

DISCLOSURE STATEMENT: VACANT LAND

This form approved by the Minnesota Association of REALTORS®, which disclaims any liability arising out of use or misuse of this form. © 2017 Minnesota Association of REALTORS®, Edina, MN

1. Date _____
2. Page 1 of 10 pages: RECORDS AND
3. REPORTS, IF ANY, ARE ATTACHED AND MADE
4. A PART OF THIS DISCLOSURE

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

6. **NOTICE:** This Disclosure Statement satisfies the disclosure requirements of MN Statutes 513.52 through 513.60.
7. Under Minnesota law, Sellers of residential property, with limited exceptions listed on page nine (9), are obligated to
8. disclose to prospective Buyers all material facts of which Seller is aware that could adversely and significantly affect
9. an ordinary buyer's use or enjoyment of the property or any intended use of the property of which Seller is aware.
10. MN Statute 513.58 requires Seller to notify Buyer in writing as soon as reasonably possible, but in any event before
11. closing, if Seller learns that Seller's disclosure was inaccurate. Seller is obligated to continue to notify Buyer, in writing,
12. of any facts disclosed herein (new or changed) of which Seller is aware that could adversely and significantly affect the
13. Buyer's use or enjoyment of the property or any intended use of the property that occur up to the time of closing.
14. Seller has disclosure alternatives allowed by MN Statutes. See *Disclosure Statement: Seller's Disclosure Alternatives*
15. form for further information regarding disclosure alternatives. This disclosure is not a warranty or a guarantee of any
16. kind by Seller or licensee(s) representing or assisting any party in the transaction.
17. For purposes of the seller disclosure requirements of MN Statutes 513.52 through 513.60:
18. "Residential real property" or "residential real estate" means property occupied as, or *intended to be occupied as*, a
19. single-family residence, including a unit in a common interest community as defined in MN Statute 515B.1-103, clause
20. (10), regardless of whether the unit is in a common interest community not subject to Chapter 515B.
21. The seller disclosure requirements of MN Statutes 513.52 through 513.60 apply to the transfer of any interest in
22. residential real estate, whether by sale, exchange, deed, contract for deed, lease with an option to purchase, or any
23. other option.
24. **INSTRUCTIONS TO BUYER:** Buyers are encouraged to thoroughly inspect the land personally or have it inspected
25. by a third party, and to inquire about any specific areas of concern. **NOTE:** If Seller answers "No" to any of the questions
26. listed below, it does not necessarily mean that it does not exist on the land, did not occur, or does not apply. "No" may
27. mean that Seller is unaware.
28. **INSTRUCTIONS TO SELLER:** (1) Complete this form yourself. (2) Consult prior disclosure statement(s) and/or
29. inspection report(s) when completing this form. (3) Describe conditions affecting the land to the best of your knowledge.
30. (4) Attach additional pages with your signature if additional space is required. (5) Answer all questions. (6) If any items
31. do not apply, write "NA" (not applicable).
32. Land location or identification T&D Dan Road, Sections 1 & 2, Fairfield Twp 1-2-137-26
(Address/Section/Township/Range)
33. PID # 600012200000009 & others, Legal Description NRNW, 1-137-26; NW/4, NW/2, SW/4, Q13, Pt NW/4, Pt NW/2, 2-137-26
34. City or Township of Emily, County of Crow Wing, State of Minnesota.
35. **A. GENERAL INFORMATION:** The following questions are to be answered to the best of Seller's knowledge.
36. (1) What date did you acquire the land? Dec 29 2008
37. (2) Type of title evidence: Abstract Registered (Torrens) Unknown
38. Location of Abstract: _____
39. Is there an existing Owner's Title Insurance Policy? Yes No
40. (3) Are you in possession of prior vacant land disclosure statement(s)? Yes No
41. (If "Yes," please attach if in your possession.)
42. (4) Are there any current or past Phase I, Phase II, or Phase III Environmental Site
43. Assessment(s)? (If "Yes," please attach if in your possession.) Yes No
44. (5) Access (where/type): _____
45. Is access (legal and physical) other than by direct frontage on a public road? Yes No

DISCLOSURE STATEMENT:
VACANT LAND

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

48. Property located at TBD Dan Road, Sections 1 & 2, Fairfield Twp 1-2-137-26 Emily MD

49. (6) Has the land been surveyed? Yes No

50. Year surveyed: _____

51. What company/person performed the survey? _____

52. Name: _____ Address: _____ Phone: _____

53. (7) Is this platted land? Yes No

54. If "Yes,"

55. has the plat been recorded? Yes No

56. do you have a certificate of survey in your possession? Yes No

57. If "Yes," who completed the survey? _____ When? _____

58. (8) Are there any property markers on the land? Yes No

59. If "Yes," give details: I only know of 2- Stakes

60. _____

61. (9) Is the land located on a public or private road? Public Private Public: no maintenance

62. (10) Are there any private or non-dedicated roadways that you are responsible for? Yes No

63. (11) Are there any rivers, lakes, ponds, creeks, streams, or springs running

64. through the land or along a boundary line? Yes No

65. (12) **Flood Insurance:** All properties in the State of Minnesota have been assigned a flood zone designation. Some flood zones may require flood insurance.

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

67. If "Yes," which zone? _____

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

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

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

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

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

73. If "Yes," please explain: _____

74. _____

75. **NOTE:** Whether or not Seller currently carries flood insurance, it may be required in the future. Flood Insurance premiums are increasing, and in some cases will rise by a substantial amount over the premiums previously charged for flood insurance for the property. As a result, Buyer should not rely on the premiums paid for flood insurance on this property previously as an indication of the premiums that will apply after Buyer completes their purchase.

76. (13) Is the land located in a drainage district, County or Judicial Drainage System? Yes No

77. (14) Is the land drain tiled? Yes No

78. (15) Is there a private drainage system on the land? Yes No

79. (16) Is the land located within a government designated disaster evacuation zone (e.g., nuclear facility, hazardous chemical facility, hazardous waste facility)? Yes No

DISCLOSURE STATEMENT:
VACANT LAND

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

88. Property located at TBD Dan Road, Sections 1 & 2, Fairfield Twp 1-2-137-26 Emily MN

89. (17) Are there encroachments? Yes No

90. (18) Please provide clarification or further explanation for all applicable "Yes" responses in Section A:

91. _____

92. _____

93. B. GENERAL CONDITION: The following questions are to be answered to the best of Seller's knowledge.

94. (1) Are there any structures, improvements, or emblements (e.g., crops) included
95. In the sale? Yes No

96. If "Yes," list all items: _____

97. _____

98. _____

99. _____

100. (2) Are there any abandoned or junk motor vehicles, equipment of any kind, or debris
101. included in the sale? Yes No

102. If "Yes," list all items: _____

103. _____

104. (3) Are there any drainage issues, flooding, or conditions conducive to flooding? Yes No

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

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

107. _____

108. (5) Were there any previous structures on the land? Yes No

109. (6) Are there any settling, erosion, or soil movement problems on or affecting the land? Yes No

110. (7) Are there any gravel pits, caves, sink holes, or mineshafts on or affecting the land? Yes No

111. (8) For any questions in Section B answered "Yes," please explain: _____

112. _____

113. _____

114. C. USE RESTRICTIONS: The following questions are to be answered to the best of Seller's knowledge.

115. (1) Do any of the following types of covenants, conditions, reservations of rights or use, or restrictions affect the
116. use or future resale of the land?

117. (a) Are there easements, other than utility or drainage easements? Yes No

118. (b) Are there any public or private use paths or roadway rights of way/
119. easement(s)? Yes No

120. (c) Are there any ongoing financial maintenance or other obligations related to
121. the land that the buyer will be responsible for? Yes No

122. (d) Are there any communication, power, wind, pipeline (utility or drainage),
123. or other utility rights of way/easement(s)? Yes No

124. (e) Are there any railroad or other transportation rights of way/easement(s)? Yes No

125. (f) Is there subdivision or other recorded covenants, conditions, or restrictions? Yes No

DISCLOSURE STATEMENT: VACANT LAND

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

128. Property located at TBD Oak Road, Sections 1 & 2, Fairfield Twp 1-2-137-26 Emily MN

- 129. (g) Are there association requirements or restrictions?
130. (h) Is there a right of first refusal to purchase?
131. (i) Is the land within the boundaries of a Native American reservation?
132. (j) Are there any Department of Natural Resources restrictions?
133. (k) Is the land located in a watershed district?
134. (l) Is the land enrolled in any federal, state, or local governmental programs (e.g., CREP, CRP, EQIP, WRP, conservation programs, riparian buffers, Sustainable Forest Incentive Act, etc.)?
137. (m) Are there any USDA Wetland Determinations?
138. (n) Are there any USDA Highly Erodible Land Determinations?
139. (o) Are there any conservation practices installed (e.g., terracing, waterways, control structures)?
141. (p) Are there any federal or state listed species?
142. (q) Are there any third parties which have an interest in the mineral rights?
143. (r) Is there any forfeiture or transfer of rights (e.g., mineral, timber, development, etc.)?
144. (s) Are there any historical registry restrictions?

146. (t) If any of the questions in Section C(1) are answered "Yes," please provide written copies of these covenants, conditions, reservations, or restrictions if in your possession:

150. (2) Have you ever received notice from any person or authority as to any breach of any of these covenants, conditions, reservations, or restrictions?
152. If "Yes," please explain:

155. (3) Is the land currently rented?
156. If "Yes," is there a written lease?
157. If "Yes," please provide a copy of the lease if in your possession or provide information:
158. Lease start date:
159. Lease end date:
160. Number of acres leased:
161. Price/acre:
162. Terms of lease:
163. Renter's name: Phone number:
164. May the renter be contacted for information on the land?

- 165. (4) Is woodland leased for recreational purposes?
166. (5) Has a timber cruise been completed on woodland?

DISCLOSURE STATEMENT: VACANT LAND

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

169. Property located at TBD Van Road, Sections 1 & 2, Fairfield Twp 1-2-137-25 Emily MN

170. (6) Has timber been harvested in the past 25 years? [X] Yes [] No

171. If "Yes," what species was harvested? P

172. Was harvest monitored by a registered forester? [X] Yes [] No

173. (7) Are there plans for a new road, expansion of an existing road, airport, trail, affect by railroad, or other improvement that may affect this land? [] Yes [X] No

174. If "Yes," please explain:

175. _____

176. _____

177. (8) Are there any zoning regulations, easements, or contractual restrictions on the land that would affect future construction or remodeling? [] Yes [X] No

178. D. UTILITIES: The following questions are to be answered to the best of Seller's knowledge.

179. (1) Have any percolation tests been performed? [] Yes [X] No

180. When? _____ By whom? _____

181. Attach copies of results, if in your possession.

182. (2) Subsurface Sewage Treatment System Disclosure: (A subsurface sewage treatment system disclosure is required by MN Statute 116.55.) (Check appropriate box.)

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

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

185. (3) Private Well Disclosure: (A well disclosure and Certificate are required by MN Statute 103I.235.) (Check appropriate box.)

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

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

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

189. If "Yes":

190. (a) How many properties or residences does the shared well serve? _____

191. (b) Is there a maintenance agreement for the shared well? [] Yes [X] No

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

193. Is the land in a Special Well Construction Area? [] Yes [X] No

194. (4) Are any of the following presently existing within the land:

195. (a) connection to public water? [] Yes [X] No

196. (b) connection to public sewer? [] Yes [X] No

197. (c) connection to private water system off-property? [] Yes [X] No

198. (d) connection to electric utility? [] Yes [X] No

199. (e) connection to pipelines (natural gas, petroleum, other)? [] Yes [X] No

200. (f) connection to communication, power, or utility lines? [] Yes [X] No

201. (g) connection to telephone? [] Yes [X] No

202. (h) connection to fiber optic? [] Yes [X] No

203. (i) connection to cable? [] Yes [X] No

DISCLOSURE STATEMENT:
VACANT LAND

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

214. Property located at TBD Dan Road, Sections 1 & 2, Fairfield Twp 1-2-137-26 Emily MN

215. (5) Are any of the following existing at the boundary of the land:
- 216. (a) public water system access? Yes No
 - 217. (b) private water system access? Yes No
 - 218. (c) co-op water system access? Yes No
 - 219. (d) shared water system access? Yes No
 - 220. (e) electric service access? Yes No
 - 221. (f) pipeline (natural gas, petroleum, other) access? Yes No
 - 222. (g) communication, power, or utility line access? Yes No
 - 223. (h) telephone access? Yes No
 - 224. (i) fiber optic access? Yes No
 - 225. (j) cable access? Yes No

226. E. ENVIRONMENTAL CONCERNS: The following questions are to be answered to the best of Seller's knowledge.

227. (1) Are there any buried storage tanks or buried debris or waste on the land? Yes No

228. If "Yes," give details: _____

229. _____

230. (2) Are there any hazardous or toxic substances or wastes in, on, or affecting the land? Yes No

231. If "Yes," give details: _____

232. _____

233. (3) Have any soil tests been performed? Yes No

234. When? _____ By whom? _____

235. Attach copies of results if in your possession.

236. (4) Are there any soil problems? Yes No

237. If "Yes," give details: _____

238. _____

239. (5) Are there any dead or diseased trees? Yes No

240. If "Yes," give details: _____

241. (6) Are there any insect/animal/pest infestations? Yes No

242. If "Yes," give details: _____

243. _____

244. (7) Are there any animal burial pits? Yes No

245. If "Yes," give details: _____

246. (8) Are there any unused wells or other potential environmental hazards (e.g., fuel or

247. chemical storage tanks, contaminated soil or water) on the land? Yes No

248. If "Yes," give details: _____

249. _____

250. (9) Did the land at one time abut or was located in close proximity to a gas station, refuse

251. disposal site, toxic substance storage site, junk yard, or other pollution situation? Yes No

252. If "Yes," give details: _____

253. _____

DISCLOSURE STATEMENT: VACANT LAND

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

256. Property located at TBD Dan Road, Sections 1 & 2, Fairfield Twp 1-2-137-26 Emily MN

257. (10) Is the land located in or near an agricultural zone? [] Yes [X] No

258. If "Yes," the land may be subjected to normal and accepted agricultural practices and operations including, but not limited to, noise; dust; day and nighttime operation of farm machinery; the raising and keeping of livestock; and the storage and application of manure, fertilizers, soil amendments, herbicides and pesticides associated with normal agricultural operations.

262. Gardens and new tree plantings will be at least 30 feet from all surrounding property lines bordering any agricultural field.

264. (11) Are there any landfills or waste disposal sites within two (2) miles of the land? [] Yes [X] No

265. If "Yes," give details: _____

266. _____

267. (12) Is there any government sponsored clean-up of the land? [] Yes [X] No

268. If "Yes," give details: _____

269. _____

270. (13) Are there currently, or have previously been, any orders issued on the land by any governmental authority ordering the remediation of a public health nuisance on the land? [] Yes [X] No

272. If "Yes," Seller certifies that all orders [] HAVE [] HAVE NOT been vacated. (Check one.)

273. (14) Other: _____

274. _____

275. F. RADON DISCLOSURE: (The following Seller disclosure satisfies MN Statute 144.496.)

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

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

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

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

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

295. (a) Radon test(s) [] HAVE [X] HAVE NOT occurred on the property. (Check one.)

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

298. _____

299. _____

DISCLOSURE STATEMENT: VACANT LAND

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

302. Property located at TBD Dan Road, Sections 1 & 2, Winfield Twp 1-2-137-26 Emily MN

303. (c) There [] IS [X] IS NOT a radon mitigation system currently installed on the property. (Check one.)

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

306. 307. 308. EXCEPTIONS: See Section O for exceptions to this disclosure requirement.

309. G. PREFERENTIAL PROPERTY TAX TREATMENT: Is the land subject to any preferential property tax status or any other credits affecting the land (e.g., Disability, Green Acres, Rural Preserve,

310. Exclusive Ag Covenant)? [] Yes [X] No

311. If "Yes," would these terminate upon the sale of the land? [] Yes [X] No

312. Explain:

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

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

315. NOTE: If the above answer is "IS," Buyer may be subject to income tax withholding in connection with the transaction (unless the transaction is covered by an applicable exception to FIRPTA withholding). In non-exempt transactions, Buyer may be liable for the tax if Buyer fails to withhold.

316. If the above answer is "IS NOT," Buyer may wish to obtain specific documentation from Seller ensuring Buyer is exempt from the withholding requirements as prescribed under Section 1445 of the Internal Revenue Code.

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

318. 319. 320. 321. 322. 323. 324. 325. I. METHAMPHETAMINE PRODUCTION DISCLOSURE: (A methamphetamine production disclosure is required by MN Statute 152.0275, Subd. 2 (m).)

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

327. [] Seller is aware that methamphetamine production has occurred on the land. (See Disclosure Statement: Methamphetamine Production.)

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

329. K. CEMETERY ACT: 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.

330. Are you aware of any human remains, burials, or cemeteries located on the land? [] Yes [X] No

331. If "Yes," please explain:

332. 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.

DISCLOSURE STATEMENT:
VACANT LAND

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

349. Property located at TBD Dan Road, Sections 1 & 2, Fairfield Twp 1-2-137-26 Emily MN

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

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

357. Notices: Seller HAS HAS NOT received a notice regarding any proposed improvement project from any assessing authorities, the costs of which project may be assessed against the property. If "HAS," please attach and/or explain:

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

363. If "Yes," explain:

365. N. ADDITIONAL COMMENTS:

370. O. MN STATUTES 513.52 THROUGH 513.60:

- 371. Exceptions: The seller disclosure requirements of MN Statutes 513.52 through 513.60 DO NOT apply to
- 372. (1) real property that is not residential real property;
- 373. (2) a gratuitous transfer;
- 374. (3) a transfer pursuant to a court order;
- 375. (4) a transfer to a government or governmental agency;
- 376. (5) a transfer by foreclosure or deed in lieu of foreclosure;
- 377. (6) a transfer to heirs or devisees of a decedent;
- 378. (7) a transfer from a co-tenant to one or more other co-tenants;
- 379. (8) a transfer made to a spouse, parent, grandparent, child, or grandchild of Seller;
- 380. (9) a transfer between spouses resulting from a decree of marriage dissolution or from a property agreement incidental to that decree;
- 382. (10) a transfer of newly constructed residential property that has not been inhabited;
- 383. (11) an option to purchase a unit in a common interest community, until exercised;
- 384. (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);
- 386. (13) a transfer to a tenant who is in possession of the residential real property; or
- 387. (14) a transfer of special declarant rights under section 515B.3-104.

388. MN STATUTES 144.496: RADON AWARENESS ACT

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

391. Waiver: 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.

DISCLOSURE STATEMENT:
VACANT LAND

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

396. Property located at TBD Dam Road, Sections 1 & 2, Fairfield Twp 1-2-137-26 Emily MN

397. **No Duty to Disclose**

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

420. P. **SELLER'S STATEMENT: (To be signed at time of listing.)**

421. Seller(s) hereby states the facts as stated above are true and accurate and authorizes any licensee(s)

422. representing or assisting any party(ies) in this transaction to provide a copy of this Disclosure Statement to

423. any person or entity in connection with any actual or anticipated sale of the property. A seller may provide this

424. Disclosure Statement to a real estate licensee representing or assisting a prospective buyer. The Disclosure

425. Statement provided to the real estate licensee representing or assisting a prospective buyer is considered to have

426. been provided to the prospective buyer. If this Disclosure Statement is provided to the real estate licensee

427. representing or assisting the prospective buyer, the real estate licensee must provide a copy to the prospective

428. buyer.

429. Seller is obligated to continue to notify Buyer in writing of any facts that differ from the facts disclosed

430. here (new or changed) of which Seller is aware that could adversely and significantly affect the Buyer's

431. use or enjoyment of the property or any intended use of the property that occur up to the time of closing.

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

433. Jack W. Canfield 8/14/17 Cristina Canfield 8/14/17

(Seller) (Date) (Seller) (Date)

434. Q. **BUYER'S ACKNOWLEDGEMENT: (To be signed at time of purchase agreement.)**

435. I/We, the Buyer(s) of the property, acknowledge receipt of this *Disclosure Statement: Vacant Land* and agree

436. that no representations regarding facts have been made other than those made above. This Disclosure Statement

437. is not a warranty or guarantee of any kind by Seller or licensee representing or assisting any party in the transaction

438. and is not a substitute for any inspections or warranties the party(ies) may wish to obtain.

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

440. _____

(Buyer) (Date) (Buyer) (Date)

441. LISTING BROKER AND LICENSEES MAKE NO REPRESENTATIONS HERE AND ARE

442. NOT RESPONSIBLE FOR ANY CONDITIONS EXISTING ON THE PROPERTY.