

BUYER BROCHURE

5825 Long Brake Trl



Photos & Video Tour at
5825LONGBRAKE.COM

HOME HIGHLIGHTS

5825 Long Brake Trl

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HOME HIGHLIGHTS

UPDATES

- 2016 Rebuild and Remodel from the Studs Up
- Tom Rauscher Designed & AMEK built
- New Entry Foyer
- New Great Room Living Room with Fireplace
- New Vaulted Family Room with French Doors
- New Formal Dining Room with Buffet
- New Chef's Kitchen with Large Center Island
- New Secondary Prep Kitchen
- New Mud Room with Dog Wash Station
- New Powder Room off Kitchen
- New 31x14 Deck off Living Room Overlooking Yard
- New Upper Level Loft- Family Room
- New Master Bedroom-Bath Suite
- 4 New Additional Bedrooms (2 up, 2 down)
- New Hallway Full Bath up, 3/4 Bath Down
- New Lower Level Family Room & Storage Room
- New Paver Patio off LL Family Room
- New Landscaping Throughout

FEATURES

- Like New Tom Rauscher Designed Modern Two Story
- Steps to Braemar Golf Course, Walking Trails, Regional Bike Trail
- Private, Landscaped .51 Acre Corner Lot
- Modern, Open Spaces Flooded in Natural Light
- Beautiful, High-Quality Millwork and Finishes
- Backyard Oasis with Paver Patio and Huge Deck

SELLER NARRATIVE

5825 Long Brake Trl

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SELLER NARRATIVE

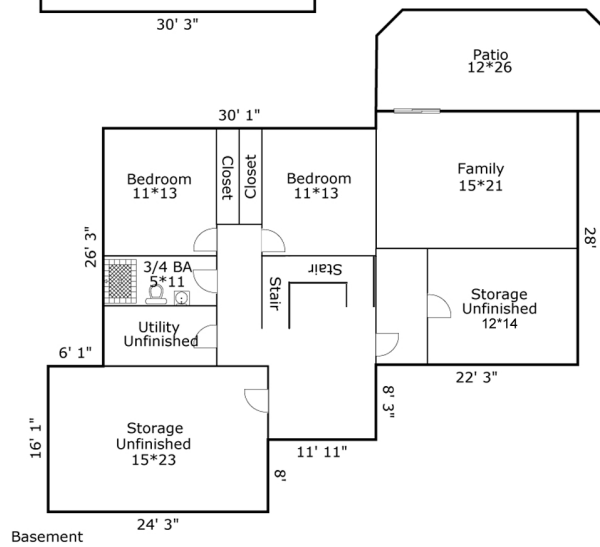
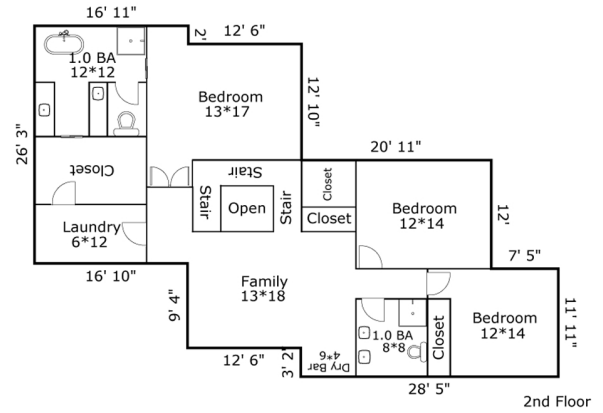
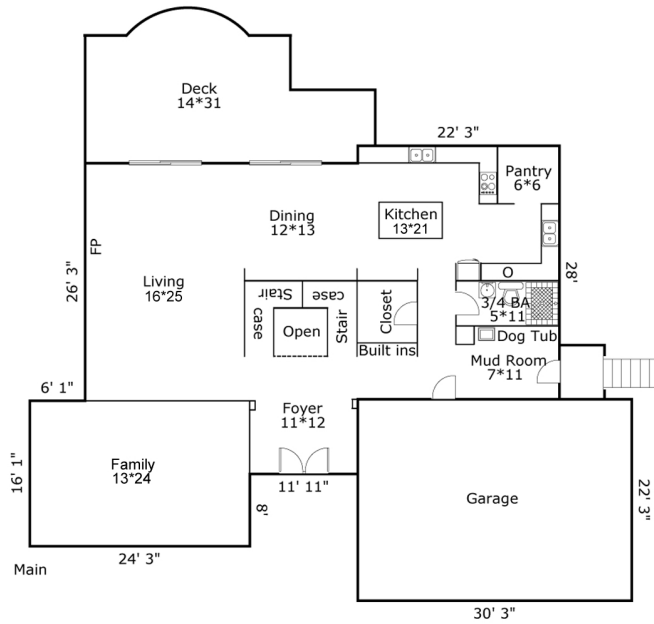
When we purchased 5825 Long Brake Trail in 2003, our agent told us, "This home has good karma." That got my attention and her words came true! This is indeed a great family home, and we were the second family to raise children here. In no certain order, these are a few of our favorite things: the 360 degree views of nature, observing the four seasons from the over-sized windows, the to-die-for cook's kitchen, the easy maintenance floors (especially the heated master bath!), the .51 acre lot with room to roam, the neighbors (they're the greatest!), Bill's beautiful perennials (including bunches of tulips that come up in the spring), the ease of entertaining here, and, finally, the zen nature of this home. We are never more relaxed than when we are home at 5825 Long Brake Trail. Our house was rebuilt from the studs up in 2016. At the time, we paid very close attention to what the "next" family may want. So the house is wired for good wifi and all-over sound, it has the latest in AC and heating systems, the upstairs teen family room-loft-lounge is a popular place, and the windows are easy to clean. We've lived in five cities and five homes, but forevermore, this home will be our favorite. It's just time to let a new family experience the karma. Cheers!

FLOOR PLANS

5825 Long Brake Trl

Photos & Video Tour at
5825LONGBRAKE.COM

5825 Long Brake Trail



First Floor	1899 Sq ft
Second Floor	1454 Sq ft
Total Above Grade Finished Sq Ft	3353 Sq ft
Total Building Finished Sq Ft	4609 Sq ft
Basement	1899 Sq ft
Basement Finished Sq Ft	1256 Sq ft
Deck	420 Sq ft
Patio	282 Sq ft
Garage	673 Sq ft

SELLER'S DISCLOSURES

5825 Long Brake Trl

Photos & Video Tour at
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**DISCLOSURE STATEMENT: SELLER'S
PROPERTY DISCLOSURE STATEMENT**

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1. Date 6-7-18
2. Page 1 of 10 pages: RECORDS AND
3. REPORTS, IF ANY, ARE ATTACHED AND MADE A
4. PART OF THIS DISCLOSURE

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

6. **NOTICE:** This Disclosure Statement satisfies the disclosure requirements of MN Statutes 513.52 through 513.60.
7. Under Minnesota law, sellers of residential property, with limited exceptions listed on page nine (9), are obligated to
8. disclose to prospective buyers all material facts of which Seller is aware that could adversely and significantly affect
9. an ordinary buyer's use or enjoyment of the property or any intended use of the property of which Seller is aware.
10. MN Statute 513.58 requires Seller to notify buyer in writing as soon as reasonably possible, but in any event before
11. closing, if Seller learns that Seller's disclosure was inaccurate. Seller is obligated to continue to notify Buyer, in writing,
12. of any facts disclosed here (new or changed) of which Seller is aware that could adversely and significantly affect the
13. Buyer's use or enjoyment of the property or any intended use of the property that occur up to the time of closing.
14. Seller has disclosure alternatives allowed by MN Statutes. See *Disclosure Statement: Seller's Disclosure Alternatives*
15. form for further information regarding disclosure alternatives. This disclosure is not a warranty or a guarantee of any
16. kind by Seller or licensee(s) representing or assisting any party in the transaction and is not a substitute for any
17. inspections or warranties the party(ies) may wish to obtain.

18. For purposes of the seller disclosure requirements of MN Statutes 513.52 through 513.60:

19. "Residential real property" or "residential real estate" means property occupied as, or intended to be occupied as, a
20. single-family residence, including a unit in a common interest community as defined in MN Statute 515B.1-103, clause
21. (10), regardless of whether the unit is in a common interest community not subject to chapter 515B.

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

25. **INSTRUCTIONS TO BUYER:** Buyers are encouraged to thoroughly inspect the property personally or have it inspected
26. by a third party, and to inquire about any specific areas of concern. **NOTE:** If Seller answers NO to any of the questions
27. listed below, it does not necessarily mean that it does not exist on the property, did not occur, or does not apply. NO
28. may mean that Seller is unaware.

29. **INSTRUCTIONS TO SELLER:** (1) Complete this form yourself. (2) Consult prior disclosure statement(s) and/or
30. inspection report(s) when completing this form. (3) Describe conditions affecting the property to the best of your
31. knowledge. (4) Attach additional pages, with your signature, if additional space is required. (5) Answer all questions.
32. (6) If any items do not apply, write "NA" (not applicable).

33. Property located at 5825 Long Brake Trl,
34. City of Edina, County of Hennepin, 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 MARCH, 2003 did you ☐ Acquire ☐ Build the home?
(Check one.)

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

38. Location of Abstract: _____
39. Is there an existing Owner's Title Insurance Policy? ☐ Yes ☐ No

40. (3) Have you occupied this home continuously during your ownership? ☐ Yes ☐ No

41. If "No," explain: WE LIVED IN A rental while house was rebuilt in 2016

42. (4) Is the home suitable for year-round use? ☒ Yes ☐ No

43. (5) Are you in possession of prior seller's disclosure statement(s)? (If "Yes," please attach.) ☐ Yes ☒ No

44. (6) Does the property include a manufactured home? ☐ Yes ☒ No

45. If "Yes," HUD #(s) is/are _____

46. Has the title been surrendered to the Registrar of Motor Vehicles for cancellation? ☐ Yes ☒ No

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

49. Property located at 5825 Long Brake Trl Edina MN 5543950. (7) Is the property located on a public or a private road? ☐ Public ☐ Private ☒ Public: no maintenance51. (8) **Flood Insurance:** All properties in the state of Minnesota have been assigned a flood zone designation. Some
52. flood zones may require flood insurance.53. (a) Do you know which zone the property is located in? ☐ Yes ☒ No

54. If "Yes," which zone? _____

55. (b) Have you ever had a flood insurance policy? ☐ Yes ☒ No56. If "Yes," is the policy in force? ☐ Yes ☐ No

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

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

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

60. If "Yes," please explain: _____

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

67. Are there any

68. (9) encroachments? ☐ Yes ☒ No69. (10) association, covenants, historical registry, reservations, or restrictions, that affect
70. or may affect the use or future resale of the property? ☐ Yes ☒ No71. (11) governmental requirements or restrictions that affect or may affect the use or future
72. enjoyment of the property (e.g., shoreland restrictions, non-conforming use, etc.)? ☐ Yes ☒ No73. (12) easements, other than utility or drainage easements? ☐ Yes ☒ No

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

75. _____

76. _____

77. **B. GENERAL CONDITION:** To your knowledge, have any of the following conditions previously existed or do they
78. currently exist on the property?

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

80. (1) Has there been any damage by wind, fire, flood, hail, or other cause(s)? ☒ Yes ☐ No81. If "Yes," give details of what happened and when: Electrical fire May 2015

82. _____

83. (2) Have you ever had an insurance claim(s) against your Homeowner's
84. Insurance Policy? ☒ Yes ☐ No85. If "Yes," what was the claim(s) for (e.g., hail damage to roof)? Home Fire 2015,86. Hail Storm Jan 2013? Aug. 201387. Did you receive compensation for the claim(s)? ☒ Yes ☐ No88. If you received compensation, did you have the items repaired? ☒ Yes ☐ No89. What dates did the claim(s) occur? Aug. 2013 ; May 2015

DISCLOSURE STATEMENT: SELLER'S
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91. THE INFORMATION DISCLOSED IS GIVEN TO THE BEST OF SELLER'S KNOWLEDGE.

92. Property located at 5825 Long Brake Trl Edina MN 5543993. (3) (a) Has/Have the structure(s) been altered?
94. (e.g., additions, altered roof lines, changes to load-bearing walls) ☒ Yes ☐ No

95. If "Yes," please specify what was done, when, and by whom (owner or contractor):

96. Re designed facade/ roof profile + redesigned
97. interior floor plan/ layout - All 3 levels98. (b) Has any work been performed on the property? (e.g., additions to the property, wiring, plumbing,
99. retaining wall, general finishing) ☒ Yes ☐ No100. If "Yes," please explain: AMER construction Rebuilt home
101. entire home in 2016102. (c) Are you aware of any work performed on the property for which
103. appropriate permits were not obtained? ☐ Yes ☒ No104. If "Yes," please explain: _____
105. _____106. (4) Has there been any damage to flooring or floor covering? ☒ Yes ☒ No107. If "Yes," give details of what happened and when: Fire 2015
108. _____109. (5) Do you have or have you previously had any pets? ☒ Yes ☐ No110. If "Yes," indicate type dogs and number 2111. (6) THE FOUNDATION: The type of foundation is (i.e., block, poured, wood, stone, other):
112. block

113. (7) THE BASEMENT, CRAWLSPACE, SLAB:

114. (a) cracked floor/walls? ☐ Yes ☒ No (e) leakage/seepage? ☐ Yes ☒ No115. (b) drain tile problem? ☐ Yes ☒ No (f) sewer backup? ☐ Yes ☒ No116. (c) flooding? ☐ Yes ☒ No (g) wet floors/walls? ☐ Yes ☒ No117. (d) foundation problem? ☐ Yes ☒ No (h) other? _____ ☐ Yes ☐ No118. Give details to any questions answered "Yes": _____
119. _____
120. _____

121. (8) THE ROOF:

122. (a) What is the age of the roofing material?

123. Home: 2013 years Garage(s)/Outbuilding(s): _____ years124. (b) Has there been any interior or exterior damage? ☐ Yes ☐ No125. (c) Has there been interior damage from ice buildup? ☐ Yes ☒ No126. (d) Has there been any leakage? ☐ Yes ☒ No127. (e) Have there been any repairs or replacements made to the roof? ☒ Yes ☐ No128. Give details to any questions answered "Yes": Front facade redesigned
129. 2016

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

132. Property located at 5825 Long Brake Trl Edina MN 55439

133. (9) THE EXTERIOR AND INTERIOR WALLS/SIDING/WINDOWS: L.P. Smart side

134. (a) The type(s) of siding is (e.g., vinyl, stucco, brick, other):

135. (b) cracks/damage? ☐ Yes ☒ No

136. (c) leakage/seepage? ☐ Yes ☒ No

137. (d) other? ☐ Yes ☒ No

138. Give details to any questions answered "Yes":

139.

140. C. APPLIANCES, HEATING, PLUMBING, ELECTRICAL, AND OTHER MECHANICAL SYSTEMS:

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

144. CHECK "NA" FOR ONLY THOSE ITEMS NOT PHYSICALLY LOCATED ON THE PROPERTY.

	Working Order				Working Order		
	Yes	No	NA		Yes	No	NA
147. Air-conditioning.....	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Propane tank.....	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
148. <input type="checkbox"/> Central <input type="checkbox"/> Wall <input type="checkbox"/> Window				<input type="checkbox"/> Rented <input type="checkbox"/> Owned			
149. Air exchange system.....	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Range/oven.....	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
150. Carbon monoxide detector.....	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Range hood.....	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
151. Ceiling fan.....	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Refrigerator.....	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
152. Central vacuum.....	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Security system.....	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
153. Clothes dryer.....	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Rented <input type="checkbox"/> Owned			
154. Clothes washer.....	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Smoke detectors (battery).....	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
155. Dishwasher.....	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Smoke detectors (hardwired).....	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
156. Doorbell.....	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Solar collectors.....	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
157. Drain tile system.....	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Sump pump.....	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
158. Electrical system.....	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Toilet mechanisms.....	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
159. Environmental remediation system				Trash compactor.....	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
160. (e.g., radon, vapor intrusion).....	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	TV antenna system.....	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
161. Exhaust system.....	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	TV cable system.....	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
162. Fire sprinkler system.....	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	TV receiver.....	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
163. Fireplace.....	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	TV satellite dish.....	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
164. Fireplace mechanisms.....	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Rented <input type="checkbox"/> Owned			
165. Freezer.....	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Water heater.....	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
166. Furnace humidifier.....	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Water purification system.....	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
167. Garage door auto reverse.....	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Rented <input checked="" type="checkbox"/> Owned			
168. Garage door opener.....	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Water softener.....	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
169. Garage door opener remote.....	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Rented <input checked="" type="checkbox"/> Owned			
170. Garbage disposal.....	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Water treatment system.....	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
171. Heating system (central).....	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Rented <input type="checkbox"/> Owned			
172. Heating system (supplemental).....	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Windows.....	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
173. Incinerator.....	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Window treatments.....	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
174. Intercom.....	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Wood-burning stove.....	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
175. Lawn sprinkler system.....	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Other.....	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
176. Microwave.....	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Other.....	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
177. Plumbing.....	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Other.....	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
178. Pool and equipment.....	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Other.....	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

DISCLOSURE STATEMENT: SELLER'S
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180. THE INFORMATION DISCLOSED IS GIVEN TO THE BEST OF SELLER'S KNOWLEDGE.

181. Property located at 5825 Long Brake Trl Edina MN 55439182. Are there any items or systems on the property connected or controlled wirelessly, via internet protocol ("IP"), to
183. a router or gateway or directly to the cloud? ☐ Yes ☒ No

184. Comments regarding issues in Section C: _____

185. _____

186. D. **SUBSURFACE SEWAGE TREATMENT SYSTEM DISCLOSURE:**

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

188. Seller certifies that Seller ☐ DOES ☒ DOES NOT know of a subsurface sewage treatment system on or serving
(Check one.)189. the above-described real property. (If answer is **DOES**, and the system does not require a state permit, see
190. Disclosure Statement: Subsurface Sewage Treatment System.)191. ☐ There is an abandoned subsurface sewage treatment system on the above-described real property.

192. (See Disclosure Statement: Subsurface Sewage Treatment System.)

193. E. **PRIVATE WELL DISCLOSURE:** (A well disclosure and Certificate are required by MN Statute 103I.235.)
194. (Check appropriate box.)195. ☒ Seller certifies that Seller does not know of any wells on the above-described real property.196. ☐ Seller certifies there are one or more wells located on the above-described real property.

197. (See Disclosure Statement: Well.)

198. Are there any wells serving the above-described property that are not located on the
199. property? ☐ Yes ☐ No

200. If "Yes":

201. (1) How many properties or residences does the shared well serve? _____

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

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

204. Is this property in a Special Well Construction Area? ☐ Yes ☐ No205. F. **PROPERTY TAX TREATMENT:**206. **Valuation Exclusion Disclosure** (Required by MN Statute 273.11, Subd. 18.)207. There ☐ IS ☒ IS NOT an exclusion from market value for home improvements on this property. Any
(Check one.)208. valuation exclusion shall terminate upon sale of the property, and the property's estimated market value for
209. property tax purposes shall increase. If a valuation exclusion exists, Buyers are encouraged to look into the
210. resulting tax consequences.

211. Additional comments: _____

212. _____

213. **Preferential Property Tax Treatment**

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

215. (e.g., Disability, Green Acres, CRP, RIM, Rural Preserve, Veterans' Benefits,

216. Non-Profit Status) ☐ Yes ☒ No217. If "Yes," would these terminate upon the sale of the property? ☐ Yes ☐ No

218. Explain: _____

219. _____

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

222. Property located at 5825 Long Brake Trl Edina MN 55439
223. **G. FOREIGN INVESTMENT IN REAL PROPERTY TAX ACT ("FIRPTA"):** Section 1445 of the Internal Revenue Code
 224. provides that a transferee ("Buyer") of a United States real property interest must be notified in writing and must
 225. withhold tax if the transferor ("Seller") is a foreign person and no exceptions from FIRPTA withholding apply.
 226. Seller represents that Seller ☐ IS ☒ IS NOT a foreign person (i.e., a non-resident alien individual, foreign corporation,
 ----- (Check one.) -----
 227. foreign partnership, foreign trust, or foreign estate) for purposes of income taxation. This representation shall
 228. survive the closing of any transaction involving the property described here.
229. **NOTE:** If the above answer is "IS," Buyer may be subject to income tax withholding in connection with the
 230. transaction (unless the transaction is covered by an applicable exception to FIRPTA withholding). In
 231. non-exempt transactions, Buyer may be liable for the tax if Buyer fails to withhold.
 232. If the above answer is "IS NOT," Buyer may wish to obtain specific documentation from Seller ensuring
 233. Buyer is exempt from the withholding requirements as prescribed under Section 1445 of the Internal
 234. Revenue Code.
235. Due to the complexity and potential risks of failing to comply with FIRPTA, including Buyer's responsibility
 236. for withholding the applicable tax, Buyer and Seller should **seek appropriate legal and tax advice regarding**
 237. **FIRPTA compliance, as the respective licensees representing or assisting either party will be unable to**
 238. **assure either party whether the transaction is exempt from the FIRPTA withholding requirements.**
239. **H. METHAMPHETAMINE PRODUCTION DISCLOSURE:**
 240. (A Methamphetamine Production Disclosure is required by MN Statute 152.0275, Subd. 2 (m).)
 241. ☒ Seller is not aware of any methamphetamine production that has occurred on the property.
 242. ☐ Seller is aware that methamphetamine production has occurred on the property.
 243. (See Disclosure Statement: Methamphetamine Production.)
244. **I. NOTICE REGARDING AIRPORT ZONING REGULATIONS:** The property may be in or near an airport safety
 245. zone with zoning regulations adopted by the governing body that may affect the property. Such zoning regulations
 246. are filed with the county recorder in each county where the zoned area is located. If you would like to determine
 247. if such zoning regulations affect the property, you should contact the county recorder where the zoned area is
 248. located.
249. **J. NOTICE REGARDING CARBON MONOXIDE DETECTORS:** MN Statute 299F.51 requires Carbon Monoxide
 250. Detectors to be located within ten (10) feet from all sleeping rooms. Carbon Monoxide Detectors may or may not
 251. be personal property and may or may not be included in the sale of the home.
252. **K. CEMETERY ACT:** The following questions are to be answered to the best of Seller's knowledge.
 253. MN Statute 307.08 prohibits any damage or illegal molestation of human remains, burials or cemeteries. A person
 254. who intentionally, willfully and knowingly destroys, mutilates, injures, disturbs, or removes human skeletal remains
 255. or human burial grounds is guilty of a felony.
 256. Are you aware of any human remains, burials, or cemeteries located on the property? ☐ Yes ☒ No
 257. If "Yes," please explain: _____
 258. All unidentified human remains or burials found outside of platted, recorded or identified cemeteries and in
 259. contexts which indicate antiquity greater than 50 years shall be dealt with according to the provisions of MN
 260. Statute 307.08, Subd. 7.
261. **L. ENVIRONMENTAL CONCERNS:** To your knowledge, have any of the following previously existed or do they
 262. currently exist on the property?
- | | | | | | |
|--|------------------------------|--|--|------------------------------|--|
| 263. (1) Animal/Insect/Pest Infestation? | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | 263. (6) Lead? (e.g., paint, plumbing) | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| 264. (2) Asbestos? | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | 264. (7) Mold? | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| 265. (3) Diseased trees? | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | 265. (8) Soil problems? | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| 266. (4) Formaldehyde? | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | 266. (9) Underground storage tanks? | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| 267. (5) Hazardous waste/substances? | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | | | |
268. (10) Other? _____ ☐ Yes ☐ No

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

271. Property located at 5825 Long Brake Trl Edina MN 55439
272. (11) Have you ever been contacted or received any information from any governmental authority pertaining
273. to possible or actual environmental contamination affecting the property? ☐ Yes ☒ No
274. (12) Are you aware if there are currently, or have previously been, any orders issued on the
275. property by any governmental authority ordering the remediation of a public
276. health nuisance on the property? ☐ Yes ☒ No
277. If answer above is "Yes," Seller certifies that all orders ☐ HAVE ☐ HAVE NOT been vacated.
(Check one.)
278. (13) Please provide clarification or further explanation for all applicable "Yes" responses in Section L.
279. _____
280. _____

281. **M. RADON DISCLOSURE:** (The following Seller disclosure satisfies MN Statute 144.496.)

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

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

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

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

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

301. (a) Radon test(s) ☐ HAVE ☒ HAVE NOT occurred on the property.
(Check one.)
302. (b) Describe any known radon concentrations, mitigation, or remediation. **NOTE:** Seller shall attach the most
303. current records and reports pertaining to radon concentration within the dwelling:

304. _____

305. _____

306. (c) There ☐ IS ☒ IS NOT a radon mitigation system currently installed on the property.
(Check one.)

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

309. _____

310. _____

311. **EXCEPTIONS:** See Section R for exceptions to this disclosure requirement.

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

314. Property located at 5825 Long Brake Trl Edina MN 55439

315. **N. NOTICES/OTHER DEFECTS/MATERIAL FACTS:** The following questions are to be answered to the best of
316. Seller's knowledge.

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

320. _____
321. **Other Defects/Material Facts:** Are there any other material facts that could adversely and significantly affect an
322. ordinary buyer's use or enjoyment of the property or any intended use of the property? ☐ Yes ☐ No
323. If "Yes," explain: _____

324. _____
325. **O. WATER INTRUSION AND MOLD GROWTH:** Studies have shown that various forms of water intrusion affect
326. many homes. Water intrusion may occur from exterior moisture entering the home and/or interior moisture leaving
327. the home.

328. Examples of exterior moisture sources may be:
329. • improper flashing around windows and doors,
330. • improper grading,
331. • flooding,
332. • roof leaks.

333. Examples of interior moisture sources may be:
334. • plumbing leaks,
335. • condensation (caused by indoor humidity that is too high or surfaces that are too cold),
336. • overflow from tubs, sinks, or toilets,
337. • firewood stored indoors,
338. • humidifier use,
339. • inadequate venting of kitchen and bath humidity,
340. • improper venting of clothes dryer exhaust outdoors (including electrical dryers),
341. • line-drying laundry indoors,
342. • houseplants—watering them can generate large amounts of moisture.

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

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

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

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

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

362. Property located at 5825 Long Brake Trl Edina MN 55439.

363. Q. ADDITIONAL COMMENTS:

364.

365. R. MN STATUTES 513.52 THROUGH 513.60: SELLER'S MATERIAL FACT DISCLOSURE:

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

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

383. **MN STATUTES 144.496: RADON AWARENESS ACT**

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

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

389. **No Duty to Disclose:**

390. (A) There is no duty to disclose the fact that the property

- 391. (1) is or was occupied by an owner or occupant who is or was suspected to be infected with Human
 392. Immunodeficiency Virus or diagnosed with Acquired Immunodeficiency Syndrome;
- 393. (2) was the site of a suicide, accidental death, natural death, or perceived paranormal activity; or
- 394. (3) is located in a neighborhood containing any adult family home, community-based residential facility, or
 395. nursing home.

396. (B) **Predatory Offenders.** There is no duty to disclose information regarding an offender who is required to
 397. register under MN Statute 243.166 or about whom notification is made under that section, if Seller, in a timely
 398. manner, provides a written notice that information about the predatory offender registry and persons registered
 399. with the registry may be obtained by contacting the local law enforcement agency where the property is
 400. located or the Department of Corrections.

401. (C) The provisions in paragraphs (A) and (B) do not create a duty to disclose any facts described in paragraphs
 402. (A) and (B) for property that is not residential property.

403. (D) **Inspections.**

- 404. (1) Except as provided in paragraph (2), Seller is not required to disclose information relating to the real
 405. property if a written report that discloses the information has been prepared by a qualified third party
 406. and provided to the prospective buyer. For purposes of this paragraph, "qualified third party" means a
 407. federal, state, or local governmental agency, or any person whom Seller or prospective buyer reasonably
 408. believes has the expertise necessary to meet the industry standards of practice for the type of inspection
 409. or investigation that has been conducted by the third party in order to prepare the written report.
- 410. (2) Seller shall disclose to the prospective buyer material facts known by Seller that contradict any information
 411. included in a written report under paragraph (1) if a copy of the report is provided to Seller.

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

414. Property located at 5825 Long Brake Trl Edina MN 55439

415. S. SELLER'S STATEMENT:

416. (To be signed at time of listing.)

417. Seller(s) hereby states the facts as stated above are true and accurate and authorizes any licensee(s) representing
 418. or assisting any party(ies) in this transaction to provide a copy of this Disclosure Statement to any person or entity
 419. in connection with any actual or anticipated sale of the property. A seller may provide this Disclosure Statement
 420. to a real estate licensee representing or assisting a prospective buyer. The Disclosure Statement provided to the
 421. real estate licensee representing or assisting a prospective buyer is considered to have been provided to the
 422. prospective buyer. If this Disclosure Statement is provided to the real estate licensee representing or assisting the
 423. prospective buyer, the real estate licensee must provide a copy to the prospective buyer.

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

428. Sheila Oliver 6-7-18 William Oliver 6-7-18
 (Seller) Sheila Oliver (Date) (Seller) William Oliver (Date)

429. T. BUYER'S ACKNOWLEDGEMENT:

430. (To be signed at time of purchase agreement.)

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

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

436. _____
 (Buyer) (Date) (Buyer) (Date)

437. LISTING BROKER AND LICENSEES MAKE NO REPRESENTATIONS HERE AND ARE
 438. NOT RESPONSIBLE FOR ANY CONDITIONS EXISTING ON THE PROPERTY.

Radon in Real Estate Transactions

All Minnesota homes can have dangerous levels of radon gas. Radon is a colorless, odorless and tasteless radioactive gas that can seep into homes from the soil. When inhaled, it can damage the lungs. Long-term exposure to radon can lead to lung cancer. About 21,000 lung cancer deaths each year in the United States are caused by radon.

The only way to know how much radon gas has entered the home is to conduct a radon test. MDH estimates 2 in 5 homes exceed the 4.0 pCi/L action level. Whether a home is old or new, **any home can have high levels of radon.**

The purpose of this publication is to educate and inform potential home buyers of the risks of radon exposure, and how to test for and reduce radon as part of real estate transactions.

Disclosure Requirements



Effective January 1, 2014, the Minnesota Radon Awareness Act requires specific disclosure and education be provided to potential home buyers during residential real estate transactions in Minnesota. **Before signing a purchase agreement to sell or transfer residential real property, the seller shall provide this publication and shall disclose in writing to the buyer:**

1. whether a radon test or tests have occurred on the property;
2. the most current records and reports pertaining to radon concentrations within the dwelling;
3. a description of any radon levels, mitigation, or remediation;
4. information on the radon mitigation system, if a system was installed; and
5. a radon warning statement.

MDH Minnesota
Department of Health

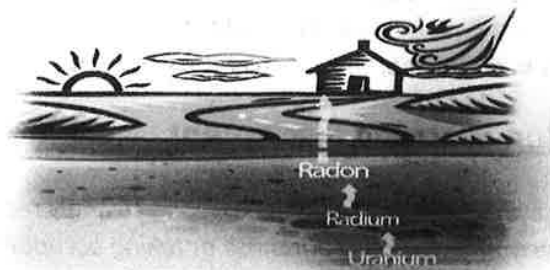
INDOOR AIR UNIT

Radon Facts

How dangerous is radon? Radon is the number one cause of lung cancer in non-smokers, and the second leading cause overall. Your risk for lung cancer increases with higher levels of radon, prolonged exposure, and whether or not you are a current smoker or former smoker.

Where is your greatest exposure to radon? For most Minnesotans, your greatest exposure is at home where radon can concentrate indoors.

What is the recommended action based on my results? If the average radon in the home is at or above 4.0 pCi/L, the home's radon level should be reduced. Also, consider mitigating if radon levels are between 2.0 pCi/L and 3.9 pCi/L. Any amount of radon, even below the recommended action level, carries some risk.



MDH Radon Program

PO Box 64975

St Paul, MN 55164-0975

health.indoor@state.mn.us

www.health.state.mn.us/radon

651-201-4601

800-798-9050



Radon Testing

Any test lasting less than three months requires **closed-house conditions**. Keep all windows and doors closed, except for normal entry and exit.

Before testing: Begin closed-house conditions at least 12 hours before the start of the radon test.

During testing: Maintain closed-house conditions during the entire duration of the short-term test. Operate home heating or cooling systems normally during the test. Test for at least 48 hours.

Where should the test be conducted? Any radon test conducted for a real estate transaction needs to be placed in the lowest livable area of the home suitable for occupancy. This is typically in the basement, whether finished or unfinished.

Place the test kit:

- twenty inches to six feet above the floor
- at least three feet from exterior walls
- four inches away from other objects
- in a location where it won't be disturbed
- not in enclosed areas or areas of high heat or humidity

Radon Mitigation

When elevated levels of radon are found, they can be easily reduced by a certified radon mitigation professional.

Radon mitigation is the process used to reduce radon concentrations in buildings. This is done by drawing soil gas from under the house and venting it above the roof. A quality mitigation system should reduce levels to below 4.0 pCi/L, if not lower.

After a radon mitigation system is installed perform an independent short-term test to ensure the reduction system is effective. Operate the radon system during the entire test. This test will confirm low levels in the home. Be sure to retest the house every two years to confirm continued radon reduction.

Radon Warning Statement

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

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

How are radon tests conducted in real estate transactions? There are special protocols for radon testing. The two most common ways to test are either using a calibrated continuous radon monitor (CRM) or two-short term test kits used at the same time. The short-term test kits are placed 4 inches apart and the results are averaged.

Continuous Radon Monitor (CRM)

Fastest



Simultaneous Short-term Testing

Second Fastest



All radon tests should be conducted by a certified professional. This ensures the test was conducted properly, in the correct location, and under appropriate building conditions. A list of these radon measurement professionals can be found at MDH's Radon website. If the seller previously conducted testing in a property at or above 4 pCi/L, the home should be mitigated.