

**SELLER'S PROPERTY
DISCLOSURE STATEMENT**

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1. Date November 2, 2008
2. Page 1 of nine 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 13559 Birch Rd
22. City of Rogers, County of Hennepin, State of Minnesota.

23. A. GENERAL INFORMATION:

24. (1) When did you Acquire Build the home? 1999
(Check one)
25. (2) Type of title evidence: Abstract Registered (Torrens)
26. Location of Abstract: home
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: _____
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. Are you aware of any
35. (8) encroachments? Yes No
36. (9) association, covenants, historical registry, reservations or restrictions that affect or
37. may affect the use or future resale of the property? Yes No
38. (10) easements, other than utility or drainage easements? Yes No
39. (11) Comments: _____
40. _____

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

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

44. Property located at 13559 Birch Rd, Rogers, MN 55374

45. **B. GENERAL CONDITION:** To your knowledge, have any of the following conditions previously existed or do they
46. currently exist?

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

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

49. Hail damage to exterior Fall 2005

50. Tornado damage to interior and exterior Fall 2006

51. _____

52. (2) (a) Has/Have the structure(s) been altered?

53. (e.g., additions, altered roof lines, changes to load-bearing walls) Yes No

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

55. _____

56. _____

57. _____

58. (b) Has any work been performed on the property? (e.g., additions to the property, wiring, plumbing,

59. retaining wall, general finishing.) Yes No

60. If "Yes," please explain: _____

61. _____

62. _____

63. _____

64. (c) Were appropriate permits pulled for any work performed on the property? Yes No

65. (3) Has there been any damage to flooring or floor covering? Yes No

66. If "Yes," give details of what happened and when: Yes, #50, completely replaced

67. _____

68. _____

69. _____

70. (4) Are you aware of any insect/animal/pest infestation? Yes No

71. (5) Do you have or have you previously had any pets? Yes No

72. If "Yes," indicate type dog (1) cat (2) mini goat (1-garage) and number _____

73. (6) Comments: _____

74. _____

75. _____

76. _____

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

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80. Property located at 13559 Birch Rd, Rogers, MN 55374

81. **C. STRUCTURAL SYSTEMS:** To your knowledge, have any of the following conditions previously existed or do they
82. currently exist?

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

84. (1) **THE BASEMENT, CRAWLSPACE, SLAB:**

- | | | | | | | |
|-----|-------------------------|------------------------------|--|----------------------|------------------------------|--|
| 85. | (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 |
| 86. | (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 |
| 87. | (c) flooding | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | (g) wet floors/walls | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| 88. | (d) foundation problem | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | (h) other | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |

89. Give details to any questions answered "Yes":
90. _____
91. _____
92. _____
93. _____
94. _____
95. _____
96. _____
97. _____
98. _____

99. (2) **THE ROOF:** To your knowledge,

- | | | | | |
|------|---|------------------|---|--|
| 100. | (a) what is the age of the roofing material? | <u>two</u> years | | |
| 101. | (b) has there been any interior or exterior damage? | | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No |
| 102. | (c) has there been interior damage from ice buildup? | | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| 103. | (d) has there been any leakage? | | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| 104. | (e) have there been any repairs or replacements made to the roof? | | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No |

105. Give details to any questions answered "Yes": 101 - # 49, # 50, completely replaced
106. 104 - # 49, # 50, completely replaced
107. _____
108. _____
109. _____
110. _____
111. _____
112. _____
113. _____
114. _____

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

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

123. **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
126. Air-conditioning.....	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Heating system (central).....	<input checked="" type="checkbox"/>	<input type="checkbox"/>	TV antenna system	<input type="checkbox"/>	<input type="checkbox"/>
127. <input checked="" type="checkbox"/> Central <input type="checkbox"/> Wall <input type="checkbox"/> Window			Heating system (supplemental).....	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> TV cable system.....	<input checked="" type="checkbox"/>	<input type="checkbox"/>
128. Air exchange system	<input type="checkbox"/>	<input type="checkbox"/>	Incinerator	<input type="checkbox"/>	<input type="checkbox"/>	TV satellite dish	<input type="checkbox"/>	<input type="checkbox"/>
129. Ceiling fan	<input type="checkbox"/>	<input type="checkbox"/>	Intercom.....	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Rented <input type="checkbox"/> Owned		
130. Dishwasher.....	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Lawn sprinkler system.....	<input checked="" type="checkbox"/>	<input type="checkbox"/>	TV satellite receiver	<input type="checkbox"/>	<input type="checkbox"/>
131. Doorbell.....	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Microwave.....	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Rented <input type="checkbox"/> Owned		
132. Drain tile system.....	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Plumbing.....	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Washer.....	<input type="checkbox"/>	<input checked="" type="checkbox"/>
133. Dryer.....	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Pool and equipment	<input type="checkbox"/>	<input type="checkbox"/>	Water heater.....	<input checked="" type="checkbox"/>	<input type="checkbox"/>
134. Electrical system.....	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Range/oven.....	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Water treatment system.....	<input checked="" type="checkbox"/>	<input type="checkbox"/>
135. Exhaust system.....	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Range hood.....	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Rented <input checked="" type="checkbox"/> Owned		
136. Fire sprinkler system	<input type="checkbox"/>	<input type="checkbox"/>	Refrigerator.....	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Windows.....	<input checked="" type="checkbox"/>	<input type="checkbox"/>
137. Fireplace.....	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Security system	<input type="checkbox"/>	<input type="checkbox"/>	Window treatments.....	<input checked="" type="checkbox"/>	<input type="checkbox"/>
138. Fireplace mechanisms.....	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Rented <input type="checkbox"/> Owned			Wood-burning stove	<input type="checkbox"/>	<input type="checkbox"/>
139. Furnace humidifier	<input type="checkbox"/>	<input type="checkbox"/>	Smoke detectors (battery).....	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Other.....	<input type="checkbox"/>	<input checked="" type="checkbox"/>
140. Freezer	<input type="checkbox"/>	<input type="checkbox"/>	Smoke detectors (hardwired).....	<input type="checkbox"/>	<input type="checkbox"/>	Other.....	<input type="checkbox"/>	<input type="checkbox"/>
141. Garage door opener (GDO).....	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Solar collectors	<input type="checkbox"/>	<input type="checkbox"/>	Other.....	<input type="checkbox"/>	<input type="checkbox"/>
142. 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"/>
143. 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"/>
144. Garbage disposal.....	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Trash Compactor	<input type="checkbox"/>	<input type="checkbox"/>	Other.....	<input type="checkbox"/>	<input type="checkbox"/>

145. Comments: washer doesn't complete cycle

146. A- coil on air conditioner leaks water when running from furnace housing

147. _____

148. E. PRIVATE SEWER SYSTEM DISCLOSURE:

149. (A private sewer system disclosure is required by MN Statute 115.55.)

150. (Check appropriate box.)

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

152. There is a private sewer system on or serving the above-described real property.

153. (See *Private Sewer System Disclosure Statement*.)

154. There is an abandoned private sewer system on the above-described real property.

155. (See *Private Sewer System Disclosure Statement*.)

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

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159. Property located at 13559 Birch Rd, Rogers, MN 55374

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

161. (Check appropriate box.)

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

163. Seller certifies there are one or more wells located on the above-described real property.

164. (See Well Disclosure Statement.)

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

166. To your knowledge, is this property in a Special Well Construction Area? Yes No

167. **G. PROPERTY TAX TREATMENT:**

168. **Valuation Exclusion Disclosure** (Required by MN Statute 273.11, Subd. 16.)

169. (Check appropriate box.)

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

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

174. Additional comments: tax break due to tornado (106) in 2008, full taxes 2009

175. **Preferential Property Tax Treatment**

176. Is the property subject to any preferential property tax status or any other credits affecting the property which
177. would terminate upon the sale of the property? Yes No

178. (e.g., Disability, Green Acres, CRP, RIM)

179. If "Yes," please explain: _____

180. _____

181. **H. METHAMPHETAMINE PRODUCTION DISCLOSURE:**

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

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

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

185. (See Methamphetamine Production Disclosure Statement.)

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

191. **J. CEMETERY ACT:**

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

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

196. on the property? Yes No

197. If "Yes," please explain: _____

198. _____

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

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

MN-SPDS-5 (8/07)

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

205. Property located at 13559 Birch Rd, Rogers, MN 55374

206. K. ENVIRONMENTAL CONCERNS:

207. To your knowledge, have any of the following environmental concerns previously existed or do they currently exist
208. on the property?

- | | | | | | |
|------------------------------------|------------------------------|--|----------------------------|------------------------------|--|
| 209. Asbestos? | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | Mold? | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| 210. Diseased trees? | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | Radon? | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| 211. Formaldehyde? | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | Soil problems? | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| 212. Hazardous wastes/substances? | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | Underground storage tanks? | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| 213. Lead? (e.g., paint, plumbing) | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | Other? | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |

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

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

217. Give details to any question answered "Yes": _____
218. _____
219. _____
220. _____
221. _____
222. _____

223. L. OTHER DEFECTS/MATERIAL FACTS:

224. Are you aware of any other material facts that could adversely and significantly affect an ordinary buyer's use or
225. enjoyment of the property or any intended use of the property? Yes No

226. If "Yes," explain below: _____
227. _____
228. _____
229. _____
230. _____
231. _____

232. M. ADDITIONAL COMMENTS:

233. _____
234. _____
235. _____
236. _____
237. _____
238. _____

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

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

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

245. Examples of exterior moisture sources may be

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

250. Examples of interior moisture sources may be

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

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

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

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

272. For additional information about water intrusion, indoor air quality, moisture or mold issues, go to the Minnesota
273. Association of REALTORS® web site at www.mnrealtor.com.

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

MN:SPDS-7 (8/07)

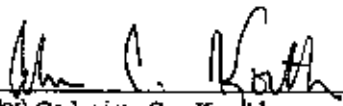
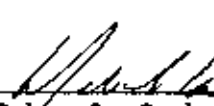
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277. Property located at 13559 Birch Rd, Rogers, MN 55374

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

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

285. **P. SELLER'S STATEMENT:**
286. *(To be signed at time of listing.)*
287. Seller(s) hereby states the material facts as stated above are true and accurate and authorizes any licensee(s)
288. representing or assisting any party(ies) in this transaction to provide a copy of this Disclosure to any person or
289. entity in connection with any actual or anticipated sale of the property.

290.  10-22-08  10-27-08
(Seller) Calvin C. Korth (Date) (Seller) Debra L. Combs (Date)

291. **Q. BUYER'S ACKNOWLEDGEMENT:**
292. *(To be signed at time of purchase agreement.)*
293. I/We, the Buyer(s) of the property, acknowledge receipt of this Seller's Property Disclosure Statement and agree
294. that no representations regarding material facts have been made other than those made above.

295. _____
(Buyer) (Date) (Buyer) (Date)

296. **R. SELLER'S ACKNOWLEDGEMENT:**
297. *(To be signed at time of purchase agreement.)*
298. **AS OF THE DATE BELOW**, I/we, the Seller(s) of the property, state that the material facts stated above are the
299. same, **except for changes as indicated below, which have been signed and dated.**

300. _____
301. _____
302. _____
303. _____
304. _____

305. _____
(Seller) (Date) (Seller) (Date)

306. For purposes of the seller disclosure requirements of MN Statutes 513.52 through 513.60:
307. "Residential real property" or "residential real estate" means property occupied as, or intended to be occupied as, a
308. single-family residence, including a unit in a common interest community as defined in MN Statute 515B.1-103, clause
309. (10), regardless of whether the unit is in a common interest community not subject to chapter 515B.
310. The seller disclosure requirements of MN Statutes 513.52 through 513.60 apply to the transfer of any interest in
311. residential real estate, whether by sale, exchange, deed, contract for deed, lease with an option to purchase or any
312. other option.

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