

# Close~Converse

## COMMERCIAL & PREFERRED PROPERTIES

Specializing in Commercial Real Estate & Business Brokerage

521 Charles Street | Brainerd, Minnesota 56401

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## 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.

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1. Date November 3, 2015
2. Page 1 of 10 pages: RECORDS AND
3. REPORTS, IF ANY, ARE ATTACHED HERETO AND
4. MADE A PART HEREOF

#### 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 *Seller's Disclosure Alternatives* form for further  
15. information regarding disclosure alternatives. This disclosure is not a warranty or a guarantee of any kind by Seller or  
16. 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 TBD 13th Ave SW, Pillager MN 56473,  
(Address/Section/Township/Range)

33. PID # 41-133-2200 & 41-133-2400, Legal Description Tracts A & B, RLS# 56 (1332933),

34. City or Township of Sylvan Twp, County of Cass, 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?

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

38. Location of Abstract: n/a

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)?  
41. (If "Yes," please attach if in your possession.) ☐ Yes ☒ No

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): 13th Ave SW, a gravel twp rd

45. Is access (legal and physical) other than by direct frontage on a public road? ☐ Yes ☒ No

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

48. Property located at TBD 13th Ave SW, Pillager MN 56473 - Cass, Sylvan, 1332933, Tracts A & B, RLS# 56.
49. (6) Has the land been surveyed? ☒ Yes ☐ No
50. Year surveyed: 2009
51. What company/person performed the survey? Westwood Professional Services Inc.
52. Name: Paul Herkenhoff, Land Surveyor 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: (unknown if any property markers are present)
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.
66. Some flood zones may require flood insurance.
67. (a) Do you know which zone the property is located in? ☐ Yes ☒ No
68. If "Yes," which zone? (unmapped area in Cass County according to online FEMA mapping service center)
69. (b) Have you ever had a flood insurance policy? ☐ Yes ☒ No
70. If "Yes," is the policy in force? ☐ Yes ☐ No
71. If "Yes," what is the annual premium? \$ \_\_\_\_\_
72. If "Yes," who is the insurance carrier? \_\_\_\_\_
73. (c) Have you ever had a claim with a flood insurance carrier or FEMA? ☐ Yes ☒ No
74. If "Yes," please explain: \_\_\_\_\_
75. \_\_\_\_\_
76. **NOTE:** Whether or not Seller currently carries flood insurance, it may be required in the future. Flood
77. insurance premiums are increasing, and in some cases will rise by a substantial amount over the premiums
78. previously charged for flood insurance for the property. As a result, Buyer should not rely on the premiums
79. paid for flood insurance on this property previously as an indication of the premiums that will apply after
80. Buyer completes their purchase.
81. (13) Is the land located in a drainage district, County or Judicial Drainage System? ☐ Yes ☒ No
82. (14) Is the land drain tiled? ☐ Yes ☒ No
83. (15) Is there a private drainage system on the land? ☐ Yes ☒ No
84. (16) Is the land located within a government designated disaster evacuation zone
85. (e.g., nuclear facility, hazardous chemical facility, hazardous waste facility)? ☐ Yes ☒ No

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

88. Property located at TBD 13th Ave SW, Pillager MN 56473 - Cass, Sylvan, 1332933, Tracts A & B, RLS# 56

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. B(3) = Property is located on the Crow Wing River, which has potential for flooding.

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

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

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

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137.	<b>THE INFORMATION DISCLOSED IS GIVEN TO THE BEST OF SELLER'S KNOWLEDGE.</b>
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138. Property located at TBD 13th Ave SW, Pillager MN 56473 - Cass, Sylvan, 1332933, Tracts A & B, RLS# 56.

- |      |     |   |                              |  |
|------|-----|---|------------------------------|--|
| 139. | (g) | Are there association requirements or restrictions?   | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| 140. | (h) | Is there a right of first refusal to purchase?  | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| 141. | (i) | Is the land within the boundaries of a Native American reservation?   | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| 142. | (j) | Are there any Department of Natural Resources restrictions?   | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| 143. | (k) | Is the land located in a watershed district?  | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| 144. | (l) | Is the land enrolled in any Federal, State, or local governmental programs  |                              |  |
| 145. |     | (e.g., CREP, CRP, EQIP, WRP, Conservation programs, riparian buffers,   |                              |  |
| 146. |     | Sustainable Forest Incentive Act, etc.)?  | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| 147. | (m) | Are there any USDA Wetland Determinations?  | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| 148. | (n) | Are there any USDA Highly Erodible Land Determinations?   | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| 149. | (o) | Are there any conservation practices installed (e.g., terracing, waterways,                                       |                              |  |
| 150. |     | control structures)?  | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| 151. | (p) | Are there any Federal or State listed species? <input type="checkbox"/> Plants <input type="checkbox"/> Animals   | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| 152. | (q) | Are there any third parties which have an interest in the mineral rights?   | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| 153. | (r) | Is there any forfeiture or transfer of rights (e.g., mineral, timber,   |                              |  |
| 154. |     | development, etc.)  | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| 155. | (s) | Are there any historical registry restrictions?   | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| 156. | (t) | If any of the questions in Section C(1) are answered "Yes," please provide written copies of these                |                              |  |
| 157. |     | covenants, conditions, reservations or restrictions if in your possession: <u>C1(a) &amp; C1(b) = Both tracts</u> |                              |  |
| 158. |     | <u>subj to 13th Ave SW and wetland conservation easement in Doc# T000027083; Tract B subj to</u>                  |                              |  |
| 159. |     | <u>ingress/egress easement in Doc# T000027833. C1(f) = Both tracts subj to attached deed restrictions.</u>        |                              |  |

- |      |     |  |                              |  |
|------|-----|--|------------------------------|--|
| 160. | (2) | Have you ever received notice from any person or authority as to any breach of any of these covenants, |                              |  |
| 161. |     | conditions, reservations or restrictions?  | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |

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

163. \_\_\_\_\_

164. \_\_\_\_\_

- |      |     |                                     |                              |  |
|------|-----|-------------------------------------|------------------------------|--|
| 165. | (3) | Is the land currently rented?       | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| 166. |     | If "Yes," is there a written lease? | <input type="checkbox"/> Yes | <input type="checkbox"/> No            |

167. If "Yes," please provide a copy of the lease if in your possession or provide information:

168. Lease start date: \_\_\_\_\_

169. Lease end date: \_\_\_\_\_

170. Number of acres leased: \_\_\_\_\_

171. Price/acre: \_\_\_\_\_

172. Terms of lease: \_\_\_\_\_

173. Renter's name: \_\_\_\_\_ Phone number: \_\_\_\_\_

174.	May the renter be contacted for information on the land?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
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175.	(4)	Is woodland leased for recreational purposes?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
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176.	(5)	Has a timber cruise been completed on woodland?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
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**178. THE INFORMATION DISCLOSED IS GIVEN TO THE BEST OF SELLER'S KNOWLEDGE.**

179. Property located at TBD 13th Ave SW, Pillager MN 56473 - Cass, Sylvan, 1332933, Tracts A & B, RLS# 56

180. (6) Has timber been harvested in past 25 years? ☐ Yes ☒ No

181. If "Yes," what species was harvested? \_\_\_\_\_

182. Was harvest monitored by a registered forester? ☐ Yes ☐ No

183. (7) Are there plans for a new road, expansion of an existing road, airport, trail,  
184. affect by railroad or other improvement that may affect this land? ☐ Yes ☒ No

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

186. \_\_\_\_\_

187. (8) Are there any zoning violations, nonconforming uses or unusual restrictions on the  
188. land that would affect future construction or remodeling? ☒ Yes ☐ No

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

190. (1) Have any percolation tests been performed? ☐ Yes ☒ No

191. When? \_\_\_\_\_ By whom? \_\_\_\_\_

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

193. (2) Subsurface Sewage Treatment System Disclosure: (A subsurface sewage treatment system disclosure is  
194. required by MN Statute 115.55.) *(Check appropriate box.)*

195. Seller certifies that Seller ☐ DOES ☒ DOES NOT know of a subsurface sewage treatment system on or serving  
-----*(Check one.)*-----

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

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

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

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

203. ☐ Seller certifies there are one or more wells located on the above-described real property.  
204. *(See Disclosure Statement: Well.)*

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

207. If "Yes":

208. (1) How many properties or residences does the shared well serve? \_\_\_\_\_

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

210. If "Yes," what is the annual maintenance fee? \$ \_\_\_\_\_

211. Is the land in a Special Well Construction Area? ☐ Yes ☐ No

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

213. (a) connection to public water? ☐ Yes ☒ No

214. (b) connection to public sewer? ☐ Yes ☒ No

215. (c) connection to private water system off-property? ☐ Yes ☒ No

216. (d) connection to electric utility? ☐ Yes ☒ No

217. (e) connection to pipelines (natural gas, petroleum, other)? ☐ Yes ☒ No

218. (f) connection to communication, power or utility lines? ☐ Yes ☒ No

219. (g) connection to telephone? ☐ Yes ☒ No

220. (h) connection to fiber optic? ☐ Yes ☒ No

221. (i) connection to cable? ☐ Yes ☒ No

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223.	<b>THE INFORMATION DISCLOSED IS GIVEN TO THE BEST OF SELLER'S KNOWLEDGE.</b>
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224. Property located at TBD 13th Ave SW, Pillager MN 56473 - Cass, Sylvan, 1332933, Tracts A & B, RLS# 56

225. (5) Are any of the following existing at the boundary of the land:

- |      |  |                              |  |
|------|--|------------------------------|--|
| 226. | (a) public water system access?                      | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| 227. | (b) private water system access?                     | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| 228. | (c) co-op water system access?                       | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| 229. | (d) shared water system access?                      | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| 230. | (e) electric service access?                         | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| 231. | (f) pipeline (natural gas, petroleum, other) access? | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| 232. | (g) communication, power or utility line access?     | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| 233. | (h) telephone access?                                | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| 234. | (i) fiber optic access?                              | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| 235. | (j) cable access?                                    | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |

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

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

238. If "Yes," give details: \_\_\_\_\_

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

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

241. If "Yes," give details: \_\_\_\_\_

242. \_\_\_\_\_

243. (3) Have any soil tests been performed? ☐ Yes ☒ No

244. When? \_\_\_\_\_ By whom? \_\_\_\_\_

245. Attach copies of results if in your possession.

246. (4) Are there any soil problems? ☐ Yes ☒ No

247. If "Yes," give details: \_\_\_\_\_

248. \_\_\_\_\_

249. (5) Are there any dead or diseased trees? ☐ Yes ☒ No

250. If "Yes," give details: (nothing more than usual for vacant land)

251. (6) Are there any insect/animal/pest infestations? ☐ Yes ☒ No

252. If "Yes," give details: \_\_\_\_\_

253. \_\_\_\_\_

254. (7) Are there any animal burial pits? ☐ Yes ☒ No

255. If "Yes," give details: \_\_\_\_\_

256. (8) Are there any unused wells or other potential environmental hazards (e.g., fuel or  
257. chemical storage tanks, contaminated soil or water) on the land? ☐ Yes ☒ No

258. If "Yes," give details: \_\_\_\_\_

259. \_\_\_\_\_

260. (9) Did the land at one time abut or was located in close proximity to a gas station, refuse  
261. disposal site, toxic substance storage site, junk yard or other pollution situation? ☐ Yes ☒ No

262. If "Yes," give details: \_\_\_\_\_

263. \_\_\_\_\_

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

266. Property located at TBD 13th Ave SW, Pillager MN 56473 - Cass, Sylvan, 1332933, Tracts A & B, RLS# 56

267. (10) Is the land located in or near an agricultural zone? ☐ Yes ☒ No  
268. If "Yes," the land may be subjected to normal and accepted agricultural practices and operations including,  
269. but not limited to noise; dust; day and nighttime operation of farm machinery; the raising and keeping of  
270. livestock; and the storage and application of manure, fertilizers, soil amendments, herbicides and pesticides  
271. associated with normal agricultural operations.

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

274. (11) Are there any landfills or waste disposal sites within two (2) miles of the land? ☐ Yes ☒ No  
275. If "Yes," give details: \_\_\_\_\_

276. \_\_\_\_\_

277. (12) Is there any government sponsored clean-up of the land? ☐ Yes ☒ No  
278. If "Yes," give details: \_\_\_\_\_

279. \_\_\_\_\_

280. (13) Are there currently, or have previously been, any orders issued on the land by any  
281. governmental authority ordering the remediation of a public health nuisance  
282. on the land? ☐ Yes ☒ No

283. If "Yes," Seller certifies that all orders ☐ HAVE ☐ HAVE NOT been vacated.  
------(Check one.)-----

284. (14) Other: \_\_\_\_\_

285. \_\_\_\_\_

286. \_\_\_\_\_

287. **F. PREFERENTIAL PROPERTY TAX TREATMENT:** Is the land subject to any preferential property tax status or any  
288. other credits affecting the land (e.g., Disability, Green Acres, Rural Preserve,  
289. Exclusive Ag Covenant)? ☐ Yes ☒ No

290. If "Yes," would these terminate upon the sale of the land? ☐ Yes ☐ No

291. Explain: \_\_\_\_\_

292. \_\_\_\_\_

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

296. Seller represents that Seller ☐ IS ☒ IS NOT a foreign person (i.e., a non-resident alien individual, foreign corporation,  
------(Check one.)-----

297. foreign partnership, foreign trust, or foreign estate) for purposes of income taxation. This representation shall  
298. survive the closing of any transaction involving the property described herein.

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

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

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

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310.	<b>THE INFORMATION DISCLOSED IS GIVEN TO THE BEST OF SELLER'S KNOWLEDGE.</b>
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311. Property located at TBD 13th Ave SW, Pillager MN 56473 - Cass, Sylvan, 1332933, Tracts A & B, RLS# 56.

312. **H. METHAMPHETAMINE PRODUCTION DISCLOSURE:**

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

314. ☒ Seller is not aware of any methamphetamine production that has occurred on the land.

315. ☐ Seller is aware that methamphetamine production has occurred on the land.

316. (See Disclosure Statement: Methamphetamine Production.)

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

321. **J. CEMETERY ACT:** MN Statute 307.08 prohibits any damage or illegal molestation of human remains, burials  
322. or cemeteries. A person who intentionally, willfully and knowingly destroys, mutilates, injures, disturbs or removes  
323. human skeletal remains or human burial grounds is guilty of a felony.

324. To your knowledge, are you aware of any human remains, burials or cemeteries located  
325. on the land? ☐ Yes ☒ No

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

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

331. **K. NOTICE REGARDING PREDATORY OFFENDER INFORMATION:** Information regarding the predatory offender  
332. registry and person registered with the predatory offender registry under MN Statute 243.166 may be  
333. obtained by contacting the local law enforcement offices in the community where the land is located or  
334. the Minnesota Department of Corrections at (651) 361-7200, or from the Department of Corrections web  
335. site at [www.corr.state.mn.us](http://www.corr.state.mn.us).

336. **L. NOTICES/OTHER DEFECTS/MATERIAL FACTS:** The following questions are to be answered to the best of  
337. Seller's knowledge.

338. **Notices:** Seller ☐ HAS ☒ HAS NOT received a notice regarding any proposed improvement project from any  
339. assessing authorities, the costs of which project may be assessed against the property. If "HAS," please attach  
340. and/or explain : \_\_\_\_\_

341. \_\_\_\_\_

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

344. If "Yes," explain: \_\_\_\_\_

345. \_\_\_\_\_

346. **M. ADDITIONAL COMMENTS:**

347. RE: C(8) = Subject to restrictions in wetland conservation easement Doc# T000027083.

348. \_\_\_\_\_

349. \_\_\_\_\_

350. \_\_\_\_\_

351. \_\_\_\_\_

352. \_\_\_\_\_



**DISCLOSURE STATEMENT:  
VACANT LAND**

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354.	<b>THE INFORMATION DISCLOSED IS GIVEN TO THE BEST OF SELLER'S KNOWLEDGE.</b>
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355. Property located at TBD 13th Ave SW, Pillager MN 56473 - Cass, Sylvan, 1332933, Tracts A & B, RLS# 56

356. **N. MN STATUTES 513.52 THROUGH 513.60:**

357. **Exceptions**

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

- 359. (1) real property that is not residential real property;
- 360. (2) a gratuitous transfer;
- 361. (3) a transfer pursuant to a court order;
- 362. (4) a transfer to a government or governmental agency;
- 363. (5) a transfer by foreclosure or deed in lieu of foreclosure;
- 364. (6) a transfer to heirs or devisees of a decedent;
- 365. (7) a transfer from a cotenant to one or more other co-tenants;
- 366. (8) a transfer made to a spouse, parent, grandparent, child or grandchild of Seller;
- 367. (9) a transfer between spouses resulting from a decree of marriage dissolution or from a property agreement incidental to that decree;
- 369. (10) a transfer of newly constructed residential property that has not been inhabited;
- 370. (11) an option to purchase a unit in a common interest community, until exercised;
- 371. (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);
- 372. (13) a transfer to a tenant who is in possession of the residential real property; or
- 374. (14) a transfer of special declarant rights under section 515B.3-104.

375. **Waiver**

376. 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.

379. **No Duty to Disclose**

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

**DISCLOSURE STATEMENT:  
VACANT LAND**

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

404. Property located at TBD 13th Ave SW, Pillager MN 56473 - Cass, Sylvan, 1332933, Tracts A & B, RLS# 56

**405. O. SELLER'S STATEMENT:**

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

407. Seller(s) hereby states the facts as stated above are true and accurate and authorizes any licensee(s)  
408. representing or assisting any party(ies) in this transaction to provide a copy of this Disclosure Statement to  
409. any person or entity in connection with any actual or anticipated sale of the property. A seller may provide this  
410. Disclosure Statement to a real estate licensee representing or assisting a prospective buyer. The Disclosure  
411. Statement provided to the real estate licensee representing or assisting a prospective buyer is considered to have  
412. been provided to the prospective buyer. If this Disclosure Statement is provided to the real estate licensee  
413. representing or assisting the prospective buyer, the real estate licensee must provide a copy to the prospective  
414. buyer.

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

419.

Richard Harrison 3-4-15  
(Seller) Woodland Shore Development Group LLC (Date)

(Seller)

(Date)

**420. P. BUYER'S ACKNOWLEDGEMENT:**

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

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

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

427.

(Buyer)

(Date)

(Buyer)

(Date)

428.

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

429.

The real property described in and conveyed by the attached Deed shall be held, transferred, sold, and conveyed subject to the conditions, restrictions, covenants, reservations, easements, liens, and charges hereinafter set forth.

1. Only one single-family residence shall be erected on the property described above, except for garages or other outbuildings permitted by the Zoning Ordinance.
2. No commercial establishment of any kind shall be erected or located on the property described above.
3. All residences erected on the tract of property described above shall have permanent foundations at least twenty (20) feet wide and all residences shall have a minimum living area of not less than one thousand (1,000) square feet.
4. The outside walls of all buildings erected on the property described above shall be constructed of wood or other materials specifically manufactured for use as an outside wall. No tar paper shall be permitted.
5. Pitched roofs shall not be finished with a rolled roofing, tar paper, or metal, except for metal roofing specifically manufactured for roofing purposes.
6. All motor vehicles or trailers parked or located on the property described above shall be in an operable condition, shall have a current license plate attached, and shall have all wheels and axles intact.
7. All buildings erected upon the property described above shall be completed within two (2) years of the start of construction.
8. All outbuildings erected or located on the property described above shall have an interior area of not less than one hundred twenty (120) square feet and the design, building material, and color shall be the same or in harmony with the residence erected thereon.
9. No animals, rabbits, livestock, horses, fowl, or poultry of any kind shall be raised, bred, or kept upon the property described above, except that dogs, cats, or normal household pets shall be allowed, subject to the condition that no such pets be kept, bred, or maintained for any commercial purposes.
10. All buildings erected or located on the property described above and the property itself shall be maintained in a neat and well-kept condition.
11. No overhead utility wires will be permitted. All utilities must be below grade, unless the utility companies will not install wires below grade.
12. No noxious or offensive trade or activity shall be carried on or upon the above-described property, nor shall anything be done thereon which may be or become an annoyance or nuisance to the neighborhood.
13. The above-described property shall not be used or maintained as a dumping ground for rubbish, except for the temporary accumulation of building materials during construction of subdivision improvements and dwellings. The builder or owner shall promptly dispose of or remove all building materials in a timely fashion. Trash, garbage, or other waste shall be kept only in sanitary containers designated for that purpose. All receptacles or other equipment used for the storage or disposal of rubbish shall be kept in a clean and sanitary condition.
14. Enforcement of any covenant, condition, or restriction which, when and if violated, is a violation or may be a violation of existing zoning ordinances may be enforced or prosecuted by the governmental body or authority having jurisdiction.
15. Invalidation of any one of these covenants, conditions, or restrictions, or any part thereof, by judgment or court order shall in no way affect any part of the other provisions, which shall remain in full force and effect.
16. Enforcement of these covenants, conditions, or restrictions shall be by a proceeding of law or in equity by the Grantor/Seller named herein or by the owner of any property located in the \_\_\_\_\_

which properties are, or previously were, owned by the Grantor(s) herein, against any person or entity violating or attempting to violate any covenant, condition, or restriction, or to restrain any violation or recover damage or enforce any lien created by these covenants, conditions, and restrictions. Failure by any person or entity to enforce any covenant, condition, or restriction herein contained shall in no event be deemed a waiver of the right to do so thereafter.

The real property described above is subject to the covenants, restrictions, conditions, reservations, liens, and charges hereby declared to insure the best use and the most appropriate development and improvement of each building site thereof; to protect the owners of building sites against such improper use of surrounding building sites as will depreciate the value of their said property; to preserve, so far as practicable, the natural beauty of said property; to guard against the erection thereof of poorly designed or proportioned structures and structures built of improper or unsuitable materials; to obtain harmonious color schemes; to insure the highest and best development of said property; to encourage and secure the erection of attractive homes thereon, with appropriate locations thereof on building sites; to prevent haphazard and inharmonious improvement of building sites; to secure and maintain property setbacks from streets, and adequate free spaces between structures; and in general, to provide adequately for a high type and quality of improvement in said property, and thereby to enhance the values of investments made by purchasers of building site therein.

\_\_\_\_\_  
Buyer

\_\_\_\_\_  
Buyer

\_\_\_\_\_  
Seller

*Richard J. Horvath*