



## SELLER'S PROPERTY DISCLOSURE STATEMENT

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1. Date Nov 18, 2009

2. Page 1 of 9 pages

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

4. **NOTICE:** This Disclosure Statement satisfies the disclosure requirements of MN Statutes 513.52 through 513.60.  
5. Under Minnesota law, Sellers of residential property, with limited exceptions listed on page nine (9), are obligated to  
6. disclose to prospective Buyers all material facts of which Seller is aware that could adversely and significantly affect  
7. an ordinary Buyer's use or enjoyment of the property or any intended use of the property of which Seller is aware.  
8. MN Statute 513.58 requires Seller to notify Buyer in writing as soon as reasonably possible, but in any event  
9. before closing, if Seller learns that Seller's disclosure was inaccurate. Seller has disclosure alternatives allowed  
10. by MN Statutes. See *Seller's Disclosure Alternatives* form for further information regarding disclosure alternatives. This  
11. disclosure is not a warranty or a guarantee of any kind by Seller or licensee representing or assisting any party in the  
12. transaction.

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

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

21. Property located at 9625 ROBIN OAK RD

22. City of Minnetonka, County of Hennepin, State of Minnesota.

#### 23. A. GENERAL INFORMATION:

24. (1) When did you ☒ **Acquire** ☐ **Build** the home? \_\_\_\_\_  
(Check one.)

25. (2) Type of title evidence: ☒ Abstract ☐ Registered (Torrens)

26. Location of Abstract: \_\_\_\_\_

27. To your knowledge, is there an existing Owner's Title Insurance Policy? ☒ Yes ☐ No

28. (3) Have you occupied this home continuously for the past 12 months? ☐ Yes ☒ No

29. If "No," explain: Bought to remodel

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

31. (5) To your knowledge, is the property located in a designated flood plain? ☐ Yes ☒ No

32. (6) Are you in possession of prior seller's disclosure statement(s)? (If "Yes," please attach.) ☒ Yes ☐ No

33. (7) Is the property located on a public or a private road? ☒ Public ☐ Private

34. (8) For property abutting a lake, stream or river, does the property meet the minimum local government lot size  
35. requirements? ☐ Yes ☐ No ☐ Unknown

36. If "No," or "Unknown," Buyer should consult the local zoning authority.

37. Are you aware of any

38. (9) encroachments? ☐ Yes ☒ No

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

41. (11) easements, other than utility or drainage easements? ☐ Yes ☒ No

42. (12) Comments: \_\_\_\_\_

43. **ORIGINAL COPY TO LISTING BROKER; COPIES TO SELLER, BUYER, SELLING BROKER.**

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

46. Property located at 9625 ROBIN OAK RD Minnetonka.47. **B. GENERAL CONDITION:** To your knowledge, have any of the following conditions previously existed or do they  
48. currently exist?49. (1) Has there been any damage by wind, fire, flood, hail or other cause(s)? ☐ Yes ☒ No

50. If "Yes," give details of what happened and when: \_\_\_\_\_

51. \_\_\_\_\_

52. \_\_\_\_\_

53. \_\_\_\_\_

54. (2) (a) Has/Have the structure(s) been altered?  
55. (e.g., additions, altered roof lines, changes to load-bearing walls) ☐ Yes ☒ No

56. If "Yes," please specify what was done, when and by whom (owner or contractor):

57. New Door Ways were Exsisting Window opening  
58. No Header were Changed  
59. \_\_\_\_\_60. (b) Has any work been performed on the property? (e.g., additions to the property, wiring, plumbing,  
61. retaining wall, general finishing.) ☒ Yes ☐ No62. If "Yes," please explain: New Addition with city permits  
63. \_\_\_\_\_

64. \_\_\_\_\_

65. \_\_\_\_\_

66. (c) Were appropriate permits pulled for any work performed on the property? ☒ Yes ☐ No67. (3) Has there been any damage to flooring or floor covering? ☐ Yes ☒ No

68. If "Yes," give details of what happened and when: \_\_\_\_\_

69. \_\_\_\_\_

70. \_\_\_\_\_

71. \_\_\_\_\_

72. (4) Are you aware of any insect/animal/pest infestation? ☐ Yes ☒ No73. (5) Do you have or have you previously had any pets? ☐ Yes ☒ No

74. If "Yes," indicate type \_\_\_\_\_ and number \_\_\_\_\_.

75. (6) Comments: \_\_\_\_\_

76. \_\_\_\_\_

77. \_\_\_\_\_

78. \_\_\_\_\_

79. \_\_\_\_\_

**ORIGINAL COPY TO LISTING BROKER; COPIES TO SELLER, BUYER, SELLING BROKER.**

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

82. Property located at 9625 ROBIN OAK RD Minnetonka.83. **C. STRUCTURAL SYSTEMS:** To your knowledge, have any of the following conditions previously existed or do they  
84. currently exist?

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

## 86. (1) THE BASEMENT, CRAWLSPACE, SLAB:

87. (a) cracked floor/walls	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	(e) leakage/seepage	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
88. (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
89. (c) flooding	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	(g) wet floors/walls	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
90. (d) foundation problem	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	(h) other	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No

91. Give details to any questions answered "Yes":

92. a. settlement Cracks in concrete

93. \_\_\_\_\_

94. \_\_\_\_\_

95. \_\_\_\_\_

96. \_\_\_\_\_

97. \_\_\_\_\_

98. \_\_\_\_\_

99. \_\_\_\_\_

100. \_\_\_\_\_

## 101. (2) THE ROOF: To your knowledge,

102. (a) what is the age of the roofing material? New years103. (b) has there been any interior or exterior damage? ☐ Yes ☒ No104. (c) has there been interior damage from ice buildup? ☐ Yes ☒ No105. (d) has there been any leakage? ☐ Yes ☒ No106. (e) have there been any repairs or replacements made to the roof? ☐ Yes ☒ No

107. Give details to any questions answered "Yes":

108. all New window roofing Siding

109. \_\_\_\_\_

110. \_\_\_\_\_

111. \_\_\_\_\_

112. \_\_\_\_\_

113. \_\_\_\_\_

114. \_\_\_\_\_

115. \_\_\_\_\_

116. \_\_\_\_\_

117. ORIGINAL COPY TO LISTING BROKER; COPIES TO SELLER, BUYER, SELLING BROKER.

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

120. Property located at 9625 ROBIN OAK RD Minnetonka

## 121. D. APPLIANCES, HEATING, PLUMBING, ELECTRICAL AND OTHER MECHANICAL SYSTEMS:

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

125. Cross out only those items not physically located on the property.

In Working Order		In Working Order		In Working Order	
Yes No		Yes No		Yes No	
128. Air-conditioning	<input checked="" type="checkbox"/> <input type="checkbox"/>	Garbage disposal	<input checked="" type="checkbox"/> <input type="checkbox"/>	<del>Trash Compactor</del>	<input type="checkbox"/> <input type="checkbox"/>
129. <input checked="" type="checkbox"/> Central <input type="checkbox"/> Wall <input type="checkbox"/> Window		*Heating system (central)	<input checked="" type="checkbox"/> <input type="checkbox"/>	<del>TV antenna system</del>	<input type="checkbox"/> <input type="checkbox"/>
130. Air exchange system	<input checked="" type="checkbox"/> <input type="checkbox"/>	<del>Heating system (supplemental)</del>	<input type="checkbox"/> <input type="checkbox"/>	TV cable system	<input checked="" type="checkbox"/> <input type="checkbox"/>
131. Carbon Monoxide Detector	<input checked="" type="checkbox"/> <input type="checkbox"/>	<del>Incinerator</del>	<input type="checkbox"/> <input type="checkbox"/>	<del>TV satellite dish</del>	<input type="checkbox"/> <input type="checkbox"/>
132. Ceiling fan	<input checked="" type="checkbox"/> <input type="checkbox"/>	<del>Intercom</del>	<input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> Rented <input type="checkbox"/> Owned	
133. Dishwasher	<input checked="" type="checkbox"/> <input type="checkbox"/>	<del>Lawn sprinkler system</del>	<input type="checkbox"/> <input type="checkbox"/>	<del>TV satellite receiver</del>	<input type="checkbox"/> <input type="checkbox"/>
134. Doorbell	<input checked="" type="checkbox"/> <input type="checkbox"/>	Microwave	<input checked="" type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> Rented <input type="checkbox"/> Owned	
135. Drain tile system	<input checked="" type="checkbox"/> <input type="checkbox"/>	Plumbing	<input checked="" type="checkbox"/> <input type="checkbox"/>	Washer <u>2</u>	<input checked="" type="checkbox"/> <input type="checkbox"/>
136. Dryer	<input checked="" type="checkbox"/> <input type="checkbox"/>	<del>Pool and equipment</del>	<input type="checkbox"/> <input type="checkbox"/>	Water heater <u>2</u>	<input checked="" type="checkbox"/> <input type="checkbox"/>
137. Electrical system	<input checked="" type="checkbox"/> <input type="checkbox"/>	Range/oven	<input checked="" type="checkbox"/> <input type="checkbox"/>	<del>Water treatment system</del>	<input type="checkbox"/> <input type="checkbox"/>
138. Exhaust system	<input checked="" type="checkbox"/> <input type="checkbox"/>	Range hood	<input checked="" type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> Rented <input type="checkbox"/> Owned	
139. <del>Fire sprinkler system</del>	<input type="checkbox"/> <input type="checkbox"/>	Refrigerator	<input checked="" type="checkbox"/> <input type="checkbox"/>	Windows	<input checked="" type="checkbox"/> <input type="checkbox"/>
140. Fireplace	<input checked="" type="checkbox"/> <input type="checkbox"/>	<del>Security system</del>	<input type="checkbox"/> <input type="checkbox"/>	Window treatments	<input checked="" type="checkbox"/> <input type="checkbox"/>
141. Fireplace mechanisms	<input checked="" type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> Rented <input type="checkbox"/> Owned		<del>Wood burning stove</del>	<input type="checkbox"/> <input type="checkbox"/>
142. Furnace humidifier	<input checked="" type="checkbox"/> <input type="checkbox"/>	<del>Smoke detectors (battery)</del>	<input type="checkbox"/> <input type="checkbox"/>	Other	<input type="checkbox"/> <input type="checkbox"/>
143. <del>Freezer</del>	<input type="checkbox"/> <input type="checkbox"/>	Smoke detectors (hardwired)	<input checked="" type="checkbox"/> <input type="checkbox"/>	Other	<input type="checkbox"/> <input type="checkbox"/>
144. Garage door opener (GDO)	<input checked="" type="checkbox"/> <input type="checkbox"/>	<del>Solar collectors</del>	<input type="checkbox"/> <input type="checkbox"/>	Other	<input type="checkbox"/> <input type="checkbox"/>
145. Garage auto reverse	<input checked="" type="checkbox"/> <input type="checkbox"/>	Sump pump	<input checked="" type="checkbox"/> <input type="checkbox"/>	Other	<input type="checkbox"/> <input type="checkbox"/>
146. GDO remote	<input checked="" type="checkbox"/> <input type="checkbox"/>	Toilet mechanisms	<input checked="" type="checkbox"/> <input type="checkbox"/>	Other	<input type="checkbox"/> <input type="checkbox"/>
147. Comments: <u>*Two Heating System 1 new 1 old-has new parts</u>					
148.					

## 149. E. SUBSURFACE SEWAGE TREATMENT SYSTEM DISCLOSURE:

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

151. Seller certifies that Seller ☐ DOES ☒ DOES NOT know of a subsurface sewage treatment system on or serving  
(Check one.)152. the above-described real property. (If answer is **DOES**, and the system does not require a state permit, see  
153. *Subsurface Sewage Treatment System Disclosure Statement*.)154. ☐ There is a subsurface sewage treatment system on or serving the above-described real property.  
155. (See *Subsurface Sewage Treatment System Disclosure Statement*.)156. ☐ There is an abandoned subsurface sewage treatment system on the above-described real property.  
157. (See *Subsurface Sewage Treatment System Disclosure Statement*.)

158. ORIGINAL COPY TO LISTING BROKER; COPIES TO SELLER, BUYER, SELLING BROKER.

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

161. Property located at 9625 ROBIN OAK RD Minnetonka.
162. **F. PRIVATE WELL DISCLOSURE:** (A well disclosure and Certificate are required by MN Statute 103I.235.)
163. (Check appropriate box.)
164. ☐ Seller certifies that Seller does not know of any wells on the above-described real property.
165. ☒ Seller certifies there are one or more wells located on the above-described real property.
166. (See Well Disclosure Statement.)
167. Are there any wells serving the above-described property that are not located on the property? ☐ Yes ☒ No
168. To your knowledge, is this property in a Special Well Construction Area? ☐ Yes ☒ No
169. **G. PROPERTY TAX TREATMENT:**
170. **Valuation Exclusion Disclosure** (Required by MN Statute 273.11, Subd. 16.)
171. (Check appropriate box.)
172. There ☐ IS ☒ IS NOT an exclusion from market value for home improvements on this property. Any  
----- (Check one.) -----
173. valuation exclusion shall terminate upon sale of the property, and the property's estimated market value for
174. property tax purposes shall increase. If a valuation exclusion exists, Buyers are encouraged to look into the
175. resulting tax consequences.
176. Additional comments: \_\_\_\_\_
177. \_\_\_\_\_
178. \_\_\_\_\_
179. **Preferential Property Tax Treatment**
180. Is the property subject to any preferential property tax status or any other credits affecting the property?
181. (e.g., Disability, Green Acres, CRP, RIM, Rural Preserve) ☐ Yes ☒ No
182. If "Yes," would these terminate upon the sale of the property? ☐ Yes ☐ No
183. Explain: \_\_\_\_\_
184. \_\_\_\_\_
185. \_\_\_\_\_
186. **H. METHAMPHETAMINE PRODUCTION DISCLOSURE:**
187. (A Methamphetamine Production Disclosure is required by MN Statute 152.0275, Subd. 2 (m).)
188. ☒ Seller is not aware of any methamphetamine production that has occurred on the property.
189. ☐ Seller is aware that methamphetamine production has occurred on the property.
190. (See Methamphetamine Production Disclosure Statement.)
191. **I. NOTICE REGARDING AIRPORT ZONING REGULATIONS:** The property may be in or near an airport safety
192. zone with zoning regulations adopted by the governing body that may affect the property. Such zoning regulations
193. are filed with the county recorder in each county where the zoned area is located. If you would like to determine
194. if such zoning regulations affect the property, you should contact the county recorder where the zoned area is
195. located.
196. **J. NOTICE REGARDING CARBON MONOXIDE DETECTORS:**
197. MN Statute 299F.51 requires Carbon Monoxide Detectors to be located within ten (10) feet from all sleeping
198. rooms. Carbon Monoxide Detectors may or may not be personal property and may or may not be included in the
199. sale of the home.

200. ORIGINAL COPY TO LISTING BROKER; COPIES TO SELLER, BUYER, SELLING BROKER.

**202. THE INFORMATION DISCLOSED IS GIVEN TO THE BEST OF SELLER'S KNOWLEDGE.**203. Property located at 9625 ROBIN OAK RD Minnetonka**204. K. CEMETERY ACT:**205. MN Statute 307.08 prohibits any damage or illegal molestation of human remains, burials or cemeteries. A person  
206. who intentionally, willfully and knowingly destroys, mutilates, injures, disturbs or removes human skeletal remains  
207. or human burial grounds is guilty of a felony.

208. To your knowledge, are you aware of any human remains, burials or cemeteries located

209. on the property? ☐ Yes ☒ No

210. If "Yes," please explain: \_\_\_\_\_

211. \_\_\_\_\_  
212. All unidentified human remains or burials found outside of platted, recorded or identified cemeteries and in contexts  
213. which indicate antiquity greater than 50 years shall be dealt with according to the provisions of MN Statute 307.08,  
214. Subd. 7.**215. L. ENVIRONMENTAL CONCERNS:**216. To your knowledge, have any of the following environmental concerns previously existed or do they currently exist  
217. on the property?218. Asbestos? ☐ Yes ☒ No Mold? ☐ Yes ☒ No219. Diseased trees? ☒ Yes ☐ No Radon? ☐ Yes ☒ No220. Formaldehyde? ☐ Yes ☒ No Soil problems? ☐ Yes ☒ No221. Hazardous wastes/substances? ☐ Yes ☒ No Underground storage tanks? ☐ Yes ☒ No222. Lead? (e.g., paint, plumbing) ☐ Yes ☒ No Other? ☐ Yes ☒ No223. Are you aware if there are currently, or have previously been, any orders issued on the property by any governmental  
224. authority ordering the remediation of a public health nuisance on the property? ☐ Yes ☒ No225. If answer above is "Yes," seller certifies that all orders ☐ HAVE ☐ HAVE NOT been vacated.

(Check one.)

226. Give details to any question answered "Yes": Removed Elm tree by city order

227. \_\_\_\_\_

228. \_\_\_\_\_

**229. M. OTHER DEFECTS/MATERIAL FACTS:**230. Are you aware of any other material facts that could adversely and significantly affect an ordinary buyer's use or  
231. enjoyment of the property or any intended use of the property? ☐ Yes ☒ No

232. If "Yes," explain below: \_\_\_\_\_

233. \_\_\_\_\_

234. \_\_\_\_\_

235. \_\_\_\_\_

**236. N. ADDITIONAL COMMENTS:**237. I have never lived in the property and purchased for  
238. remodel and add on purposes. Buyer need to satisfy  
239. as to its condition.

240. ORIGINAL COPY TO LISTING BROKER; COPIES TO SELLER, BUYER, SELLING BROKER.

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

243. **O. WATER INTRUSION AND MOLD GROWTH:** Recent studies have shown that various forms of water intrusion  
244. affect many homes. Water intrusion may occur from exterior moisture entering the home and/or interior moisture  
245. leaving the home.

246. Examples of exterior moisture sources may be

- 247. • improper flashing around windows and doors,
- 248. • improper grading,
- 249. • flooding,
- 250. • roof leaks.

251. Examples of interior moisture sources may be

- 252. • plumbing leaks,
- 253. • condensation (caused by indoor humidity that is too high or surfaces that are too cold),
- 254. • overflow from tubs, sinks or toilets,
- 255. • firewood stored indoors,
- 256. • humidifier use,
- 257. • inadequate venting of kitchen and bath humidity,
- 258. • improper venting of clothes dryer exhaust outdoors (including electrical dryers),
- 259. • line-drying laundry indoors,
- 260. • houseplants—watering them can generate large amounts of moisture.

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

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

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

273. For additional information about water intrusion, indoor air quality, moisture or mold issues, go to the Minnesota  
274. Association of REALTORS® web site at [www.mnrealtor.com](http://www.mnrealtor.com).

275. **ORIGINAL COPY TO LISTING BROKER; COPIES TO SELLER, BUYER, SELLING BROKER.**

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

278. Property located at 9625 ROBIN OAK RD Minnetonka

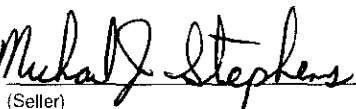
279. **P. NOTICE REGARDING PREDATORY OFFENDER INFORMATION:** Information regarding the predatory  
280. offender registry and persons registered with the predatory offender registry under MN Statue 243.166  
281. may be obtained by contacting the local law enforcement offices in the community where the property  
282. is located or the Minnesota Department of Corrections at (651) 361-7200, or from the Department of  
283. Corrections web site at [www.corr.state.mn.us](http://www.corr.state.mn.us).

284. **LISTING BROKER AND LICENSEES MAKE NO REPRESENTATIONS AND ARE**  
285. **NOT RESPONSIBLE FOR ANY CONDITIONS EXISTING ON THE PROPERTY.**

286. **Q. SELLER'S STATEMENT:**287. *(To be signed at time of listing.)*

288. Seller(s) hereby states the material facts as stated above are true and accurate and authorizes any licensee(s)  
289. representing or assisting any party(ies) in this transaction to provide a copy of this Disclosure to any person or  
290. entity in connection with any actual or anticipated sale of the property.

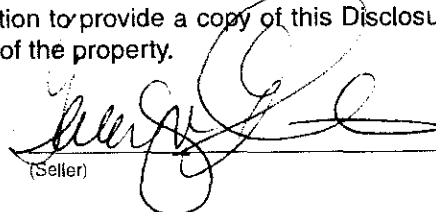
291.



(Seller)

11-18-09

(Date)



(Seller)

11/18/09

(Date)

292. **R. BUYER'S ACKNOWLEDGEMENT:**293. *(To be signed at time of purchase agreement.)*

294. I/We, the Buyer(s) of the property, acknowledge receipt of this Seller's Property Disclosure Statement and agree  
295. that no representations regarding material facts have been made other than those made above.

296.

(Buyer)

(Date)

(Buyer)

(Date)

297. **S. SELLER'S ACKNOWLEDGMENT:**298. *(To be signed at time of purchase agreement.)*

299. **AS OF THE DATE BELOW**, I/we, the Seller(s) of the property, state that the material facts stated above are the  
300. same, **except for changes as indicated below, which have been signed and dated.**

301.

302.

303.

304.

305.

306.

(Seller)

(Date)

(Seller)

(Date)

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

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

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

314. **ORIGINAL COPY TO LISTING BROKER; COPIES TO SELLER, BUYER, SELLING BROKER.**



**316. THE INFORMATION DISCLOSED IS GIVEN TO THE BEST OF SELLER'S KNOWLEDGE.****317. Exceptions**

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

- 319. (1) real property that is not residential real property;
- 320. (2) a gratuitous transfer;
- 321. (3) a transfer pursuant to a court order;
- 322. (4) a transfer to a government or governmental agency;
- 323. (5) a transfer by foreclosure or deed in lieu of foreclosure;
- 324. (6) a transfer to heirs or devisees of a decedent;
- 325. (7) a transfer from a cotenant to one or more other cotenants;
- 326. (8) a transfer made to a spouse, parent, grandparent, child or grandchild of Seller;
- 327. (9) a transfer between spouses resulting from a decree of marriage dissolution or from a property agreement incidental to that decree;
- 329. (10) a transfer of newly constructed residential property that has not been inhabited;
- 330. (11) an option to purchase a unit in a common interest community, until exercised;
- 331. (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);
- 333. (13) a transfer to a tenant who is in possession of the residential real property; or
- 334. (14) a transfer of special declarant rights under section 515B.3-104.

**335. Waiver**

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

**339. No Duty to Disclose**

340. A. There is no duty to disclose the fact that the property

- 341. (1) is or was occupied by an owner or occupant who is or was suspected to be infected with Human Immunodeficiency Virus or diagnosed with Acquired Immunodeficiency Syndrome;
- 343. (2) was the site of a suicide, accidental death, natural death or perceived paranormal activity; or
- 344. (3) is located in a neighborhood containing any adult family home, community-based residential facility or nursing home.

346. B. **Predatory Offenders.** There is no duty to disclose information regarding an offender who is required to register under MN Statute 243.166 or about whom notification is made under that section, if Seller, in a timely manner, provides a written notice that information about the predatory offender registry and persons registered with the registry may be obtained by contacting the local law enforcement agency where the property is located or the Department of Corrections.

351. C. The provisions in paragraphs A and B do not create a duty to disclose any facts described in paragraphs A and B for property that is not residential property.

**353. D. Inspections.**

- 354. (i) Except as provided in paragraph (ii), Seller is not required to disclose information relating to the real property if a written report that discloses the information has been prepared by a qualified third party and provided to the prospective buyer. For purposes of this paragraph, "qualified third party" means a federal, state or local governmental agency, or any person whom Seller or prospective buyer reasonably believes has the expertise necessary to meet the industry standards of practice for the type of inspection or investigation that has been conducted by the third party in order to prepare the written report.
- 360. (ii) Seller shall disclose to the prospective buyer material facts known by Seller that contradict any information included in a written report under paragraph (i) if a copy of the report is provided to Seller.

362. **ORIGINAL COPY TO LISTING BROKER; COPIES TO SELLER, BUYER, SELLING BROKER.**

# PREVIOUS

## SELLER'S DISCLOSURE ALTERNATIVES

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1. Date November 20, 2008  
2. Page 1 of \_\_\_\_\_ pages

3. Property located at 9625 Robin Oak Rd,  
4. City of Minnetonka, County of Hennepin, State of Minnesota.

### 5. NOTICE

6. Sellers of residential property, with limited exceptions, are obligated to satisfy the requirements of MN Statutes 513.52  
7. through 513.60. To comply with the statute, Seller must provide either a written disclosure to the prospective  
8. Buyer (see *Seller's Property Disclosure Statement*) or satisfy one of the following two options:

9. (Select one option only.)

10. 1) ☐ **QUALIFIED THIRD-PARTY INSPECTION:** Seller shall provide to prospective Buyer a written report that  
11. discloses material information relating to the real property that has been prepared by a qualified third party.  
12. "Qualified third party" means a federal, state or local governmental agency, or any person whom Seller or  
13. prospective Buyer reasonably believes has the expertise necessary to meet the industry standards of practice  
14. for the type of inspection or investigation that has been conducted by the third party in order to prepare the  
15. written report.

16. Seller shall disclose to prospective Buyer material facts known by Seller that contradict any information  
17. that is included in a written report, or material facts known by Seller that are not included in the  
18. report.

19. The inspection report was prepared by \_\_\_\_\_  
20. \_\_\_\_\_  
21. and dated \_\_\_\_\_.

22. Seller discloses to Buyer the following material facts known by Seller that contradict any information included  
23. in the above referenced inspection report.

24. \_\_\_\_\_  
25. \_\_\_\_\_  
26. \_\_\_\_\_  
27. \_\_\_\_\_  
28. \_\_\_\_\_

29. Seller discloses to Buyer the following material facts known by Seller that are not included in the above  
30. referenced inspection report.

31. \_\_\_\_\_  
32. \_\_\_\_\_  
33. \_\_\_\_\_  
34. \_\_\_\_\_  
35. \_\_\_\_\_

36. 2) ☒ **WAIVER:** The written disclosure required may be waived if Seller and prospective Buyer agree in writing. Seller  
37. and Buyer hereby waive the written disclosure required under MN Statutes 513.52 through 513.60.

38. Waiver of the disclosure required under MN Statutes 513.52 through 513.60 does not waive, limit or  
39. abridge any obligation for Seller disclosure created by any other law.

40. **ORIGINAL COPY TO LISTING BROKER; COPIES TO SELLER, BUYER, SELLING BROKER.**

MN:SDA-1 (8/08)

Blue House Realty 18283-D Minnetonka Blvd Deephaven, MN 55391  
Phone: (952) 843 - 4901 Fax: (952) 843 - 4909 Deborah Nelson

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Michael Stephe

# PREVIOUS

# SELLER'S DISCLOSURE ALTERNATIVES

41. Page 2

9625 Robin Oak Rd  
Minnetonka, MN 55305

42. Property located at \_\_\_\_\_

43. **OTHER REQUIRED DISCLOSURES:**

44. **NOTE:** In addition to electing one of the above alternatives to the material fact disclosure, Minnesota law also  
45. requires sellers to provide other disclosures to prospective buyers, such as those disclosures listed below.  
46. Additionally, there may be other required disclosures by federal, state, local or other governmental entities  
47. that are not listed below.

48. **A. PRIVATE SEWER SYSTEM DISCLOSURE:** (A private sewer system disclosure is required by MN Statute 115.55.)  
49. (Check appropriate box.)

50. ☐ Seller does not know of a private sewer system on or serving the above-described real property.

51. ☐ There is a private sewer system on or serving the above-described real property.  
52. (See Private Sewer System Disclosure Statement.)

53. ☒ There is an abandoned private sewer system on the above-described real property.  
54. (See Private Sewer System Disclosure Statement.)

55. **B. PRIVATE WELL DISCLOSURE:** (A well disclosure and Certificate are required by MN Statute 103I.235.)  
56. (Check appropriate box.)

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

58. ☒ Seller certifies there are one or more wells located on the above-described real property.  
59. (See Well Disclosure Statement.)

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

61. Contaminated Well: Is there a well on or serving the property that contains contaminated water? ☐ Yes ☐ No

62. To your knowledge, is the property in a Special Well Construction Area? ☐ Yes ☐ No

63. Comments: There is a well on the property that is not in use. Buyer assumes  
64. responsibility for said well.  
65. \_\_\_\_\_

66. **C. VALUATION EXCLUSION DISCLOSURE:** (Required by MN Statute 273.11, Subd. 16)

67. There ☐ IS ☒ IS NOT an exclusion from market value for home improvements on this property. Any valuation  
68. ----- (Check one.) -----  
69. exclusion shall terminate upon sale of the property, and the property's estimated market value for property tax purposes  
70. shall increase. If a valuation exclusion exists, Buyers are encouraged to look into the resulting tax  
71. consequences.

71. Additional comments: \_\_\_\_\_  
72. \_\_\_\_\_

73. **D. METHAMPHETAMINE PRODUCTION DISCLOSURE:**

74. (A methamphetamine production disclosure is required by MN Statute 152.0275, Subd. 2 (m).)

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

76. ☐ Seller is aware that methamphetamine production has occurred on the property.  
77. (See Methamphetamine Production Disclosure Statement.)

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

82. **ORIGINAL COPY TO LISTING BROKER; COPIES TO SELLER, BUYER, SELLING BROKER.**

# PREVIOUS

## SELLER'S DISCLOSURE ALTERNATIVES

83. Page 3

9625 Robin Oak Rd  
Minnetonka, MN 55305

84. Property located at \_\_\_\_\_

85. F. MS MS Buyer has had the opportunity to review page four (4) of this Agreement.  
(Initial) (Initial)

86. G. NOTICE REGARDING PREDATORY OFFENDER INFORMATION: Information regarding the predatory  
87. offender registry and persons registered with the predatory offender registry under MN Statute 243.166  
88. may be obtained by contacting the local law enforcement offices in the community where the property is  
89. located or the Minnesota Department of Corrections at (651) 361-7200, or from the Department of Corrections  
90. web site at [www.corr.state.mn.us](http://www.corr.state.mn.us).

91. H. SELLER'S STATEMENT:

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

93. Seller(s) hereby authorizes any licensee(s) representing or assisting any party(ies) in this transaction to provide  
94. a copy of this Disclosure to any person or entity in connection with any actual or anticipated sale of the property.

95. Elaine Traxinger Trust 11/20/2008 11/20/2008  
(Seller) Elaine Traxinger Trust (Date) (Seller) (Date)

96. I. BUYER'S ACKNOWLEDGEMENT:

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

98. I/We, the Buyer(s) of the property, acknowledge receipt of this SELLER'S DISCLOSURE ALTERNATIVES form  
99. and agree to the seller's disclosure option selected in this form. I/We further agree that no representations regarding  
100. material facts have been made, other than those made in this form.

101. Michael Stephens 11/20/2008 \_\_\_\_\_  
(Buyer) Michael Stephens (Date) (Buyer) (Date)

102. J. ADDITIONAL DISCLOSURES: \_\_\_\_\_

103. \_\_\_\_\_  
104. \_\_\_\_\_  
105. \_\_\_\_\_  
106. \_\_\_\_\_  
107. \_\_\_\_\_

108. K. SELLER'S ACKNOWLEDGEMENT:

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

110. AS OF THE DATE BELOW, I/we, the Seller(s) of the property, state that the material facts are the same, except  
111. for changes as indicated below, which have been signed and dated.

112. \_\_\_\_\_  
113. \_\_\_\_\_  
114. \_\_\_\_\_  
115. \_\_\_\_\_  
116. \_\_\_\_\_

117. Elaine Traxinger Trust 11/20/2008 \_\_\_\_\_  
(Seller) Elaine Traxinger Trust (Date) (Seller) (Date)

118. ORIGINAL COPY TO LISTING BROKER; COPIES TO SELLER, BUYER, SELLING BROKER.

MN:SDA-3 (8/08)

**120. L. OTHER INFORMATION:**

121. **WATER INTRUSION AND MOLD GROWTH:** Recent studies have shown that various forms of water intrusion  
122. affect many homes. Water intrusion may occur from exterior moisture entering the home and/or interior moisture  
123. leaving the home.

124. Examples of exterior moisture sources may be  
125. • improper flashing around windows and doors,  
126. • improper grading,  
127. • flooding,  
128. • roof leaks.

129. Examples of interior moisture sources may be  
130. • plumbing leaks,  
131. • condensation (caused by indoor humidity that is too high or surfaces that are too cold),  
132. • overflow from tubs, sinks or toilets,  
133. • firewood stored indoors,  
134. • humidifier use,  
135. • inadequate venting of kitchen and bath humidity,  
136. • improper venting of clothes dryer exhaust outdoors (including electrical dryers),  
137. • line-drying laundry indoors,  
138. • houseplants—watering them can generate large amounts of moisture.

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

142. Fungi are present everywhere in our environment, both indoors and outdoors. Many molds are beneficial to humans.  
143. However, molds have the ability to produce mycotoxins that may have a potential to cause serious health problems,  
144. particularly in some immunocompromised individuals and people who have asthma or allergies to mold.  
145. To complicate matters, mold growth is often difficult to detect, as it frequently grows within the wall structure. If you  
146. have a concern about water intrusion or the resulting mold/mildew/fungi growth, you may want to consider having  
147. the property inspected for moisture problems before entering into a purchase agreement or as a condition of your  
148. purchase agreement. Such an analysis is particularly advisable if you observe staining or any musty odors on the  
149. property.

150. For additional information about water intrusion, indoor air quality, moisture or mold issues, go to the Minnesota  
151. Association of REALTORS® web site at [www.mnrealtor.com](http://www.mnrealtor.com).

152. **LISTING BROKER AND LICENSEES MAKE NO REPRESENTATIONS AND ARE**  
153. **NOT RESPONSIBLE FOR ANY CONDITIONS EXISTING IN THE PROPERTY.**

154. **ORIGINAL COPY TO LISTING BROKER; COPIES TO SELLER, BUYER, SELLING BROKER.**

MN:SDA-4 (8/08)

# PREVIOUS

## WELL DISCLOSURE STATEMENT

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1. Date November 20, 2008
2. Page 1 of \_\_\_\_\_ pages: THE REQUIRED MAP IS
3. ATTACHED HERETO AND MADE A PART HEREOF.

4. Minnesota Statute 103I.235 requires that, before signing an agreement to sell or transfer real property, Seller must
5. disclose information in writing to Buyer about the status and location of all known wells on the property. This requirement
6. is satisfied by delivering to Buyer either a statement by Seller that Seller does not know of any wells on the property,
7. or a disclosure statement indicating the legal description and county, and a map showing the location of each well. In
8. the disclosure statement Seller must indicate, for each well, whether the well is in use, not in use or sealed.
9. Unless Buyer and Seller agree to the contrary in writing, before the closing of the sale, a Seller who fails to disclose
10. the existence or known status of a well at the time of sale, and knew or had reason to know of the existence or known
11. status of the well, is liable to Buyer for costs relating to sealing of the well and reasonable attorneys' fees for collection
12. of costs from Seller, if the action is commenced within six years after the date Buyer closed the purchase of the real
13. property where the well is located.
14. Legal requirements exist relating to various aspects of location and status of wells. Buyer is advised to contact the
15. local unit(s) of government, state agency or qualified professional which regulates wells for further information about
16. these issues.
17. Instructions for completion of this form are on the reverse side.

18. PROPERTY DESCRIPTION: Street Address: 9625 Robin Oak Rd
19. Minnetonka 55305 Hennepin  
(City) (Zip) (County)

20. LEGAL DESCRIPTION: W 152 8/10 FT OF S 1/2 EX ST (Metes & Bounds legal to conform)
21. \_\_\_\_\_
22. \_\_\_\_\_
23. \_\_\_\_\_
24. \_\_\_\_\_
25. \_\_\_\_\_

### 26. WELL DISCLOSURE STATEMENT:

27. (Check appropriate box.)

28. ☐ Seller certifies that Seller does not know of any wells on the above described real property.
29. (If this option is checked, then skip to the last line and sign and date this Statement.)

30. ☒ Seller certifies that the following wells are located on the above described real property.

31. MN Unique	Well	Year of	Well	IN USE	NOT IN	SEALED
32. Well No.	Depth	Const.	Type		USE	
33. Well 1	_____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
34. Well 2	_____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
35. Well 3	_____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

36. NOTE: See definition of terms "IN USE," "NOT IN USE," and "SEALED" on lines 89-100. If a well is not in use,
37. it must be sealed by a licensed well contractor or a well owner must obtain a maintenance permit
38. from the Minnesota Department of Health and pay an annual maintenance fee. Maintenance
39. permits are not transferable. If a well is operable and properly maintained, a maintenance permit
40. is not required.

41. ORIGINAL COPY TO LISTING BROKER; COPIES TO SELLER, BUYER, SELLING BROKER.

MN-WDS-1 (8/07)

Blue House Realty 18283-D Minnetonka Blvd Deephaven, MN 55391  
Deborah Nelson

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Bonus

PREVIOUS

WELL DISCLOSURE STATEMENT

42. Page 2

9625 Robin Oak Rd  
Minnetonka, MN 55305

43. Property located at \_\_\_\_\_
44. **OTHER WELL INFORMATION:**
45. Date well water last tested for contaminants: \_\_\_\_\_ Test results attached? ☐ Yes ☐ No
46. Comments: There is a well on the property which is currently not operating. Buyer assumes
47. all responsibility for the well, including making it operable or sealing it, as may be
48. required.
49. \_\_\_\_\_
50. \_\_\_\_\_
51. \_\_\_\_\_
52. \_\_\_\_\_
53. Contaminated Well: Is there a well on the property containing contaminated water? ☐ Yes ☐ No
54. **SEALED WELL INFORMATION:** For each well designated as sealed above, complete this section.
55. When was the well sealed? \_\_\_\_\_
56. Who sealed the well? \_\_\_\_\_
57. Was a Sealed Well Report filed with the Minnesota Department of Health? ☐ Yes ☒ No
58. **MAP:** Complete the attached MAP showing the location of each well on the real property.
59. This disclosure is not a warranty of any kind by Seller(s) or any licensee(s) representing or assisting any part(ies) in
60. this transaction and is not a substitute for any inspections or warranties the party(ies) may wish to obtain.
61. **CERTIFICATION BY SELLER:** I certify that the information provided above is accurate and complete to the
62. best of my knowledge.
63. Elaine Traxinger Trust 11/20/2008  
(Seller or Designated Representative) (Date)  
Elaine Traxinger Trust
64. **BUYER'S ACKNOWLEDGEMENT:**
65. Michael Stephens 11/20/2008  
(Buyer) (Date)  
Michael Stephens
66. **ORIGINAL COPY TO LISTING BROKER; COPIES TO SELLER, BUYER, SELLING BROKER.**
- MN-WDS-2 (8/07)

# PREVIOUS

## WELL DISCLOSURE STATEMENT

67. Page 3

### INSTRUCTIONS FOR COMPLETING THE WELL DISCLOSURE STATEMENT

- 68.
69. **DEFINITION:** A "well" means an excavation that is drilled, cored, bored, washed, driven, dug, jetted or otherwise  
70. constructed if the excavation is intended for the location, diversion, artificial recharge or acquisition of groundwater.
71. **MINNESOTA UNIQUE WELL NUMBER:** All new wells constructed AFTER January 1, 1975, should have been  
72. assigned a Minnesota unique well number by the person constructing the well. If the well was constructed after this  
73. date, you should have the unique well number in your property records. If you are unable to locate your unique well  
74. number and the well was constructed AFTER January 1, 1975, contact your well contractor. If no unique well number  
75. is available, please indicate the depth and year of construction for each well.
76. **WELL TYPE:** Use one of the following terms to describe the well type.
77. **WATER WELL:** A water well is any type of well used to extract groundwater for private or public use. Examples  
78. of water wells are: domestic wells, drive-point wells, dug wells, remedial wells and municipal wells.
79. **IRRIGATION WELL:** An irrigation well is a well used to irrigate agricultural lands. These are typically  
80. large-diameter wells connected to a large pressure distribution system.
81. **MONITORING WELL:** A monitoring well is a well used to monitor groundwater contamination. The well is  
82. typically used to access groundwater for the extraction of samples.
83. **DEWATERING WELL:** A dewatering well is a well used to lower groundwater levels to allow for construction  
84. or use of underground spaces.
85. **INDUSTRIAL/COMMERCIAL WELL:** An industrial/commercial well is a nonpotable well used to extract  
86. groundwater for any nonpotable use, including groundwater thermal exchange wells (heat pumps and heat  
87. loops).
88. **WELL USE STATUS:** Indicate the use status of each well. CHECK ONLY ONE (1) BOX PER WELL.
89. **IN USE:** A well is "in use" if the well is operated on a daily, regular or seasonal basis. A well in use includes  
90. a well that operates for the purpose of irrigation, fire protection or emergency pumping.
91. **NOT IN USE:** A well is "not in use" if the well does not meet the definition of "in use" above and has not been  
92. sealed by a licensed well contractor.
93. **SEALED:** A well is "sealed" if a licensed contractor has completely filled a well by pumping grout material  
94. throughout the entire bore hole after removal of any obstructions from the well. A well is "capped" if it has  
95. a metal or plastic cap or cover which is threaded, bolted or welded into the top of the well to prevent entry  
96. into the well. A "capped" well is not a "sealed" well.
97. If the well has been sealed by someone other than a licensed well contractor or a licensed well sealing  
98. contractor, check the well status as "not in use."
99. If you have any questions, please contact the Minnesota Department of Health, Well Management Section,  
100. at (651) 201-4587 (metropolitan Minneapolis-St. Paul) or 1-800-383-9808 (greater Minnesota).
101. **ORIGINAL COPY TO LISTING BROKER; COPIES TO SELLER, BUYER, SELLING BROKER.**

MN-WDS-3 (8/07)