) CAPPED UNDER FRONT STEP

198. Are there any wells serving the above-described property that are not located on the
199. property? Yes No

200. If "Yes":

201. (1) How many properties or residences does the shared well serve? _____

202. (2) Is there a maintenance agreement for the shared well? Yes No

203. If "Yes," what is the annual maintenance fee? \$ _____

204. Is this property in a Special Well Construction Area? Yes No

205. F. PROPERTY TAX TREATMENT:

206. Valuation Exclusion Disclosure (Required by MN Statute 273.11, Subd. 18.)

207. There IS IS NOT an exclusion from market value for home improvements on this property. Any
(Check one.)

208. valuation exclusion shall terminate upon sale of the property, and the property's estimated market value for
209. property tax purposes shall increase. If a valuation exclusion exists, Buyers are encouraged to look into the
210. resulting tax consequences.

211. Additional comments: _____

212. _____

213. Preferential Property Tax Treatment

214. Is the property subject to any preferential property tax status or any other credits affecting the property?

215. (e.g., Disability, Green Acres, CRP, RIM, Rural Preserve, Veterans' Benefits,

216. Non-Profit Status) Yes No

217. If "Yes," would these terminate upon the sale of the property? Yes No

218. Explain: _____

219. _____

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

222. Property located at 4935 WEST LAKE MINNETONKA MN 55345

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

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

229. **NOTE:** If the above answer is "IS," Buyer may be subject to income tax withholding in connection with the transaction (unless the transaction is covered by an applicable exception to FIRPTA withholding). In non-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 Buyer is exempt from the withholding requirements as prescribed under Section 1445 of the Internal Revenue Code.

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

239. **H. METHAMPHETAMINE PRODUCTION DISCLOSURE:**

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

241. Seller is not aware of any methamphetamine production that has occurred on the property.

242. Seller is aware that methamphetamine production has occurred on the property.

243. (See Disclosure Statement: Methamphetamine Production.)

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

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

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

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

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

257. If "Yes," please explain: _____

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

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

- | | | | | | |
|--|------------------------------|--|-----------------------------------|------------------------------|--|
| 263. (1) Animal/Insect/Pest Infestation? | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | (6) Lead? (e.g., paint, plumbing) | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| 264. (2) Asbestos? | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | (7) Mold? | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| 265. (3) Diseased trees? | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | (8) Soil problems? | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| 266. (4) Formaldehyde? | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | (9) Underground storage tanks? | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| 267. (5) Hazardous waste/substances? | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | | | |

268. (10) Other? _____ Yes No

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

271. Property located at 4935 WEST LAKE MINNETONKA MN 55345

272. (11) Have you ever been contacted or received any information from any governmental authority pertaining
273. to possible or actual environmental contamination affecting the property? Yes No

274. (12) Are you aware if there are currently, or have previously been, any orders issued on the
275. property by any governmental authority ordering the remediation of a public
276. health nuisance on the property? Yes No

277. If answer above is "Yes," Seller certifies that all orders HAVE HAVE NOT been vacated.
(Check one.)

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

279. _____

280. _____

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

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

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

291. RADON IN REAL ESTATE: By signing this Statement, Buyer hereby acknowledges receipt of the Minnesota
292. Department of Health's publication entitled *Radon In Real Estate Transactions*, which is attached hereto and
293. can be found at www.health.state.mn.us/divs/eh/indoorair/radon/rnrealestateweb.pdf.

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

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

301. (a) Radon test(s) HAVE HAVE NOT occurred on the property.
(Check one.)

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

304. _____

305. _____

306. (c) There IS IS NOT a radon mitigation system currently installed on the property.
(Check one.)

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

309. _____

310. _____

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

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

314. Property located at 4935 WEST LAKE MINNETONKA MN 55345
315. N. **NOTICES/OTHER DEFECTS/MATERIAL FACTS:** The following questions are to be answered to the best of
316. Seller's knowledge.
317. **Notices:** Seller HAS HAS NOT received a notice regarding any proposed improvement project from any
318. assessing authorities, the costs of which project may be assessed against the property. If "HAS," please attach
319. and/or explain: _____
320. _____
321. **Other Defects/Material Facts:** Are there any other material facts that could adversely and significantly affect an
322. ordinary buyer's use or enjoyment of the property or any intended use of the property? Yes No
323. If "Yes," explain: _____
324. _____
325. O. **WATER INTRUSION AND MOLD GROWTH:** Studies have shown that various forms of water intrusion affect
326. many homes. Water intrusion may occur from exterior moisture entering the home and/or interior moisture leaving
327. the home.
328. Examples of exterior moisture sources may be:
329. • improper flashing around windows and doors,
330. • improper grading,
331. • flooding,
332. • roof leaks.
333. Examples of interior moisture sources may be:
334. • plumbing leaks,
335. • condensation (caused by indoor humidity that is too high or surfaces that are too cold),
336. • overflow from tubs, sinks, or toilets,
337. • firewood stored indoors,
338. • humidifier use,
339. • inadequate venting of kitchen and bath humidity,
340. • improper venting of clothes dryer exhaust outdoors (including electrical dryers),
341. • line-drying laundry indoors,
342. • houseplants—watering them can generate large amounts of moisture.
343. In addition to the possible structural damage water intrusion may do to the property, water intrusion may also result
344. in the growth of mold, mildew, and other fungi. Mold growth may also cause structural damage to the property.
345. Therefore, it is very important to detect and remediate water intrusion problems.
346. Fungi are present everywhere in our environment, both indoors and outdoors. Many molds are beneficial to
347. humans. However, molds have the ability to produce mycotoxins that may have a potential to cause serious health
348. problems, particularly in some immunocompromised individuals and people who have asthma or allergies to
349. mold.
350. To complicate matters, mold growth is often difficult to detect, as it frequently grows within the wall structure. If you
351. have a concern about water intrusion or the resulting mold/mildew/fungi growth, you may want to consider having the
352. property inspected for moisture problems before entering into a purchase agreement or as a condition of your
353. purchase agreement. Such an analysis is particularly advisable if you observe staining or musty odors on the
354. property.
355. P. **NOTICE REGARDING PREDATORY OFFENDER INFORMATION:** Information regarding the predatory
356. offender registry and persons registered with the predatory offender registry under MN Statute 243.166
357. may be obtained by contacting the local law enforcement offices in the community where the property
358. is located or the Minnesota Department of Corrections at (651) 361-7200, or from the Department of
359. Corrections web site at www.corr.state.mn.us.

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

362. Property located at 4935 WEST LAKE LANE MINNETONKA MN 55345

363. **Q. ADDITIONAL COMMENTS:**

364.

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 registered

399. with the registry may be obtained by contacting the local law enforcement agency where the property is

400. 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 information

411. 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 4935 WEST LANE MINNETONKA MN 55345

415. S. SELLER'S STATEMENT:

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

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

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

428. [Signature] 8-23-16
(Seller) (Date) (Seller) (Date)

429. T. BUYER'S ACKNOWLEDGEMENT:

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

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

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

436. _____
(Buyer) (Date) (Buyer) (Date)

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

Radon in Real Estate Transactions

All Minnesota homes can have dangerous levels of radon gas. Radon is a colorless, odorless and tasteless radioactive gas that can seep into homes from the soil. When inhaled, it 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 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; and
5. a radon warning statement.

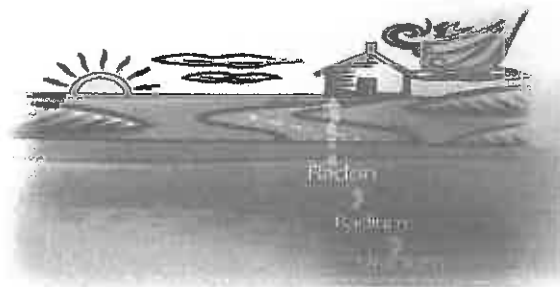
 **Minnesota**
Department of Health
INDOOR AIR UNIT

Radon Facts

How dangerous is radon? Radon is the number one cause of lung cancer in non-smokers, and the second leading cause overall. Your risk for lung cancer increases with higher levels of radon, prolonged exposure, and whether or not you are a current smoker or former smoker.

Where is your greatest exposure to radon? For most Minnesotans, your greatest exposure is at home where radon can concentrate indoors.

What is the recommended action based on my results? If the average radon in the home is at or above 4.0 pCi/L, the home's radon level should be reduced. Also, consider mitigating if radon levels are between 2.0 pCi/L and 3.9 pCi/L. Any amount of radon, even below the recommended action level, carries some risk.



MDH Radon Program
PO Box 64975
St Paul, MN 55164-0975
health.indoor@state.mn.us
www.health.state.mn.us/radon
651-201-4601
800-798-9050

Instant:news

Radon Testing

Any test lasting less than three months requires **closed-house conditions**. Keep all windows and doors closed, except for normal entry and exit.

Before testing: Begin closed-house conditions at least 12 hours before the start of the radon test.

During testing: Maintain closed-house conditions during the entire duration of the short-term test. Operate home heating or cooling systems normally during the test. Test for at least 48 hours.

Where should the test be conducted? Any radon test conducted for a real estate transaction needs to be placed in the lowest livable area of the home suitable for occupancy. This is typically in the basement, whether finished or unfinished.

Place the test kit:

- twenty inches to six feet above the floor
- at least three feet from exterior walls
- four inches away from other objects
- in a location where it won't be disturbed
- not in enclosed areas or areas of high heat or humidity

Radon Mitigation

When elevated levels of radon are found, they can be easily reduced by a certified radon mitigation professional.

Radon mitigation is the process used to reduce radon concentrations in buildings. This is done by drawing soil gas from under the house and venting it above the roof. A quality mitigation system should reduce levels to below 4.0 pCi/L, if not lower.

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

Radon Warning Statement

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

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

How are radon tests conducted in real estate transactions? There are special protocols for radon testing. The two most common ways to test are either using a calibrated continuous radon monitor (CRM) or two-short term test kits used at the same time. The short-term test kits are placed 4 inches apart and the results are averaged.

Continuous Radon Monitor (CRM)

Fastest



Simultaneous Short-term Testing

Second Fastest



All radon tests should be conducted by a certified professional. This ensures the test was conducted properly, in the correct location, and under appropriate building conditions. A list of these radon measurement professionals can be found at MDH's Radon website. If the seller previously conducted testing in a property at or above 4 pCi/L, the home should be mitigated.