

**DISCLOSURE STATEMENT:
VACANT LAND**

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1. Date 7/20/17
2. Page 1 of _____ 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 Rebel Rd, Merrifield MN 56465
(Address/Section/Township/Range)

33. PID # 520303400000009, Legal Description SESW, 30-135-27

34. City or Township of Center Twp, 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 3/10/2012 did you acquire the land?

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

38. Location of Abstract: First American Title Insurance Co. Baxter, MN 56425

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): Rebel Road easement for ingress, egress & utilities

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 Rebel Rd, Merrifield MN 56465 Center Twp
49. (6) Has the land been surveyed? ☒ Yes ☐ No
50. Year surveyed: 2012
51. What company/person performed the survey? Fleisher Land Surveying PSC
52. Name: Joseph Fleisher Address: 2147 Cottonwood Phone: 218 651-5683
Niswa, MN
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: All 4 corners of the property are marked
with stakes and pink ribbons
- 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? _____
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 Rebel Rd, Merrifield MN 56465 Center Twp

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: 1 Deer stand and one camper

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)? Snowmobile Trail ☒ 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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138. Property located at TBD Rebel Rd, Merrifield MN 56465 Center Twp

- | | | | | |
|------|-----|---|------------------------------|--|
| 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: snowmobile trail
158. attached

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? ☐ Yes ☒ No

162. If "Yes," please explain: _____

163. _____

164. _____

165. (3) Is the land currently rented? ☐ Yes ☒ No

166. If "Yes," is there a written lease? ☐ Yes ☒ 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? ☐ Yes ☐ No

175. (4) Is woodland leased for recreational purposes? ☐ Yes ☒ No

176. (5) Has a timber cruise been completed on woodland? ☐ Yes ☒ No

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179. Property located at TBD Rebel Rd, Merrifield MN 56465 Center Twp
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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224. Property located at TBD Rebel Rd, Merrifield MN 56465 Center Twp

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: Heavily wooded, some dead trees

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 Rebel Rd, Merrifield MN 56465 Center Twp

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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311. Property located at TBD Rebel Rd, Merrifield MN 56465 Center Twp.
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.
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. _____
348. _____
349. _____
350. _____
351. _____
352. _____

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355. Property located at TBD Rebel Rd, Merrifield MN 56465 Center Twp.

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
- 373. (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
377. agree in writing. Waiver of the disclosure required under sections 513.52 to 513.60 does not waive, limit or abridge
378. 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
387. register under MN Statute 243.166 or about whom notification is made under that section, if Seller, in a
388. timely manner, provides a written notice that information about the predatory offender registry and persons
389. registered with the registry may be obtained by contacting the local law enforcement agency where the
390. 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
392. 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
395. property if a written report that discloses the information has been prepared by a qualified third party
396. and provided to the prospective buyer. For purposes of this paragraph, "qualified third party" means
397. a federal, state or local governmental agency, or any person whom Seller or prospective buyer reasonably
398. believes has the expertise necessary to meet the industry standards of practice for the type of inspection
399. or investigation that has been conducted by the third party in order to prepare the written report.
 - 400. (2) Seller shall disclose to the prospective buyer material facts known by Seller that contradict any
401. information included in a written report under paragraph (i) if a copy of the report is provided to Seller.

**DISCLOSURE STATEMENT:
VACANT LAND**

402. Page 10

403.	THE INFORMATION DISCLOSED IS GIVEN TO THE BEST OF SELLER'S KNOWLEDGE.
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404. Property located at TBD Rebel Rd, Merrifield MN 56465 Center Twp.

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.  7/21/2017
(Seller) **Jeffrey Kier** (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**
429. **NOT RESPONSIBLE FOR ANY CONDITIONS EXISTING ON THE PROPERTY.**

LANDOWNER PERMISSION

THIS PERMIT is granted on SESW, 30-135-27 (area within highline right-of-way), by JEFF KIER the Landowner(s) to CROW WING COUNTY the Sponsor to establish and/or maintain the MERRIFIELD MARATHON Snowmobile Trail.

That JEFF KIER, the (record owners, contract for deed purchasers, lessees) in consideration of N/A, grants this permit over and upon the following described premises situated in the County of CROW WING, State of Minnesota, to wit: (complete land description)

SUBJECT TO:

1. This permit shall be continuous and will terminate upon sale of the land, or upon notification in writing to the Sponsor six (6) months prior to termination by the Landowner(s). In no event will Landowner(s) terminate permit prior to one (1) year from date signed by Landowner(s) below.
2. The right-of-way shall be open to the general public for snowmobile use.
3. The Sponsor shall at all times have the right to enter upon said right-of-way for any purpose necessary to the performance of lawful powers and duties.
4. The Landowner(s) shall have the right to close said right-of-way during any emergency, with the approval of the Sponsor.
5. The permit is for a 16 foot width over the route to be used within the powerline right-of-way.

DATE: 4/13/12


(Landowner Signature)

12060 90th Ave. N. Maple Grove, MN
(Address and Phone Number)

763-350-7101

(Club Representative)

NOTE: All Trail Permits are to be made out to the **Sponsor** not the club. Permits can be made out to club only if the Sponsor has specifically given written permission and authority to the club, and the club has been incorporated.