

**SELLER'S PROPERTY  
DISCLOSURE STATEMENT**

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1. Date 4-5-2010  
2. Page 1 of 9 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 nine (9), are obligated to  
6. disclose to prospective Buyers all material facts of which Seller is aware that could adversely and significantly affect  
7. an ordinary Buyer's use or enjoyment of the property or any intended use of the property of which Seller is aware.  
8. MN Statute 513.58 requires Seller to notify Buyer in writing as soon as reasonably possible, but in any event  
9. before closing, if Seller learns that Seller's disclosure was inaccurate. Seller has disclosure alternatives allowed  
10. by MN Statutes. See *Seller's Disclosure Alternatives* form for further information regarding disclosure alternatives. This  
11. disclosure is not a warranty or a guarantee of any kind by Seller or licensee representing or assisting any party in the  
12. transaction.

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

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

21. Property located at 14141 54th Avenue N  
22. City of Plymouth, County of Kennepin, State of Minnesota.

**23. A. GENERAL INFORMATION:**

24. (1) When did you  **Acquire**  **Build the home?** April 2006  
(Check one.)

25. (2) Type of title evidence:  **Abstract**  **Registered (Torrens)**

26. Location of Abstract: \_\_\_\_\_

27. To your knowledge, is there an existing Owner's Title Insurance Policy?  Yes  No

28. (3) Have you occupied this home continuously for the past 12 months?  Yes  No

29. If "No," explain: \_\_\_\_\_

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

31. (5) To your knowledge, is the property located in a designated flood plain?  Yes  No

32. (6) Are you in possession of prior seller's disclosure statement(s)? (If "Yes," please attach.)  Yes  No

33. (7) Is the property located on a public or a private road?  Public  Private

34. (8) For property abutting a lake, stream or river, does the property meet the minimum local government lot size requirements? NA  Yes  No  Unknown

36. If "No," or "Unknown," Buyer should consult the local zoning authority.

37. Are you aware of any

38. (9) encroachments?  Yes  No

39. (10) association, covenants, historical registry, reservations or restrictions that affect or

40. may affect the use or future resale of the property?  Yes  No

41. (11) easements, other than utility or drainage easements?  Yes  No

42. (12) Comments: Home Owners Association

43. **ORIGINAL COPY TO LISTING BROKER; COPIES TO SELLER, BUYER, SELLING BROKER.**

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

46. Property located at 14141 54th Avenue N., Plymouth, MN 55446

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

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

50. If "Yes," give details of what happened and when: \_\_\_\_\_

51. \_\_\_\_\_

52. \_\_\_\_\_

53. \_\_\_\_\_

54. (2) (a) Has/Have the structure(s) been altered?  Yes  No  
55. (e.g., additions, altered roof lines, changes to load-bearing walls)

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

57. \_\_\_\_\_

58. \_\_\_\_\_

59. \_\_\_\_\_

60. (b) Has any work been performed on the property? (e.g., additions to the property, wiring, plumbing,  
61. retaining wall, general finishing.)  Yes  No

62. If "Yes," please explain: Started to finish room in  
63. basement to be used as a shop.

64. \_\_\_\_\_

65. \_\_\_\_\_

66. (c) Were appropriate permits pulled for any work performed on the property?  Yes  No

67. (3) Has there been any damage to flooring or floor covering?  Yes  No

68. If "Yes," give details of what happened and when: \_\_\_\_\_

69. \_\_\_\_\_

70. \_\_\_\_\_

71. \_\_\_\_\_

72. (4) Are you aware of any insect/animal/pest infestation?  Yes  No

73. (5) Do you have or have you previously had any pets?  Yes  No

74. If "Yes," indicate type \_\_\_\_\_ and number \_\_\_\_\_

75. (6) Comments: Owner before us had a dog

76. \_\_\_\_\_

77. \_\_\_\_\_

78. \_\_\_\_\_

79. ORIGINAL COPY TO LISTING BROKER; COPIES TO SELLER, BUYER, SELLING BROKER.

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

82. Property located at 14141 54th Avenue N, Plymouth, MN 55446

83. **C. STRUCTURAL SYSTEMS:** To your knowledge, have any of the following conditions previously existed or do they currently exist?

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

85. (1) **THE BASEMENT, CRAWLSPACE, SLAB:**

- |                             |                              |  |                      |                              |  |
|-----------------------------|------------------------------|--|----------------------|------------------------------|--|
| 86. (a) cracked floor/walls | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | (e) leakage/seepage  | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| 87. (b) drain tile problem  | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | (f) sewer backup     | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| 88. (c) flooding            | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | (g) wet floors/walls | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| 89. (d) foundation problem  | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | (h) other            | <input type="checkbox"/> Yes | <input type="checkbox"/> No            |

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

91. \_\_\_\_\_

92. \_\_\_\_\_

93. \_\_\_\_\_

94. \_\_\_\_\_

95. \_\_\_\_\_

96. \_\_\_\_\_

97. \_\_\_\_\_

98. \_\_\_\_\_

99. \_\_\_\_\_

100. \_\_\_\_\_

101. (2) **THE ROOF:** To your knowledge,

102. (a) what is the age of the roofing material? 5 years
103. (b) has there been any interior or exterior damage?  Yes  No
104. (c) has there been interior damage from ice buildup?  Yes  No
105. (d) has there been any leakage?  Yes  No
106. (e) have there been any repairs or replacements made to the roof?  Yes  No

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

108. HDA - maintains

109. \_\_\_\_\_

110. \_\_\_\_\_

111. \_\_\_\_\_

112. \_\_\_\_\_

113. \_\_\_\_\_

114. \_\_\_\_\_

115. \_\_\_\_\_

116. \_\_\_\_\_

117. **ORIGINAL COPY TO LISTING BROKER; COPIES TO SELLER, BUYER, SELLING BROKER.**

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

120. Property located at 14141 54th Avenue N, Plymouth, MN 55446

121. **D. APPLIANCES, HEATING, PLUMBING, ELECTRICAL AND OTHER MECHANICAL SYSTEMS:**

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

125. **Cross out only those items not physically located on the property.**

		In Working Order				In Working Order				In Working Order	
		Yes	No			Yes	No			Yes	No
126.	Air-conditioning.....	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Garbage disposal.....	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<del>Trash Compactor.....</del>	<input type="checkbox"/>	<input type="checkbox"/>		
129.	<del>Central</del> <input type="checkbox"/> Wall <input type="checkbox"/> Window			Heating system (central) <input checked="" type="checkbox"/>	<input type="checkbox"/>		<del>TV antenna system.....</del>	<input type="checkbox"/>	<input type="checkbox"/>		
130.	Air exchange system.....	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<del>Heating system (supplemental)</del> <input type="checkbox"/>	<input type="checkbox"/>		TV cable system.....	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
131.	Carbon Monoxide Detector...	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<del>Incinerator.....</del>	<input type="checkbox"/>	<input type="checkbox"/>	<del>TV satellite dish.....</del>	<input type="checkbox"/>	<input type="checkbox"/>		
132.	Ceiling fan.....	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<del>Intercom.....</del>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Rented <input type="checkbox"/> Owned				
133.	<del>Dishwasher.....</del>	<input type="checkbox"/>	<input type="checkbox"/>	<del>Lawn sprinkler system</del> <input checked="" type="checkbox"/>	<input type="checkbox"/>		<del>TV satellite receiver.....</del>	<input type="checkbox"/>	<input type="checkbox"/>		
134.	Doorbell.....	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<del>microwave.....</del>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Rented <input type="checkbox"/> Owned				
135.	Drain tile system.....	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Plumbing.....	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<del>Washer.....</del>	<input type="checkbox"/>	<input type="checkbox"/>		
136.	<del>Dryer.....</del>	<input type="checkbox"/>	<input type="checkbox"/>	<del>Pool and equipment.....</del>	<input type="checkbox"/>	<input type="checkbox"/>	Water heater.....	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
137.	Electrical system.....	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Range/oven.....	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<del>Water treatment system.....</del>	<input type="checkbox"/>	<input type="checkbox"/>		
138.	Exhaust system.....	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Range hood.....	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Rented <input type="checkbox"/> Owned				
139.	Fire sprinkler system.....	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<del>Refrigerator.....</del>	<input type="checkbox"/>	<input type="checkbox"/>	Windows.....	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
140.	Fireplace.....	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<del>*Security system</del> <input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Window treatments.....	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
141.	Fireplace mechanisms.....	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Rented <input type="checkbox"/> Owned			<del>Wood burning stove.....</del>	<input type="checkbox"/>	<input type="checkbox"/>		
142.	<del>Furnace humidifier.....</del>	<input type="checkbox"/>	<input type="checkbox"/>	Smoke detectors (battery) <input checked="" type="checkbox"/>	<input type="checkbox"/>		Other.....	<input type="checkbox"/>	<input type="checkbox"/>		
143.	<del>Freezer.....</del>	<input type="checkbox"/>	<input type="checkbox"/>	Smoke detectors (hardwired) <input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Other.....	<input type="checkbox"/>	<input type="checkbox"/>		
144.	Garage door opener (GDO)...	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<del>Solar collectors.....</del>	<input type="checkbox"/>	<input type="checkbox"/>	Other.....	<input type="checkbox"/>	<input type="checkbox"/>		
145.	Garage auto reverse.....	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Sump pump.....	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Other.....	<input type="checkbox"/>	<input type="checkbox"/>		
146.	GDO remote.....	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Toilet mechanisms.....	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Other.....	<input type="checkbox"/>	<input type="checkbox"/>		

147. Comments: Lawn sprinkler is owned by association.  
 148. Security system does not have service

149. **E. SUBSURFACE SEWAGE TREATMENT SYSTEM DISCLOSURE:**

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

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

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

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

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

158. **ORIGINAL COPY TO LISTING BROKER; COPIES TO SELLER, BUYER, SELLING BROKER.**

"The Future of Real Estate Services"  
100. THE INFORMATION DISCLOSED IS GIVEN TO THE BEST OF SELLER'S KNOWLEDGE.

161. Property located at 14141 54th Avenue N, Plymouth, MN 55446
162. **F. PRIVATE WELL DISCLOSURE:** (A well disclosure and Certificate are required by MN Statute 103I.235.)
163. (Check appropriate box.)
164.  Seller certifies that Seller does not know of any wells on the above-described real property.
165.  Seller certifies there are one or more wells located on the above-described real property.
166. (See Well Disclosure Statement.)
167. Are there any wells serving the above-described property that are not located on the property?  Yes  No
168. To your knowledge, is this property in a Special Well Construction Area?  Yes  No
169. **G. PROPERTY TAX TREATMENT:**
170. **Valuation Exclusion Disclosure** (Required by MN Statute 273.11. Subd. 16.)
171. (Check appropriate box.)
172. There  IS  IS NOT an exclusion from market value for home improvements on this property. Any  
----- (Check one.) -----
173. valuation exclusion shall terminate upon sale of the property, and the property's estimated market value for
174. property tax purposes shall increase. If a valuation exclusion exists, Buyers are encouraged to look into the
175. resulting tax consequences.
176. Additional comments: \_\_\_\_\_
177. \_\_\_\_\_
178. \_\_\_\_\_
179. **Preferential Property Tax Treatment**
180. Is the property subject to any preferential property tax status or any other credits affecting the property?
181. (e.g., Disability, Green Acres, CRP, RIM, Rural Preserve)  Yes  No
182. If "Yes," would these terminate upon the sale of the property?  Yes  No
183. Explain: \_\_\_\_\_
184. \_\_\_\_\_
185. \_\_\_\_\_
186. **H. METHAMPHETAMINE PRODUCTION DISCLOSURE:**
187. (A Methamphetamine Production Disclosure is required by MN Statute 152.0275, Subd. 2 (m).)
188.  Seller is not aware of any methamphetamine production that has occurred on the property.
189.  Seller is aware that methamphetamine production has occurred on the property.
190. (See Methamphetamine Production Disclosure Statement.)
191. **I. NOTICE REGARDING AIRPORT ZONING REGULATIONS:** The property may be in or near an airport safety
192. zone with zoning regulations adopted by the governing body that may affect the property. Such zoning regulations
193. are filed with the county recorder in each county where the zoned area is located. If you would like to determine
194. if such zoning regulations affect the property, you should contact the county recorder where the zoned area is
195. located.
196. **J. NOTICE REGARDING CARBON MONOXIDE DETECTORS:**
197. MN Statute 299F.51 requires Carbon Monoxide Detectors to be located within ten (10) feet from all sleeping
198. rooms. Carbon Monoxide Detectors may or may not be personal property and may or may not be included in the
199. sale of the home.
200. **ORIGINAL COPY TO LISTING BROKER; COPIES TO SELLER, BUYER, SELLING BROKER.**

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

203. Property located at 14141 54th Avenue N, Plymouth, MN 55446

204. **K. CEMETERY ACT:**

205. MN Statute 307.08 prohibits any damage or illegal molestation of human remains, burials or cemeteries. A person  
206. who intentionally, willfully and knowingly destroys, mutilates, injures, disturbs or removes human skeletal remains  
207. or human burial grounds is guilty of a felony.

208. To your knowledge, are you aware of any human remains, burials or cemeteries located  
209. on the property?  Yes  No

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

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

215. **L. ENVIRONMENTAL CONCERNS:**

216. To your knowledge, have any of the following environmental concerns previously existed or do they currently exist  
217. on the property?

218. Asbestos?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	Mold?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
219. Discased trees?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	Radon?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
220. Formaldehyde?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	Soil problems?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
221. Hazardous wastes/substances?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	Underground storage tanks?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
222. Lead? (e.g., paint, plumbing)	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	Other?	<input type="checkbox"/> Yes	<input type="checkbox"/> No

223. Are you aware if there are currently, or have previously been, any orders issued on the property by any governmental  
224. authority ordering the remediation of a public health nuisance on the property?  Yes  No

225. If answer above is "Yes," seller certifies that all orders  HAVE  HAVE NOT been vacated.  
------(Check one.)-----

226. Give details to any question answered "Yes": \_\_\_\_\_

227. \_\_\_\_\_

228. \_\_\_\_\_

229. **M. OTHER DEFECTS/MATERIAL FACTS:**

230. Are you aware of any other material facts that could adversely and significantly affect an ordinary buyer's use or  
231. enjoyment of the property or any intended use of the property?  Yes  No

232. If "Yes," explain below: \_\_\_\_\_

233. \_\_\_\_\_

234. \_\_\_\_\_

235. \_\_\_\_\_

236. **N. ADDITIONAL COMMENTS:**

237. \_\_\_\_\_

238. \_\_\_\_\_

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

240. **ORIGINAL COPY TO LISTING BROKER; COPIES TO SELLER, BUYER, SELLING BROKER.**

MN: SPDS-a (8/09)

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

243. **O. WATER INTRUSION AND MOLD GROWTH:** Recent studies have shown that various forms of water intrusion affect many homes. Water intrusion may occur from exterior moisture entering the home and/or interior moisture leaving the home.

246. Examples of exterior moisture sources may be

- 247. • improper flashing around windows and doors,
- 248. • improper grading,
- 249. • flooding,
- 250. • roof leaks.

251. Examples of interior moisture sources may be

- 252. • plumbing leaks,
- 253. • condensation (caused by indoor humidity that is too high or surfaces that are too cold),
- 254. • overflow from tubs, sinks or toilets,
- 255. • firewood stored indoors,
- 256. • humidifier use,
- 257. • inadequate venting of kitchen and bath humidity,
- 258. • improper venting of clothes dryer exhaust outdoors (including electrical dryers),
- 259. • line-drying laundry indoors,
- 260. • houseplants—watering them can generate large amounts of moisture.

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

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

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

273. For additional information about water intrusion, indoor air quality, moisture or mold issues, go to the Minnesota Association of REALTORS® web site at [www.mnrealtor.com](http://www.mnrealtor.com).

275. **ORIGINAL COPY TO LISTING BROKER; COPIES TO SELLER, BUYER, SELLING BROKER.**

MN: SPDS-7 (8/09)

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211.

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278. Property located at 14141 54th Avenue N. Plymouth, MN 55446

279. **P. NOTICE REGARDING PREDATORY OFFENDER INFORMATION:** Information regarding the predatory  
280. offender registry and persons registered with the predatory offender registry under MN Statute 243.166  
281. may be obtained by contacting the local law enforcement offices in the community where the property  
282. is located or the Minnesota Department of Corrections at (651) 361-7200, or from the Department of  
283. Corrections web site at [www.corr.state.mn.us](http://www.corr.state.mn.us).

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

286. **Q. SELLER'S STATEMENT:**

287. *(To be signed at time of listing.)*  
288. Seller(s) hereby states the material facts as stated above are true and accurate and authorizes any licensee(s)  
289. representing or assisting any party(ies) in this transaction to provide a copy of this Disclosure to any person or  
290. entity in connection with any actual or anticipated sale of the property.

291. Dean Tomlinson 4/2/10 Carol Tomlinson 4/2/10  
(Seller) Dean Tomlinson (Date) (Seller) Carol Tomlinson (Date)

292. **R. BUYER'S ACKNOWLEDGEMENT:**

293. *(To be signed at time of purchase agreement.)*  
294. I/We, the Buyer(s) of the property, acknowledge receipt of this Seller's Property Disclosure Statement and agree  
295. that no representations regarding material facts have been made other than those made above.

296. \_\_\_\_\_  
(Buyer) (Date) (Buyer) (Date)

297. **S. SELLER'S ACKNOWLEDGEMENT:**

298. *(To be signed at time of purchase agreement.)*  
299. **AS OF THE DATE BELOW,** I/we, the Seller(s) of the property, state that the material facts stated above are the  
300. same, except for changes as indicated below, which have been signed and dated.

301. \_\_\_\_\_  
302. \_\_\_\_\_  
303. \_\_\_\_\_  
304. \_\_\_\_\_  
305. \_\_\_\_\_

306. \_\_\_\_\_  
(Seller) Dean Tomlinson (Date) (Seller) Carol Tomlinson (Date)

307. For purposes of the seller disclosure requirements of MN Statutes 513.52 through 513.60:  
308. "Residential real property" or "residential real estate" means property occupied as, or intended to be occupied as, a  
309. single-family residence, including a unit in a common interest community as defined in MN Statute 515B.1-103, clause  
310. (10), regardless of whether the unit is in a common interest community not subject to chapter 515B.

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

314. **ORIGINAL COPY TO LISTING BROKER; COPIES TO SELLER, BUYER, SELLING BROKER.**

MN: SPDS-B (8/09)

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

317. **Exceptions**

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

319. (1) real property that is not residential real property;
320. (2) a gratuitous transfer;
321. (3) a transfer pursuant to a court order;
322. (4) a transfer to a government or governmental agency;
323. (5) a transfer by foreclosure or deed in lieu of foreclosure;
324. (6) a transfer to heirs or devisees of a decedent;
325. (7) a transfer from a cotenant to one or more other cotenants;
326. (8) a transfer made to a spouse, parent, grandparent, child or grandchild of Seller;
327. (9) a transfer between spouses resulting from a decree of marriage dissolution or from a property agreement incidental to that decree;
329. (10) a transfer of newly constructed residential property that has not been inhabited;
330. (11) an option to purchase a unit in a common interest community, until exercised;
331. (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);
333. (13) a transfer to a tenant who is in possession of the residential real property; or
334. (14) a transfer of special declarant rights under section 515B.3-104.

335. **Waiver**

336. 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.

339. **No Duty to Disclose**

340. A. There is no duty to disclose the fact that the property
341. (1) 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;
  343. (2) was the site of a suicide, accidental death, natural death or perceived paranormal activity; or
  344. (3) is located in a neighborhood containing any adult family home, community-based residential facility or nursing home.
346. 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.
351. 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.

353. **D. Inspections.**

354. (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.
360. (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.

362. **ORIGINAL COPY TO LISTING BROKER; COPIES TO SELLER, BUYER, SELLING BROKER.**

**Edina Realty**

**SELLER'S PROPERTY  
DISCLOSURE STATEMENT**

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1. Date March 27, 2006  
2. Page 1 of 5 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 five (5), 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. MN Statute 513.56 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 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 representing or assisting any party in the transaction.

13. INSTRUCTIONS TO BUYER: Buyers are encouraged to thoroughly inspect the property 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 property. NO may mean that Seller is unaware that it exists on the property.

17. 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 property 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 "N/A" (not applicable).

21. Property located at 14141 54th Ave N  
22. City of Plymouth, County of Hennepin, State of Minnesota.

**23. A. GENERAL INFORMATION:**

24. (1) When did you  Acquire /  Build the home? 5/6/05  
25. (2) Type of title evidence: Abstract  Registered (Tortens)   
26. Location of Abstract: \_\_\_\_\_  
27. To your knowledge, is there an existing Owner's Title Insurance Policy? Yes  No   
28. (3) Have you occupied this home continuously for the past 12 months? Yes  No   
29. If "No," explain: 05 built, I left May  
30. (4) Is the home suitable for year-round use? Yes  No   
31. (5) To your knowledge, is the property located in a designated flood plain? Yes  No   
32. (6) Are you in possession of prior seller's disclosure statement(s)? (If "Yes," please attach.) Yes  No   
33. (7) Is the property located on a public or a private road? Public  Private   
34. Are you aware of any  
35. (8) encroachments? Yes  No   
36. (9) association, covenants, reservations or restrictions that affect or may affect the use or future resale of the property? Yes  No   
37. (10) easements, other than utility or drainage easements? Yes  No   
38. (11) Comments: \_\_\_\_\_  
39. \_\_\_\_\_  
40. \_\_\_\_\_

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

42. (1) Has there been any damage by wind, fire, flood, hail or other cause(s)? Yes  No   
43. If "Yes," give details of what happened and when: \_\_\_\_\_  
44. \_\_\_\_\_  
45. (2) Has/Have the structure(s) been altered? (e.g., additions, altered roof lines, changes to load-bearing walls) Yes  No   
46. If "Yes," please specify what was done, when and by whom (owner or contractor): \_\_\_\_\_  
47. \_\_\_\_\_  
48. (3) Has there been any damage to flooring or floor covering? Yes  No   
49. If "Yes," give details of what happened and when: \_\_\_\_\_  
50. \_\_\_\_\_  
51. (4) Are you aware of any insect/animal/poat infestation? Yes  No   
52. (5) Do you have or have you previously had any pets? Yes  No   
53. If "Yes," indicate type dog and number 1  
54. (6) Comments: house broken  
55. \_\_\_\_\_  
56. \_\_\_\_\_  
57. \_\_\_\_\_

58. ORIGINAL COPY TO LISTING BROKER; COPIES TO SELLER, BUYER, SELLING BROKER

MN: SPDS-1 (3/05)

ER 12R-1 (08/05)



SELLER'S PROPERTY DISCLOSURE STATEMENT

59. Page 2

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

61. Property located at \_\_\_\_\_

62. C. STRUCTURAL SYSTEMS:

63. To your knowledge, have any of the following conditions previously existed or do they currently exist?

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

65. (1) THE BASEMENT, CRAWLSPACE, SLAB:

- 66. (a) cracked floor/walls Yes No (e) leakage/soepage Yes No
67. (b) drain tile problem Yes No (f) sewer backup Yes No
68. (c) flooding Yes No (g) wet floors/walls Yes No
69. (d) foundation problem Yes No (h) other Yes No

70. Give details to any questions answered "Yes": \_\_\_\_\_

71. \_\_\_\_\_

72. (2) THE ROOF: To your knowledge,

- 73. (a) what is the age of the roofing material? \_\_\_\_\_ years
74. (b) has there been any interior or exterior damage? Yes No
75. (c) has there been interior damage from ice buildup? Yes No
76. (d) has there been any leakage? Yes No
77. (e) have there been any repairs or replacements made to the roof? Yes No

78. Give details to any questions answered "Yes": \_\_\_\_\_

79. \_\_\_\_\_

80. D. APPLIANCES, HEATING, PLUMBING, ELECTRICAL AND OTHER MECHANICAL SYSTEMS:

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

82. Cross out only those items not physically located on the property.

Table with columns: In Working Order (Yes/No), In Working Order (Yes/No), In Working Order (Yes/No). Rows include: Air conditioning, Central Heat, Air exchange system, Ceiling fan, Dishwasher, Doorbell, Drain tile system, Dryer, Electrical system, Exhaust system, Fire sprinkler system, Fireplace, Fireplace mechanisms, Furnace/humidifier, Garage door opener (GDO), GDO auto reverse, GDO remote, Toler mechanisms, Heating system, Incinerator, Jetted tub, Lawn sprinkler system, Microwave, Plumbing, Pool and equipment, Range/Oven, Range hood, Refrigerator, Security system, Smoke detectors, Solar collectors, Sump pump, Trash compactor, TV satellite system, TV cable system, TV/cable/modem, Handed, TV satellite receiver, Washer, Water heater, Water treatment system, Windows, Window treatments, Wood burning stove, Other.

106. Comments: \_\_\_\_\_

107. \_\_\_\_\_

109. E. PRIVATE SEWER SYSTEM DISCLOSURE:

110. (A Private Sewer System Disclosure is required by MN Statute 115.56.)

- 111. (Check appropriate box)
112. [X] Seller does not know of a private sewer system on or serving the above-described real property
113. [ ] There is a private sewer system on or serving the above-described real property. See Private Sewer System Disclosure.
114. [ ] There is an abandoned private sewer system on the above-described real property. See Private Sewer System Disclosure.

117. F. PRIVATE WELL DISCLOSURE: (A Well Disclosure Statement and Certificate are required by MN Statute 1031.235.)

- 118. (Check appropriate box)
119. [X] Seller certifies that Seller does not know of any wells on the above-described real property.
120. [ ] Seller certifies there are one or more wells located on the above-described real property. See Well Disclosure Statement.

- 122. Are there any wells serving the above-described property that are not located on the property? Yes [ ] No [X]
123. To your knowledge, is this property in a Special Well Construction Area? Yes [ ] No [X]

124. ORIGINAL COPY TO LISTING BROKER; COPIES TO SELLER, BUYER, SELLING BROKER CA 12b-2 (04/06) MN:SPDS-2 (005)

SELLER'S PROPERTY DISCLOSURE STATEMENT

125. Page 3

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

127. Property located at \_\_\_\_\_

128. G. PROPERTY TAX TREATMENT:

129. Valuation Exclusion Disclosure (Required by MN Statute 273.11, Subd. 16.)

130. (Check appropriate box.)

131. There IS  / IS NOT  an exclusion from market value for home improvements on this property. Any valuation

132. exclusion shall terminate upon sale of the property, and the property's estimated market value for property tax purposes shall increase. If a valuation exclusion exists, buyers are encouraged to look into the resulting tax consequences.

134. Additional comments: \_\_\_\_\_

136. Preferential Property Tax Treatment

137. Is the property subject to any preferential property tax status or any other credits affecting the property which would terminate upon the sale of the property?  Yes  No

139. (e.g., Disability, Green Acres, CRP, RIM)

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

141. \_\_\_\_\_

142. H. METHAMPHETAMINE PRODUCTION DISCLOSURE:

143. (A Methamphetamine Production Disclosure is required by MN Statute 152.0275, Subd. 2 (m).)

144.  Seller is not aware of any methamphetamine production that has occurred on the Property.

145.  Seller is aware that methamphetamine production has occurred on the Property.

146. See Methamphetamine Disclosure Statement.

147. I. CEMETERY ACT:

148. MN Statute 307.08 prohibits any damage or illegal molestation of human remains, burials or cemeteries. A person who intentionally, willfully and knowingly destroys, mutilates, injures, disturbs or removes human skeletal remains or human burial grounds is guilty of a felony.

151. To your knowledge, are you aware of any human remains, burials or cemeteries located on the property?  Yes  No

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

153. \_\_\_\_\_

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

157. J. ENVIRONMENTAL CONCERNS:

159. To your knowledge, have any of the following environmental concerns previously existed or do they currently exist on the property?

160. Asbestos? Yes  No  Lead? (e.g., paint, plumbing) Yes  No  Soil problems? Yes  No

161. Diseased trees? Yes  No  Mold? Yes  No  Underground storage tanks? Yes  No

162. Formaldehyde? Yes  No  Radon? Yes  No  Other? Yes  No

163. Hazardous waste/substances?  Yes  No

164. Are you aware if there are currently, or have previously been, any orders issued on the property by any governmental authority ordering the remediation of a public health nuisance on the property? Yes  No

165. If answer above is "YES," seller certifies that all orders  HAVE  HAVE NOT been vacated.

166. Give details to any question answered "Yes": \_\_\_\_\_

167. \_\_\_\_\_

168. \_\_\_\_\_

169. \_\_\_\_\_

170. K. OTHER DEFECTS:

171. Are you aware of any other material facts that could adversely and significantly affect an ordinary buyer's use or enjoyment of the property or any intended use of the property? Yes  No

172. If "Yes," explain below:

173. \_\_\_\_\_

174. \_\_\_\_\_

175. \_\_\_\_\_

176. L. ADDITIONAL COMMENTS:

177. \_\_\_\_\_

178. \_\_\_\_\_

179. \_\_\_\_\_

180. ORIGINAL COPY TO LISTING BROKER; COPIES TO SELLER, BUYER, SELLING BROKER

MN:SPDS-3 (8/05)

ER 128-3 (08/03)

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

183. Property located at 14141 54th Av N

NOTICE REGARDING PREDATORY OFFENDER INFORMATION

185. Information regarding the predatory offender registry and persons registered with the predatory offender registry under MN Statute 243.166 may be obtained by contacting the local law enforcement offices in the community where the property is located or the Minnesota Department of Corrections at (651) 842-0200, or from the Department of Corrections web site at www.corr.state.mn.us.

WATER INTRUSION AND MOLD GROWTH

190. Recent studies have shown that various forms of water intrusion affect many homes. Water intrusion may occur from exterior moisture entering the home and/or interior moisture leaving the home.

- 192. Examples of exterior moisture sources may be
193. • improper flashing around windows and doors.
194. • improper grading,
195. • flooding,
196. • roof leaks.

- 197. Examples of interior moisture sources may be
198. • plumbing leaks,
199. • condensation (caused by indoor humidity that is too high or surfaces that are too cold),
200. • overflow from tubs, sinks or toilets,
201. • firewood stored indoors,
202. • humidifier use,
203. • inadequate venting of kitchen and bath humidity,
204. • improper venting of clothes dryer exhaust outdoors (including electrical dryers),
205. • line-drying laundry indoors,
206. • houseplants—watering them can generate large amounts of moisture.

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

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

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

218. For additional information about water intrusion, indoor air quality, moisture or mold issues, go to the Minnesota Association of REALTORS® web site at www.mnrealtor.com.

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

222. L. SELLER'S STATEMENT (to be signed at time of listing):
223. Seller(s) hereby states the material facts as stated above are true and accurate and authorizes any licensee(s) representing or assisting any party(ies) in this transaction to provide a copy of this statement to any person or entity in connection with any actual or anticipated sale of the property.

226. [Signatures and dates for Seller's Statement]

227. M. BUYER'S ACKNOWLEDGEMENT (to be signed at time of purchase agreement):
228. I/we, the Buyer(s) of the property, acknowledge receipt of the Seller's Property Disclosure Statement and agree that no representations regarding material facts have been made other than those made above.

230. [Signatures and dates for Buyer's Acknowledgement]

231. N. SELLER'S ACKNOWLEDGMENT (to be signed at time of purchase agreement):
232. AS OF THE DATE BELOW, I/we, the Seller(s) of the property, state that the material facts stated above are the same, except after changes as indicated below.

234. [Signatures and dates for Seller's Acknowledgement]

237. ORIGINAL COPY TO LISTING BROKER; COPIES TO SELLER, BUYER, SELLING BROKER

**Edina Realty****SELLER'S PROPERTY  
DISCLOSURE STATEMENT**

238. Page 6

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

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

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

**246. Exceptions**

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

- 248. (1) real property that is not residential real property;
- 249. (2) a gratuitous transfer;
- 250. (3) a transfer pursuant to a court order;
- 251. (4) a transfer to a government or governmental agency;
- 252. (5) a transfer by foreclosure or deed in lieu of foreclosure;
- 253. (6) a transfer to heirs or devisees of a decedent;
- 254. (7) a transfer from a cotenant to one or more other cotenants;
- 255. (8) a transfer made to a spouse, parent, grandparent, child or grandchild of Seller;
- 256. (9) a transfer between spouses resulting from a decree of marriage dissolution or from a property  
257. agreement incidental to that decree;
- 258. (10) a transfer of newly constructed residential property that has not been inhabited;
- 259. (11) an option to purchase a unit in a common interest community, until exercised;
- 260. (12) a transfer to a person who controls or is controlled by the grantor as those terms are defined with respect to  
261. a declarant under section 515B.1-103, clause (2);
- 262. (13) a transfer to a tenant who is in possession of the residential real property; or
- 263. (14) a transfer of special declarant rights under section 515B.3-104.

**264. Waiver**

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

**268. No Duty to Disclose**

- 269. A. There is no duty to disclose the fact that the property
  - 270. (1) is or was occupied by an owner or occupant who is or was suspected to be infected with Human  
271. Immunodeficiency Virus or diagnosed with Acquired Immunodeficiency Syndrome;
  - 272. (2) was the site of a suicide, accidental death, natural death or perceived paranormal activity; or
  - 273. (3) is located in a neighborhood containing any adult family home, community-based residential facility or  
274. nursing home.
- 275. B. **Predatory Offenders.** There is no duty to disclose information regarding an offender who is required  
276. to register under MN Statute 243.168 or about whom notification is made under that section, if Seller, in a timely  
277. manner, provides a written notice that information about the predatory offender registry and persons registered  
278. with the registry may be obtained by contacting the local law enforcement agency where the property is located  
279. or the Department of Corrections.
- 280. C. The provisions in paragraphs A and B do not create a duty to disclose any facts described in paragraphs A and  
281. B for property that is not residential property.
- 282. D. **Inspections.** (i) Except as provided in paragraph (ii), Seller is not required to disclose information relating to  
283. the real property if a written report that discloses the information has been prepared by a qualified third party  
284. and provided to the prospective buyer. For purposes of this paragraph, "qualified third party" means a federal, state  
285. or local governmental agency, or any person whom Seller or prospective buyer reasonably believes has the  
286. expertise necessary to meet the industry standards of practice for the type of inspection or investigation that has  
287. been conducted by the third party in order to prepare the written report.
- 288. (ii) Seller shall disclose to the prospective buyer material facts known by Seller that contradict any information  
289. included in a written report under paragraph (i) if a copy of the report is provided to Seller.

290. ORIGINAL COPY TO LISTING BROKER; COPIES TO SELLER, BUYER, SELLING BROKER

The Following is not part of the Minnesota Association of REALTORS' approved form.

Air Traffic to and from the Minneapolis - St. Paul International Airport may affect noise levels in the metropolitan  
area. The Airport is completing construction of a new runway in 2005. Please visit [www.mnnoise.com](http://www.mnnoise.com) for more  
information about aviation noise levels.



# SHORT SALE DISCLOSURE

**BROKERAGE**

**LISTING AGENT**

Property Address: 14141 54<sup>th</sup> Ave N Plymouth, MN 55446  
Seller: DEAN TOMLISON Buyer: CAROL TOMLISON

This disclosure will serve as a independent agreement and relates to contact executed by the buyer and seller named above. It is expressly understood by all parties that the seller owes more than the amount of the contract and is unable to bring cash to closing therefore the sale will require the approval of the lender.

Please note that the property will continue to be on the market until the lender accepts an offer.

Following are some potential issues that can affect a short sale:

1. After the lender receives the short sale packet, the lender may require at least 30-45 business days to approve the short sale. After approval, the sale must close within lender approved time frame, typically 30 calendar days.
2. The seller will receive no cash from this transaction. Any funds usually due to the seller will be paid to the lender.
3. The seller has no additional cash and will be unable to pay for any closing costs, such as the buyer's appraisal or income warranty. Should the buyer desire a home warranty they are free to purchase one at closing.
4. The seller may be unable to pay for maintaining the property. The property will remain in the current condition through closing; the seller will not be able to make any repairs to the property.
5. The seller's broker will split the commission 50/50 with the buyer's broker on any commission paid by the lender that is under what has been advertised in the MLS. Please note that since the lender is taking less than what is owed to them in a short sale, the lender in some cases may negotiate a lower commission percentage.
6. The seller's forgiven or cancelled debt may be taxable income. The seller should discuss this matter with a tax professional. This has no bearing whatsoever on the buyer.
7. In some cases the lender may pursuit a deficiency judgment against the seller for any funds not collected at closing. This has no bearing whatsoever on the buyer.

By signing this disclosure, you acknowledge that you have read and understand these situations. Any changes to the commission rate will be provided by the lender at the time of the lender's final approval of this short sale.

[Signature] 4/2/10  
Seller's Signature Date

\_\_\_\_\_  
Buyer's Signature Date

[Signature] 4/2/10  
Seller's Signature Date

\_\_\_\_\_  
Buyer's Signature Date

[Signature] 4-2-10  
Listing Broker's Signature Date

\_\_\_\_\_  
Selling Broker's Signature Date

TEAM FIRST STATE REAL ESTATE  
Listing Brokerage/Company

\_\_\_\_\_  
Selling Brokerage/Company

\_\_\_\_\_  
Date 4-2-10

\_\_\_\_\_  
Date

Form P