



## SELLER'S PROPERTY DISCLOSURE STATEMENT

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1. Date \_\_\_\_\_

2. Page 1 of \_\_\_\_\_ 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 1874 Hwy 11

22. City of Int'l Falls, County of Kooch, State of Minnesota.

**23. A. GENERAL INFORMATION:**

24. (1) What date 2000-2001 did you  Acquire  Build the home?  
(Check one.)

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

26. Location of Abstract: owner

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: seasonal

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.**

Buyer's Initials \_\_\_\_\_ Seller's Initials MB JA



SELLER'S PROPERTY DISCLOSURE STATEMENT

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

46. Property located at 1874 Hwy 11

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

48. (1) Has there been any damage by wind, fire, flood, hail or other cause(s)? [ ] Yes [X] No
49. If Yes, give details of what happened and when:

50.
51.
52.

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

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

55.
56.
57.

58. Did you receive compensation for the claim(s)? [ ] Yes [X] No

59. If you received compensation, did you have the items repaired? [ ] Yes [X] No

60. What dates did the claim(s) occur?
61.

62. (3) (a) Has/Have the structure(s) been altered? [ ] Yes [X] No

63. (e.g., additions, altered roof lines, changes to load-bearing walls)
64. If Yes, please specify what was done, when and by whom (owner or contractor):

65.
66.

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

68. If Yes, please explain: Landscaping retaining wall

69.
70.

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

72. If Yes, please explain:
73.
74.

75. (4) Has there been any damage to flooring or floor covering? [ ] Yes [X] No

76. If Yes, give details of what happened and when:
77.

78. (5) Are you aware of any insect/animal/pest infestation? [ ] Yes [X] No

79. If Yes, please explain:
80.

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

Buyer's Initials Seller's Initials [Signature]



SELLER'S PROPERTY DISCLOSURE STATEMENT

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

84. Property located at 1874 Hwy 11

85. (6) Do you have or have you previously had any pets? [X] Yes No [ ]

86. If Yes, indicate type Shitza and number 2

87. (7) Comments:

88.

89.

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

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

92. (1) THE BASEMENT, CRAWLSPACE, SLAB:

93. (a) cracked floor/walls [ ] Yes No [X] (e) leakage/seepage [ ] Yes No [X]

94. (b) drain tile problem [ ] Yes No [X] (f) sewer backup [ ] Yes No [X]

95. (c) flooding [ ] Yes No [X] (g) wet floors/walls [ ] Yes No [X]

96. (d) foundation problem [ ] Yes No [X] (h) other [ ] Yes No [ ]

97. Give details to any questions answered Yes :

98.

99.

100.

101.

102.

103.

104.

105. (2) THE ROOF: To your knowledge,

106. (a) what is the age of the roofing material? 12 years

107. (b) has there been any interior or exterior damage? [ ] Yes No [X]

108. (c) has there been interior damage from ice buildup? [ ] Yes No [X]

109. (d) has there been any leakage? [ ] Yes No [X]

110. (e) have there been any repairs or replacements made to the roof? [ ] Yes No [X]

111. Give details to any questions answered Yes :

112.

113.

114.

115.

116.

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

Buyer's Initials

Seller's Initials [Signature]



SELLER'S PROPERTY DISCLOSURE STATEMENT

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

121. Property located at 1874 Hwy 11

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

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

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

Table with columns for 'In Working Order' (Yes/No) and item descriptions. Items include Air-conditioning, Heating system, Dishwasher, etc. Many items are checked as 'Yes' or crossed out.

149. Comments:
150.

151. E. SUBSURFACE SEWAGE TREATMENT SYSTEM DISCLOSURE:

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

153. Seller certifies that Seller [X] DOES [ ] DOES NOT know of a subsurface sewage treatment system on or serving
154. the above-described real property. (If answer is DOES, and the system does not require a state permit, see
155. Subsurface Sewage Treatment System Disclosure Statement)

156. [X] There is a subsurface sewage treatment system on or serving the above-described real property.
157. (See Subsurface Sewage Treatment System Disclosure Statement)

158. [ ] There is an abandoned subsurface sewage treatment system on the above-described real property.
159. (See Subsurface Sewage Treatment System Disclosure Statement)

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

Buyer's Initials Seller's Initials [Signature]



SELLER'S PROPERTY DISCLOSURE STATEMENT

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

163. Property located at 1874 Hwy 11

164. F. PRIVATE WELL DISCLOSURE: (A well disclosure and Certificate are required by MN Statute 1031.235.)
165. (Check appropriate box.)

166. [X] Seller certifies that Seller does not know of any wells on the above-described real property.

167. [ ] Seller certifies there are one or more wells located on the above-described real property.
168. (See Well Disclosure Statement.)

169. Are there any wells serving the above-described property that are not located on the
170. property? [X] Yes No [ ]

171. To your knowledge, is this property in a Special Well Construction Area? [ ] Yes No [X]

172. G. PROPERTY TAX TREATMENT:

173. Valuation Exclusion Disclosure (Required by MN Statute 273.11, Subd. 16.)
174. (Check appropriate box.)

175. There [ ] IS [X] IS NOT an exclusion from market value for home improvements on this property. Any
176. valuation exclusion shall terminate upon sale of the property, and the property's estimated market value for
177. property tax purposes shall increase. If a valuation exclusion exists, Buyers are encouraged to look into the
178. resulting tax consequences.

179. Additional comments:

180.

181.

182. Preferential Property Tax Treatment

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

184. (e.g., Disability, Green Acres, CRP, RIM, Rural Preserve) [ ] Yes No [X]

185. If Yes, would these terminate upon the sale of the property? [ ] Yes No [ ]

186. Explain:

187.

188.

189. H. METHAMPHETAMINE PRODUCTION DISCLOSURE:

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

191. [X] Seller is not aware of any methamphetamine production that has occurred on the property.

192. [ ] Seller is aware that methamphetamine production has occurred on the property.
193. (See Methamphetamine Production Disclosure Statement.)

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

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

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

Buyer's Initials Seller's Initials [Signatures]



SELLER'S PROPERTY DISCLOSURE STATEMENT

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

205. Property located at 1874 Hwy 11

206. K. CEMETERY ACT:

207. 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.

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

211. on the property? [X] Yes No [X]

212. If Yes, please explain:

213. \_\_\_\_\_

214. 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.

217. L. ENVIRONMENTAL CONCERNS:

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

220. Asbestos? [ ] Yes No [X] Mold? [ ] Yes No [X]

221. Diseased trees? [ ] Yes No [X] Radon? [ ] Yes No [X]

222. Formaldehyde? [ ] Yes No [X] Soil problems? [ ] Yes No [X]

223. Hazardous wastes/substances? [ ] Yes No [X] Underground storage tanks? [ ] Yes No [X]

224. Lead? (e.g., paint, plumbing) [ ] Yes No [X] Other? [ ] Yes No [X]

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

227. If answer above is Yes, seller certifies that all orders [ ] HAVE [ ] HAVE NOT been vacated. (Check one.)

228. Give details to any question answered Yes :

229. \_\_\_\_\_

230. \_\_\_\_\_

231. M. OTHER DEFECTS/MATERIAL FACTS:

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

234. If Yes, explain below:

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

236. \_\_\_\_\_

237. \_\_\_\_\_

238. N. ADDITIONAL COMMENTS:

239. \_\_\_\_\_

240. \_\_\_\_\_

241. \_\_\_\_\_

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

Buyer's Initials \_\_\_\_\_

Seller's Initials [Signature]



SELLER'S PROPERTY DISCLOSURE STATEMENT

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

245. Property located at 1874 Hwy 11

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

249. Examples of exterior moisture sources may be

- 250. • improper sashing around windows and doors,
251. • improper grading,
252. • flooding,
253. • roof leaks.

254. Examples of interior moisture sources may be

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

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

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

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

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

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

Buyer's Initials Seller's Initials [Signature]



SELLER'S PROPERTY DISCLOSURE STATEMENT

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

281. Property located at 1874 Hwy 11

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

287. LISTING BROKER AND LICENSEES MAKE NO REPRESENTATIONS AND ARE
288. NOT RESPONSIBLE FOR ANY CONDITIONS EXISTING ON THE PROPERTY.

289. Q. SELLER S STATEMENT:

290. (To be signed at time of listing.)
291. Seller(s) hereby states the material facts as stated above are true and accurate and authorizes any licensee(s)
292. representing or assisting any party(ies) in this transaction to provide a copy of this Disclosure to any person or
293. entity in connection with any actual or anticipated sale of the property.

294. Michael Stewart 5-28-14 (Seller) (Date) Julia Stewart 5/28/14 (Seller) (Date)

295. R. BUYER S ACKNOWLEDGEMENT:

296. (To be signed at time of purchase agreement.)
297. I/We, the Buyer(s) of the property, acknowledge receipt of this Seller's Property Disclosure Statement and agree
298. that no representations regarding material facts have been made other than those made above.

299. (Buyer) (Date) (Buyer) (Date)

300. S. SELLER S ACKNOWLEDGMENT:

301. (To be signed at time of purchase agreement.)
302. AS OF THE DATE BELOW, I/we, the Seller(s) of the property, state that the material facts stated above are the
303. same, except for changes as indicated below, which have been signed and dated.

304.
305.
306.
307.
308.

309. (Seller) (Date) (Seller) (Date)

310. For purposes of the seller disclosure requirements of MN Statutes 513.52 through 513.60:
311. Residential real property or residential real estate means property occupied as, or intended to be occupied as, a
312. single-family residence, including a unit in a common interest community as defined in MN Statute 515B.1-103, clause
313. (10), regardless of whether the unit is in a common interest community not subject to chapter 515B.

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

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





SELLER'S PROPERTY DISCLOSURE STATEMENT

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

320. Property located at 1874 Hwy 11

321. Exceptions

- 322. The seller disclosure requirements of MN Statutes 513.52 through 513.60 DO NOT apply to
323. (1) real property that is not residential real property;
324. (2) a gratuitous transfer;
325. (3) a transfer pursuant to a court order;
326. (4) a transfer to a government or governmental agency;
327. (5) a transfer by foreclosure or deed in lieu of foreclosure;
328. (6) a transfer to heirs or devisees of a decedent;
329. (7) a transfer from a cotenant to one or more other cotenants;
330. (8) a transfer made to a spouse, parent, grandparent, child or grandchild of Seller;
331. (9) a transfer between spouses resulting from a decree of marriage dissolution or from a property agreement incidental to that decree;
332. (10) a transfer of newly constructed residential property that has not been inhabited;
333. (11) an option to purchase a unit in a common interest community, until exercised;
334. (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);
335. (13) a transfer to a tenant who is in possession of the residential real property; or
336. (14) a transfer of special declarant rights under section 515B.3-104.

339. Waiver

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

343. No Duty to Disclose

- 344. A. There is no duty to disclose the fact that the property
345. (1) is or was occupied by an owner or occupant who is or was suspected to be infected with Human
346. Immunodeficiency Virus or diagnosed with Acquired Immunodeficiency Syndrome;
347. (2) was the site of a suicide, accidental death, natural death or perceived paranormal activity; or
348. (3) is located in a neighborhood containing any adult family home, community-based residential facility or nursing
349. home.
350. B. Predatory Offenders. There is no duty to disclose information regarding an offender who is required to register
351. under MN Statute 243.166 or about whom notification is made under that section, if Seller, in a timely manner,
352. provides a written notice that information about the predatory offender registry and persons registered with the
353. registry may be obtained by contacting the local law enforcement agency where the property is located or the
354. Department of Corrections.
355. C. The provisions in paragraphs A and B do not create a duty to disclose any facts described in paragraphs A and B
356. for property that is not residential property.

357. D. Inspections.

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

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

Buyer's Initials Seller's Initials [Signature]



### SUBSURFACE SEWAGE TREATMENT SYSTEM DISCLOSURE STATEMENT

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

4. Property located at 1874 Hwy 11 in the City of Int'l Falls  
 5. County of Kooch State of Minnesota, legally described as follows or on  
 6. attached sheet (the "Property") Casareto's Plat, Unit 5 & Unit 5 garage, Unit 6 &  
 7. Unit 6 Garage, sec 33 TWP 71 R1G 22

8. This disclosure is not a warranty of any kind by Seller(s) or any licensee(s) representing or assisting any party(ies) in this transaction, and is not a substitute for any inspections or warranties the party(ies) may wish to obtain.

10. **BUYER(S) AND SELLER(S) MAY WISH TO OBTAIN PROFESSIONAL ADVICE AND/OR INSPECTIONS OF THE SUBSURFACE SEWAGE TREATMENT SYSTEM AND TO PROVIDE FOR APPROPRIATE PROVISIONS IN A CONTRACT BETWEEN BUYER(S) AND SELLER(S) WITH RESPECT TO ANY ADVICE/INSPECTION/DEFECTS.**

13. **SELLER'S INFORMATION:** The following Seller disclosure satisfies MN Statutes Chapter 115.55. Seller discloses the following information with the knowledge that even though this is not a warranty, prospective Buyers may rely on this information in deciding whether and on what terms to purchase the Property. The Seller(s) authorizes any licensee(s) representing or assisting any party(ies) in this transaction to provide a copy of this statement to any person or entity in connection with any actual or anticipated sale of the Property.

18. Unless Buyer and Seller agree to the contrary in writing before the closing of the sale, a Seller who fails to disclose the existence or known status of a subsurface sewage treatment system at the time of sale, and who knew or had reason to know of the existence or known status of the system, is liable to Buyer for costs relating to bringing the system into compliance with subsurface sewage treatment system rules and for reasonable attorney fees for collection of costs from Seller. An action under this subdivision must be commenced within two years after the date on which Buyer closed the purchase of the real property where the system is located.

24. Legal requirements exist relating to various aspects of location and status of subsurface sewage treatment systems. Buyer is advised to contact the local unit(s) of government, state agency or qualified professional which regulates subsurface sewage treatment systems for further information about these issues.

27. The following are representations made by Seller(s) to the extent of Seller(s) actual knowledge. This information is a disclosure and is not intended to be part of any contract between Buyer and Seller.

29. **SUBSURFACE SEWAGE TREATMENT SYSTEM DISCLOSURE:**

30. (Check the appropriate box.)

- 31.  Seller certifies that Seller does not know of any subsurface sewage treatment system on or serving the above-described real property. (If this option is checked, then skip to the last line and sign and date this Statement.)
- 33.  Seller certifies that the following subsurface sewage treatment system is on or serving the above-described Property.

35. Is the subsurface sewage treatment system(s) currently in use?  Yes  No

36. TYPE: (Check appropriate box(es) and indicate location on attached MAP.)

37.  Septic Tank:  with drain field  with mound system  seepage tank  with open end

38. Is this system a straight-pipe system?  Yes  No  Unknown

39.  Sealed System (holding tank)

40.  Other (Describe): mound system not located on property

41. **NOTE:** If any water use appliance, bedroom or bathroom has been added to the Property, the system may no longer comply with applicable sewage treatment system laws and rules.

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

Buyer's Initials \_\_\_\_\_ Seller's Initials [Signature]



SUBSURFACE SEWAGE TREATMENT SYSTEM DISCLOSURE STATEMENT

- 45. Property located at 1874 Hwy 11
- 46. Seller or transferor shall disclose to Buyer or transferee what Seller or transferor has knowledge of relative to the
- 47. compliance status of the subsurface sewage treatment system. to our knowledge
- 48. it is compliant
- 49. \_\_\_\_\_
- 50. Any previous inspection report in Seller's possession must be attached to this Disclosure Statement.
- 51. When was the subsurface sewage treatment system installed? unknown
- 52. Installer Name/Phone unknown
- 53. Where is tank located? see map
- 54. What is tank size? 150 gal
- 55. When was tank last pumped? 2010
- 56. How often is tank pumped? when necessary
- 57. Where is the drain field located? common lot of association
- 58. What is the drain field size? ?
- 59. Describe work performed to the subsurface sewage treatment system since you have owned the Property.
- 60. Repaired tank, new pumps
- 61. \_\_\_\_\_
- 62. Date work performed/by whom: 2010 Shannon's Plumbing & Heating
- 63. \_\_\_\_\_
- 64. Is subsurface sewage treatment system entirely within Property boundary lines, including set back
- 65. requirements? yes Is the system shared? yes How many units on system? 10 Annual Fee? \_\_\_\_\_
- 66. Comments: Tank on property, Mound on association
- 67. common lot, Fee is part of 175/mo assoc. fee.
- 68. On this Property: see 66
- 69. \_\_\_\_\_
- 70. Approximate number of:
- 71. people using the subsurface sewage treatment system: 2
- 72. showers/baths taken per week: 14
- 73. wash loads per week: 6
- 74. Distance between well and subsurface sewage treatment system? well not on property
- 75. Have you received any notices from any government agencies relating to the subsurface sewage treatment system?
- 76. (If "Yes", see attached notice.)  Yes  No
- 77. Are there any known defects in the subsurface sewage treatment system?  Yes  No
- 78. If "Yes", please explain: #76 - Planned city sewer
- 79. \_\_\_\_\_
- 80. \_\_\_\_\_

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

Buyer's Initials \_\_\_\_\_

Seller's Initials [Signature]



**SUBSURFACE SEWAGE TREATMENT SYSTEM DISCLOSURE STATEMENT**

83. Property located at 1874 Hwy 11

84. **SELLER'S STATEMENT:**

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

86. I/We, Seller(s) of the Property acknowledge the above subsurface sewage treatment system disclosure and MAP  
87. and authorize listing broker to disclose this information to prospective buyers.

88. Michael Stewart 5-28-14 Julia Stewart 5/28/14  
(Seller) (Date) (Seller) (Date)

89. **BUYER'S ACKNOWLEDGMENT:**

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

91. I/We, the Buyer(s) of the Property acknowledge receipt of this Subsurface Sewage Treatment System Disclosure  
92. Statement and MAP and agree that no representation regarding the condition of the subsurface sewage treatment  
93. system have been made, other than those made above.

94. **LISTING BROKER AND LICENSEES MAKE NO REPRESENTATIONS AND ARE NOT RESPONSIBLE FOR ANY**  
95. **CONDITIONS EXISTING IN THE SUBSURFACE SEWAGE TREATMENT SYSTEM.**

96. \_\_\_\_\_  
(Buyer) (Date) (Buyer) (Date)

97. **SELLER'S ACKNOWLEDGMENT:**

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

99. AS OF THE DATE OF THE ACCEPTANCE OF THE PURCHASE AGREEMENT, I/We, the Seller(s) of the above  
100. Property, agree that the condition of the subsurface sewage treatment system is the same as noted above, except for  
101. changes as indicated below which have been signed and dated.

102. \_\_\_\_\_  
103. \_\_\_\_\_  
104. \_\_\_\_\_  
105. \_\_\_\_\_  
106. \_\_\_\_\_  
107. \_\_\_\_\_  
108. \_\_\_\_\_  
109. \_\_\_\_\_  
110. \_\_\_\_\_  
111. \_\_\_\_\_  
112. \_\_\_\_\_  
113. \_\_\_\_\_

114. \_\_\_\_\_  
(Seller) (Date) (Seller) (Date)

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

**KOOCHICHING  
COUNTY**



**KOOCHICHING COUNTY  
ENVIRONMENTAL SERVICES DEPARTMENT**

Courthouse  
715 4<sup>th</sup> Street  
International Falls, MN 56649

Telephone: 218/283-1157

FAX: 218/283-1159

**Date:** August 3, 2009

**To:** Realtors & Lending Institutions

**From:** Koochiching County Environmental Services

**Re:** Sewage Treatment System Rules

To All Those Concerned:

Last year the State of Minnesota made some changes to MN Rules Chapters 7080 through 7083 which govern sewage treatment systems throughout the state. Koochiching County has adopted these rules by ordinance and is required by law to enforce them to the best of its ability. Some of the rules may affect your customers so we would like to make sure you are aware of them.

One of the biggest issues during property sales in unorganized areas is the condition of the sewage treatment system. Most existing systems in Koochiching County do not meet state code. To bring them up to code can be a huge expense for the buyer, seller or both. To fully understand the problem we must first look at the definitions of failure. There are two types of failures.

The first type of failure is the obvious one where sewage is being released to the ground surface, released to a water body or backing up into the house. This type of failure is considered to be an Imminent Threat to Public Health (ITPH) and must be repaired as soon as reasonably possible. To compensate for winter weather conditions the state allows a maximum of 10 months after discovery to repair or replace these systems. To make sure the problem isn't forgotten or ignored the County requires that a plan for the repair or replacement be submitted to the Environmental Services Department (ESD) within 45 days of discovery. Other problems may also constitute an ITPH. A couple of examples would be a rotted cover over the septic tank or leakage of sewer gas into the home.

The second type of failure is a system that does not meet state code but is also not an ITPH. Examples of these systems include leaking septic tanks, drainfields that don't meet ground water separation requirements, systems that are too small or don't meet setback requirements, etc. The two most common problems are leaking tanks and drainfields that are too close to groundwater. The new rules allow a maximum of 5 years after the initial inspection to bring these systems up to code. The time is shortened if the system becomes an ITPH.

Buyer's Initials \_\_\_\_\_

Seller's Initials 

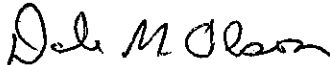
Another thing to keep in mind is that inspections for existing systems are good for 3 years and inspections for newly constructed systems are good for 5 years. If the home resells within these time frames another inspection would not be required. This does not hold true if the system becomes an ITPH before the time allowable time frame ends.

**In summary, after the initial inspection property owners are allowed a maximum of 10 months to fix an ITPH and 5 years to fix other systems that do not meet state code.**

Inspections are not required during property sale or transfer; however this is generally a good time to address the problem because both the seller and buyer are involved. Some lending institutions do not give loans to homebuyers unless the system meets state code. One reason for this is because if the sewer fails after purchase and the new owner is faced with replacement costs they may be more likely to default on the loan. Requiring a system that meets code is something of a safety net for lenders.

Our goal is to make people aware of the rules so they don't get in a bind later on. Your assistance in sharing this information with your customers would be highly appreciated. If you have questions please feel free to call. Thanks.

Sincerely,



Dale M. Olson  
Environmental Services  
Koochiching County

Buyer's Initials \_\_\_\_\_

Seller's Initials 



### LOCATION MAP

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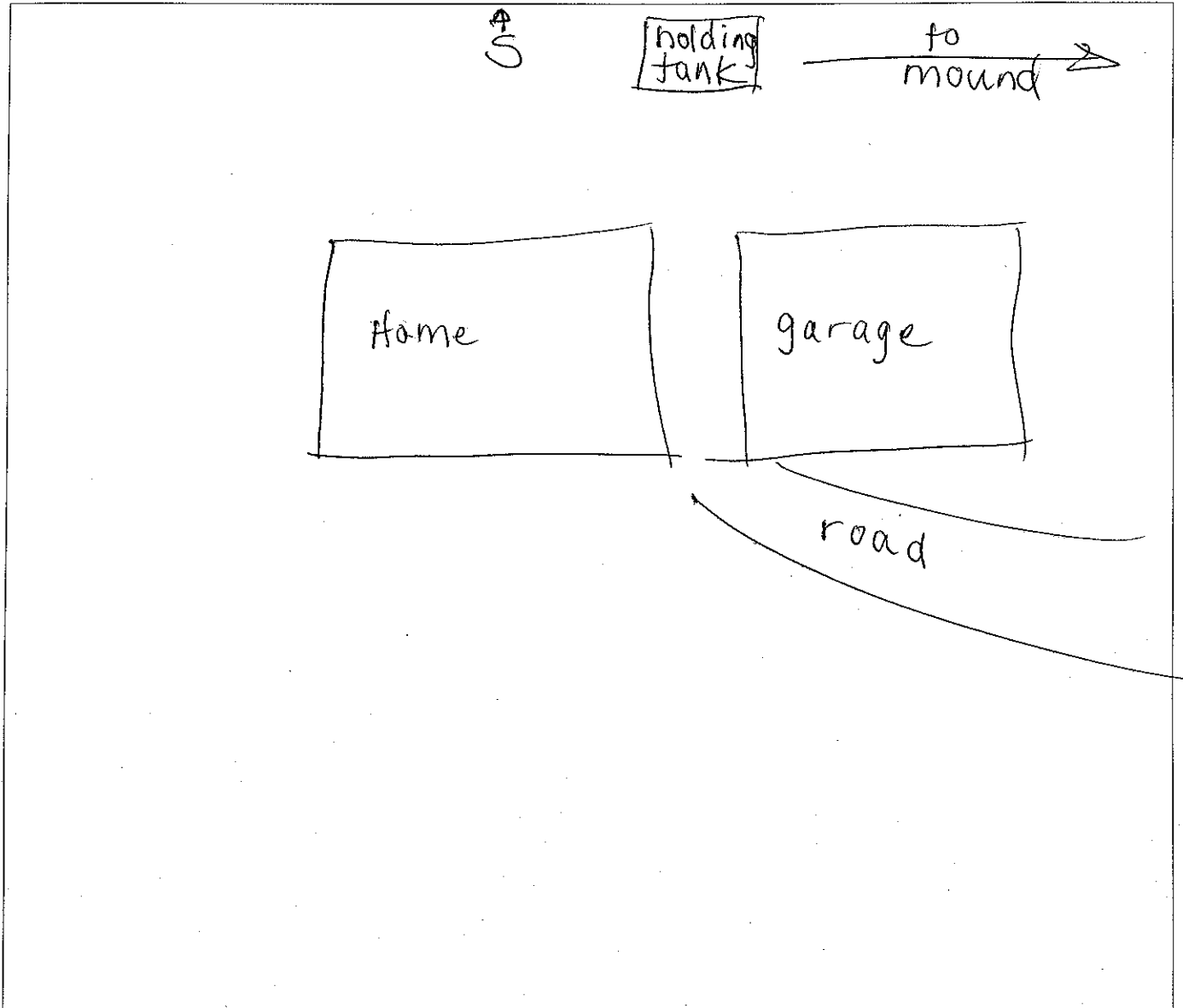
- 1. Page \_\_\_\_\_ of \_\_\_\_\_ pages
- 2. Please use the space below to sketch the real property being sold and, to Seller's knowledge, the approximate location of any of the following on the property.

4.  SUBSURFACE SEWAGE TREATMENT SYSTEM     WELL     METHAMPHETAMINE PRODUCTION AREA  
(Check all that apply.)

5. Include approximate distances from fixed reference points such as streets, buildings and landmarks.

6. Property located at 1874 Hwy 11

7. L A K E



8. ATTACH ADDITIONAL SHEETS AS NEEDED.

9. Seller and Buyer initial:

[Signature] 5-28-14  
 (Seller) (Date) (Buyer) (Date)

[Signature] 5/28/14  
 (Seller) (Date) (Buyer) (Date)

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