



VACANT LAND DISCLOSURE STATEMENT

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- 1. Date July 13, 2013
2. Page 1 of 1 pages

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

- 4. NOTICE: This Disclosure Statement satisfies the disclosure requirements of MN Statutes 513.52 through 513.60.
5. Under Minnesota law, Sellers of residential property, with limited exceptions listed on page eight (8), are obligated to disclose to prospective Buyers all material facts of which Seller is aware that could adversely and significantly affect an ordinary buyer's use or enjoyment of the property or any intended use of the property of which Seller is aware.
6. MN Statute 513.58 requires Seller to notify Buyer in writing as soon as reasonably possible, but in any event before closing, if Seller learns that Seller's disclosure was inaccurate. Seller is obligated to continue to notify Buyer, in writing, of any facts disclosed herein (new or changed) of which Seller is aware that could adversely and significantly affect the Buyer's use or enjoyment of the property or any intended use of the property that occur up to the time of closing. Seller has disclosure alternatives allowed by MN Statutes. See Seller's Disclosure Alternatives form for further information regarding disclosure alternatives. This disclosure is not a warranty or a guarantee of any kind by Seller or licensee(s) representing or assisting any party in the transaction.
15. For purposes of the seller disclosure requirements of MN Statutes 513.52 through 513.60:
16. "Residential real property" or "residential real estate" means property occupied as, or intended to be occupied as, a single-family residence, including a unit in a common interest community as defined in MN Statute 515B.1-103, clause (10), regardless of whether the unit is in a common interest community not subject to Chapter 515B.
19. The seller disclosure requirements of MN Statutes 513.52 through 513.60 apply to the transfer of any interest in residential real estate, whether by sale, exchange, deed, contract for deed, lease with an option to purchase or any other option.
22. INSTRUCTIONS TO BUYER: Buyers are encouraged to thoroughly inspect the land personally or have it inspected by a third party, and to inquire about any specific areas of concern. NOTE: If Seller answers "NO" to any of the questions listed below, it does not necessarily mean that it does not exist on the land. "NO" may mean that Seller is unaware that it exists on the land.
26. INSTRUCTIONS TO SELLER: (1) Complete this form yourself. (2) Consult prior disclosure statement(s) and/or inspection report(s) when completing this form. (3) Describe conditions affecting the land to the best of your knowledge. (4) Attach additional pages with your signature if additional space is required. (5) Answer all questions. (6) If any items do not apply, write "NA" (not applicable).

30. Land location or identification xxxx 115th Street N (Address/Section/Township/Range)

31. PID # 0503021130008, Legal Description Lot 4 BIK4 Orchard Hills

32. City or Township of Grant, County of Washington, State of Minnesota.

33. A. GENERAL INFORMATION:

- 34. (1) What date 2013 did you acquire the land?
35. (2) Type of title evidence: [X] Abstract [] Registered (Torrens)
36. Location of Abstract: will get
37. To your knowledge, is there an existing Owner's Title Insurance Policy? [] Yes [X] No
38. (3) Are you in possession of prior vacant land disclosure statement(s)? [X] Yes [] No
39. (If "Yes," please attach if in your possession.)
40. (4) Are there any current or past Phase I, Phase II or Phase III Environmental Site Assessment(s)? (If "Yes," please attach if in your possession.) [] Yes [X] No
41.
42. (5) Access (where/type): STREET FRONTAGE
43. Is access (legal and physical) other than by direct frontage on a public road? [X] Yes [] No

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

46. Property located at xxxx 115th Street N Grant _____.
47. (6) Has the land been surveyed? Yes No
48. Year surveyed: ? mids 90's
49. What company/person performed the survey? ?
50. Name: ? Address: ? Phone: ?
51. (7) Is this platted land? Yes No
52. If "Yes,"
53. has the plat been recorded? Yes No
54. do you have a certificate of survey in your possession? Yes No
55. If "Yes," who completed the survey? _____ When? _____
56. (8) Are you aware of any property markers on the land? Yes No
57. If "Yes," give details: corners
58. _____
59. (9) Is the land located on a public or private road? Public Private
60. (10) Are there any private or non-dedicated roadways that you are responsible for? Yes No
61. (11) For land abutting a lake, stream or river, does the land meet the
62. minimum local government lot size requirements? Yes No Unknown
63. If "No," or "Unknown", buyer should consult the local zoning authority.
64. (12) Are there any rivers, lakes, ponds, creeks, streams or springs running
65. through the land or along a boundary line? Yes No
66. (13) Is the land located in a designated flood plain? Yes No
67. (14) Is the land located in a drainage district, County or Judicial Drainage System? Yes No
68. (15) Is the land drain tiled? Yes No
69. (16) Is there a private drainage system on the land? Yes No
70. (17) Is the land located within a government designated disaster evacuation zone
71. (e.g., nuclear facility, hazardous chemical facility, hazardous waste facility)? Yes No
72. (18) Are there encroachments? Yes No
73. (19) Please provide clarification or further explanation for all applicable "Yes" responses in Section A:
74. _____
75. _____

B. GENERAL CONDITION:

77. (1) Are there any structures, improvements or emblements (e.g., crops) included
78. in the sale? Yes No
79. If "Yes," list all items: _____
80. _____
81. _____
82. _____

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

85. Property located at xxxx 115th Street N Grant _____.

86. (2) Is there any abandoned or junk motor vehicles, equipment of any kind or debris
87. included in the sale? Yes No

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

89. _____

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

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

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

93. _____

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

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

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

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

98. _____

99. _____

100. C. USE RESTRICTIONS:

101. (1) To your knowledge, do any of the following types of covenants, conditions, reservations of rights or use or
102. restrictions affect the land?

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

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

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

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

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

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

112. (g) Are there association requirements or restrictions? Yes No

113. (h) Is there a right of first refusal to purchase? Yes No

114. (i) Are there reservations? Yes No

115. (j) Are there any Department of Natural Resources restrictions? Yes No

116. (k) Is the land located in a watershed district? Yes No

117. (l) Is the land enrolled in any Federal, State or local governmental programs
118. (e.g., CREP, CRP, EQIP, WRP, Conservation programs, riparian buffers, etc.)? Yes No

119. (m) Are there any USDA Wetland Determinations? Yes No

120. (n) Are there any USDA Highly Erodible Land Determinations? Yes No

121. (o) Are there any conservation practices installed (e.g., terracing, waterways,
122. control structures)? Yes No



VACANT LAND DISCLOSURE STATEMENT

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125. Property located at xxxx 115th Street N Grant

126. (p) Are there any Federal or State listed species? [] Plants [] Animals [] Yes [X] No

127. (q) Are all mineral rights intact? [X] Yes [X] No

128. (r) Is there any forfeiture or transfer of rights (e.g., mineral, timber, development, etc.) [] Yes [X] No

129. (s) Are there any historical registry restrictions? [] Yes [X] No

130. (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: _____

131. _____

132. _____

133. (2) Have you ever received notice from any person or authority as to any breach of any of these covenants, conditions, reservations or restrictions? [] Yes [X] No

134. If "Yes," please explain: _____

135. _____

136. _____

137. (3) Is the land currently rented? [] Yes [X] No

138. If "Yes," is there a written lease? [] Yes [X] No

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

140. Lease start date: _____

141. Lease end date: _____

142. Number of acres leased: _____

143. Price/acre: _____

144. Terms of lease: _____

145. Renter's name: _____ Phone number: _____

146. May the renter be contacted for info on the land? [] Yes [X] No

147. (4) Is woodland leased for recreational purposes? [] Yes [X] No

148. (5) Has a timber cruise been completed on woodland? [] Yes [X] No

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

150. If "Yes," what species was harvested? _____

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

152. (7) To your knowledge, 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

153. If "Yes," please explain: _____

154. _____

155. (8) To your knowledge, are there any zoning violations, nonconforming uses or unusual restrictions on the land that would affect future construction or remodeling? [] Yes [X] No

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

165. Property located at xxxx 115th Street N Grant

166. D. UTILITIES:

167. (1) Have any percolation tests been performed? Yes No

168. When? 1997 - + - By whom? DALE EKIN -

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

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

172. Seller certifies that Seller DOES DOES NOT know of a subsurface sewage treatment system on or serving
(Check one.)

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

175. There is a subsurface sewage treatment system on or serving the above-described real property.
176. (See *Subsurface Sewage Treatment System Disclosure Statement*.)

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

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

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

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

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

186. To your knowledge, is the land in a Special Well Construction Area? Yes No

187. (4) To your knowledge, are any of the following presently existing within the land:

188. (a) connection to public water? Yes No

189. (b) connection to public sewer? Yes No

190. (c) connection to private water system off-property? Yes No

191. (d) connection to electric utility? Yes No

192. (e) connection to pipelines (natural gas, petroleum, other)? Yes No

193. (f) connection to communication, power or utility lines? Yes No

194. (g) connection to telephone? Yes No

195. (h) connection to fiber optic? Yes No

196. (i) connection to cable? Yes No

197. (5) To your knowledge, are any of the following existing at the boundary of the land:

198. (a) public water system access? Yes No

199. (b) private water system access? Yes No

200. (c) co-op water system access? Yes No

201. (d) shared water system access? Yes No

202. (e) electric service access? Yes No

203. (f) pipeline (natural gas, petroleum, other) access? Yes No

204. (g) communication, power or utility line access? Yes No

205. (h) telephone access? Yes No

206. (i) fiber optic access? Yes No

207. (j) cable access? Yes No

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210. Property located at xxxx 115th Street N Grant

211. E. ENVIRONMENTAL CONCERNS:

212. (1) To your knowledge, are there any buried storage tanks or buried debris or
213. waste on the land? Yes No

214. If "Yes," give details: _____

215. _____

216. (2) To your knowledge, are there any hazardous or toxic substances or wastes in,
217. on or affecting the land? Yes No

218. If "Yes," give details: _____

219. _____

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

221. When? _____ By whom? _____

222. Attach copies of results if in your possession.

223. (4) To your knowledge, are there any soil problems? Yes No

224. If "Yes," give details: _____

225. _____

226. (5) To your knowledge, are there any dead or diseased trees? Yes No

227. If "Yes," give details: _____

228. (6) To your knowledge, are there any insect/animal/pest infestations? Yes No

229. If "Yes," give details: _____

230. _____

231. (7) To your knowledge, are there any animal burial pits? Yes No

232. If "Yes," give details: _____

233. (8) To your knowledge, are there any unused wells or other potential environmental
234. hazards on the site (e.g., fuel or chemical storage tanks, contaminated soil or water)
235. on the land? Yes No

236. If "Yes," give details: _____

237. _____

238. (9) To your knowledge, did the land at one time abut or was located in close proximity
239. to a gas station, refuse disposal site, toxic substance storage site, junk yard or
240. other pollution situation? Yes No

241. If "Yes," give details: _____

242. _____

243. (10) To your knowledge, is the land located in or near an agricultural zone? Yes No
244. If "Yes," the land may be subjected to normal and accepted agricultural practices and operations including,
245. but not limited to noise; dust; day and nighttime operation of farm machinery; the raising and keeping of
246. livestock; and the storage and application of manure, fertilizers, soil amendments, herbicides and pesticides
247. associated with normal agricultural operations.

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

APPLE ORCHARD ABUTTING

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

252. Property located at xxxx 115th Street N Grant _____.

253. (11) To your knowledge, are there any landfills or waste disposal sites within two (2)
 254. miles of the land? Yes No
 255. If "Yes," give details: _____

256. _____
 257. (12) To your knowledge, is there any government sponsored clean-up of the land? Yes No
 258. If "Yes," give details: _____

259. _____
 260. (13) Are you aware if there are currently, or have previously been, any orders issued on the
 261. land by any governmental authority ordering the remediation of a public health
 262. nuisance on the land? Yes No
 263. If "Yes," Seller certifies that all orders HAVE HAVE NOT been vacated.
 -----(Check one.)-----

264. (14) Other: _____
 265. _____
 266. _____

267. **F. PREFERENTIAL PROPERTY TAX TREATMENT:** Is the land subject to any preferential property tax status or any
 268. other credits affecting the land (e.g., Disability, Green Acres, Rural Preserve,
 269. Exclusive Ag Covenant)? Yes No
 270. If "Yes," would these terminate upon the sale of the land? Yes No
 271. Explain: _____

272. _____

273. **G. METHAMPHETAMINE PRODUCTION DISCLOSURE:**
 274. (A methamphetamine production disclosure is required by MN Statute 152.0275, Subd. 2 (m).)
 275. Seller is not aware of any methamphetamine production that has occurred on the land.
 276. Seller is aware that methamphetamine production has occurred on the land.
 277. (See Methamphetamine Production Disclosure Statement.)

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

282. **I. CEMETERY ACT:** MN Statute 307.08 prohibits any damage or illegal molestation of human remains, burials
 283. or cemeteries. A person who intentionally, willfully and knowingly destroys, mutilates, injures, disturbs or removes
 284. human skeletal remains or human burial grounds is guilty of a felony.
 285. To your knowledge, are you aware of any human remains, burials or cemeteries located
 286. on the land? Yes No

287. If "Yes," please explain: _____
 288. _____

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

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

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299. Property located at xxxx 115th Street N Grant

300. K. MN STATUTES 513.52 THROUGH 513.60:

301. **Exceptions**

302. The seller disclosure requirements of MN Statutes 513.52 through 513.60 **DO NOT** apply to
303. (1) real property that is not residential real property;
304. (2) a gratuitous transfer;
305. (3) a transfer pursuant to a court order;
306. (4) a transfer to a government or governmental agency;
307. (5) a transfer by foreclosure or deed in lieu of foreclosure;
308. (6) a transfer to heirs or devisees of a decedent;
309. (7) a transfer from a cotenant to one or more other co-tenants;
310. (8) a transfer made to a spouse, parent, grandparent, child or grandchild of Seller;
311. (9) a transfer between spouses resulting from a decree of marriage dissolution or from a property agreement incidental to that decree;
312. (10) a transfer of newly constructed residential property that has not been inhabited;
313. (11) an option to purchase a unit in a common interest community, until exercised;
314. (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);
315. (13) a transfer to a tenant who is in possession of the residential real property; or
316. (14) a transfer of special declarant rights under section 515B.3-104.

319. **Waiver**

320. 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.

323. **No Duty to Disclose**

324. A. There is no duty to disclose the fact that the property
325. (i) is or was occupied by an owner or occupant who is or was suspected to be infected with Human Immunodeficiency Virus or diagnosed with Acquired Immunodeficiency Syndrome;
326. (ii) was the site of a suicide, accidental death, natural death or perceived paranormal activity; or
327. (iii) is located in a neighborhood containing any adult family home, community-based residential facility or nursing home.
328. 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.
329. 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.
330. D. **Inspections.**
331. (i) 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.
332. (ii) 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.
333. 334. 335. 336. 337. 338. 339. 340. 341. 342. 343. 344. 345.

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348. Property located at xxxx 115th Street N Grant _____.

349. **L. OTHER MATTERS:** Is there anything else that may materially and adversely affect the land (e.g., including but not
350. limited to, pending claims or litigation, notice from any governmental authority of violation of any law or regulation,
351. proposed zoning changes, street changes, threat of condemnation)? Yes No

352. If "Yes," please explain: OIL PIPELINE EASEMENT ON
353. THE EAST BOUNDARY OF PROPERTY.
354. _____

355. **M. ADDITIONAL COMMENTS:**
356. owner agent is a Minnesota licensed
357. real estate agent selling said property
358. for profit

359. **N. SELLER'S STATEMENT:** (To be signed at time of listing.)
360. Seller(s) hereby states the condition of the land to be as stated above and authorizes any licensee(s)
361. representing or assisting any party(ies) in this transaction to provide a copy of this Disclosure to any person or
362. entity in connection with any actual or anticipated sale of the land.

363. [Signature] July 1, 13
(Seller) (Date) (Seller) (Date)

364. **O. BUYER'S ACKNOWLEDGEMENT:** (To be signed at time of purchase agreement.)
365. I/We, the Buyer(s) of the land, acknowledge receipt of this Vacant Land Disclosure Statement and agree that
366. no representations regarding the condition of the land have been made other than those made above.

367. _____
(Buyer) (Date) (Buyer) (Date)

368. **P. SELLER'S ACKNOWLEDGEMENT** (To be signed at time of purchase agreement.): Seller is obligated to continue
369. to notify Buyer, in writing, of any facts which differ from the facts disclosed herein (new or changed) of which Seller
370. is aware that could adversely and significantly affect the Buyer's use or enjoyment of the property or any intended
371. use of the property that occur up to the time of closing.

372. **AS OF THE DATE BELOW, I/we, the Seller(s) of the land, state that the condition of the land is the same, except**
373. **for changes as indicated below, which have been signed and dated.**

374. _____
375. _____
376. _____
377. _____
378. _____

379. _____
(Seller) (Date) (Seller) (Date)

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