

WELL DISCLOSURE STATEMENT

This form approved by the Minnesota Association of REALTORS®, which disclaims any liability arising out of use or misuse of this form. © 2007 Minnesota Association of REALTORS®, Edina, MN

- 1. Date 8/7/11
- 2. Page 1 of _____ pages: THE REQUIRED MAP IS
- 3. ATTACHED HERETO AND MADE A PART HEREOF.

4. Minnesota Statute 1031.235 requires that, before signing an agreement to sell or transfer real property, Seller must disclose information in writing to Buyer about the status and location of all known wells on the property. This requirement is satisfied by delivering to Buyer either a statement by Seller that Seller does not know of any wells on the property, or a disclosure statement indicating the legal description and county, and a map showing the location of each well. In the disclosure statement Seller must indicate, for each well, whether the well is in use, not in use or sealed.

9. Unless Buyer and Seller agree to the contrary in writing, before the closing of the sale, a Seller who fails to disclose the existence or known status of a well at the time of sale, and knew or had reason to know of the existence or known status of the well, is liable to Buyer for costs relating to sealing of the well and reasonable attorneys' fees for collection of costs from Seller, if the action is commenced within six years after the date Buyer closed the purchase of the real property where the well is located.

14. Legal requirements exist relating to various aspects of location and status of wells. Buyer is advised to contact the local unit(s) of government, state agency or qualified professional which regulates wells for further information about these issues.

17. Instructions for completion of this form are on the reverse side.

18. PROPERTY DESCRIPTION: Street Address: 24491 COUNTY ROAD 17
 19. WINONA, MN 55987 WINONA COUNTY
(City) (Zip) (County)

20. LEGAL DESCRIPTION:
 21. _____
 22. _____
 23. _____
 24. _____
 25. _____

26. **WELL DISCLOSURE STATEMENT:**
 27. *(Check appropriate box.)*

28. Seller certifies that Seller does not know of any wells on the above described real property.
 29. *(If this option is checked, then skip to the last line and sign and date this Statement.)*

30. Seller certifies that the following wells are located on the above described real property.

	MN Unique Well No.	Well Depth	Year of Const.	Well Type	IN USE	NOT IN USE	SEALED
33. Well 1		<u>100' plus</u>	<u>1929</u>		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
34. Well 2					<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
35. Well 3					<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

36. NOTE: See definition of terms "IN USE," "NOT IN USE," and "SEALED" on lines 89-100. If a well is not in use, it must be sealed by a licensed well contractor or a well owner must obtain a maintenance permit from the Minnesota Department of Health and pay an annual maintenance fee. Maintenance permits are not transferable. If a well is operable and properly maintained, a maintenance permit is not required.

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

WELL DISCLOSURE STATEMENT

43. Property located at 24491 COUNTY ROAD 17

44. OTHER WELL INFORMATION:

45. Date well water last tested for contaminants: _____ Test results attached? [] Yes [] No

46. Comments: _____

47. _____

48. _____

49. _____

50. _____

51. _____

52. _____

53. Contaminated Well: Is there a well on the property containing contaminated water? [] Yes [X] No

54. SEALED WELL INFORMATION: For each well designated as sealed above, complete this section.

55. When was the well sealed? _____

56. Who sealed the well? _____

57. Was a Sealed Well Report filed with the Minnesota Department of Health? [] Yes [] No

58. MAP: Complete the attached MAP showing the location of each well on the real property.

59. This disclosure is not a warranty of any kind by Seller(s) or any licensee(s) representing or assisting any part(/ies) in this transaction and is not a substitute for any inspections or warranties the party(/ies) may wish to obtain.

61. CERTIFICATION BY SELLER: I certify that the information provided above is accurate and complete to the best of my knowledge.

63. [Signature] 8/7/11 [Signature] 8/7/11
(Seller or Designated Representative) (Date) (Seller or Designated Representative) (Date)

64. BUYER'S ACKNOWLEDGEMENT:

65. _____ (Buyer) _____ (Date) _____ (Buyer) _____ (Date)

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

WELL DISCLOSURE STATEMENT

67. Page 3

68. INSTRUCTIONS FOR COMPLETING THE WELL DISCLOSURE STATEMENT

69. **DEFINITION:** A "well" means an excavation that is drilled, cored, bored, washed, driven, dug, jetted or otherwise
70. constructed if the excavation is intended for the location, diversion, artificial recharge or acquisition of groundwater.

71. **MINNESOTA UNIQUE WELL NUMBER:** All new wells constructed AFTER January 1, 1975, should have been
72. assigned a Minnesota unique well number by the person constructing the well. If the well was constructed after this
73. date, you should have the unique well number in your property records. If you are unable to locate your unique well
74. number and the well was constructed AFTER January 1, 1975, contact your well contractor. If no unique well number
75. is available, please indicate the depth and year of construction for each well.

76. **WELL TYPE:** Use one of the following terms to describe the well type.

77. **WATER WELL:** A water well is any type of well used to extract groundwater for private or public use. Examples
78. of water wells are: domestic wells, drive-point wells, dug wells, remedial wells and municipal wells.

79. **IRRIGATION WELL:** An irrigation well is a well used to irrigate agricultural lands. These are typically
80. large-diameter wells connected to a large pressure distribution system.

81. **MONITORING WELL:** A monitoring well is a well used to monitor groundwater contamination. The well is
82. typically used to access groundwater for the extraction of samples.

83. **DEWATERING WELL:** A dewatering well is a well used to lower groundwater levels to allow for construction
84. or use of underground spaces.

85. **INDUSTRIAL/COMMERCIAL WELL:** An industrial/commercial well is a nonpotable well used to extract
86. groundwater for any nonpotable use, including groundwater thermal exchange wells (heat pumps and heat
87. loops).

88. **WELL USE STATUS:** Indicate the use status of each well. CHECK ONLY ONE (1) BOX PER WELL.

89. **IN USE:** A well is "in use" if the well is operated on a daily, regular or seasonal basis. A well in use includes
90. a well that operates for the purpose of irrigation, fire protection or emergency pumping.

91. **NOT IN USE:** A well is "not in use" if the well does not meet the definition of "in use" above and has not been
92. sealed by a licensed well contractor.

93. **SEALED:** A well is "sealed" if a licensed contractor has completely filled a well by pumping grout material
94. throughout the entire bore hole after removal of any obstructions from the well. A well is "capped" if it has
95. a metal or plastic cap or cover which is threaded, bolted or welded into the top of the well to prevent entry
96. into the well. A "capped" well is not a "sealed" well.

97. If the well has been sealed by someone other than a licensed well contractor or a licensed well sealing
98. contractor, check the well status as "not in use."

99. If you have any questions, please contact the Minnesota Department of Health, Well Management Section,
100. at (651) 201-4587 (metropolitan Minneapolis–St. Paul) or 1-800-383-9808 (greater Minnesota).

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

SUBSURFACE SEWAGE TREATMENT SYSTEM DISCLOSURE STATEMENT

This form approved by the Minnesota Association of REALTORS®, which disclaims any liability arising out of use or misuse of this form. © 2009 Minnesota Association of REALTORS®, Edina, MN

- 1. Date 8/7/11
- 2. Page 1 _____ of pages: THE REQUIRED MAP IS
- 3. ATTACHED HERETO AND MADE A PART HEREOF

4. Property located at 2449/ COUNTY ROAD 17 in the City of _____
5. County of WINONA State of Minnesota, legally described as follows or on
6. attached sheet (the "Property") _____

7. _____
8. This disclosure is not a warranty of any kind by Seller(s) or any licensee(s) representing or assisting any party(ies) in
9. this transaction, and is not a substitute for any inspections or warranties the party(ies) may wish to obtain.

10. **BUYER(S) AND SELLER(S) MAY WISH TO OBTAIN PROFESSIONAL ADVICE AND/OR INSPECTIONS OF THE**
11. **SUBSURFACE SEWAGE TREATMENT SYSTEM AND TO PROVIDE FOR APPROPRIATE PROVISIONS IN A**
12. **CONTRACT BETWEEN BUYER(S) AND SELLER(S) WITH RESPECT TO ANY ADVICE/INSPECTION/DEFECTS.**

13. **SELLER'S INFORMATION:** The following Seller disclosure satisfies MN Statutes Chapter 115.55. Seller discloses
14. the following information with the knowledge that even though this is not a warranty, prospective Buyers may rely on
15. this information in deciding whether and on what terms to purchase the Property. The Seller(s) authorizes any
16. licensee(s) representing or assisting any party(ies) in this transaction to provide a copy of this statement to any person
17. or entity in connection with any actual or anticipated sale of the Property.

18. Unless Buyer and Seller agree to the contrary in writing before the closing of the sale, a Seller who fails to disclose
19. the existence or known status of a subsurface sewage treatment system at the time of sale, and who knew or had
20. reason to know of the existence or known status of the system, is liable to Buyer for costs relating to bringing the
21. system into compliance with subsurface sewage treatment system rules and for reasonable attorney fees for collection
22. of costs from Seller. An action under this subdivision must be commenced within two years after the date on which
23. Buyer closed the purchase of the real property where the system is located.

24. Legal requirements exist relating to various aspects of location and status of subsurface sewage treatment systems.
25. Buyer is advised to contact the local unit(s) of government, state agency or qualified professional which regulates
26. subsurface sewage treatment systems for further information about these issues.

27. The following are representations made by Seller(s) to the extent of Seller(s) actual knowledge. This information is a
28. disclosure and is not intended to be part of any contract between Buyer and Seller.

29. **SUBSURFACE SEWAGE TREATMENT SYSTEM DISCLOSURE:**

30. *(Check the appropriate box.)*

31. Seller certifies that Seller does not know of any subsurface sewage treatment system on or serving the above-
32. described real property. *(If this option is checked, then skip to the last line and sign and date this Statement.)*

33. Seller certifies that the following subsurface sewage treatment system is on or serving the above-described
34. Property.

35. Is the subsurface sewage treatment system(s) currently in use? Yes No

36. TYPE: *(Check appropriate box(es) and indicate location on attached MAP.)*

37. Septic Tank: with drain field with mound system seepage tank with open end

38. Is this system a straight-pipe system? Yes No Unknown

39. Sealed System (holding tank)

40. Other (Describe): _____

41. **NOTE: If any water use appliance, bedroom or bathroom has been added to the Property, the system may**
42. **no longer comply with applicable sewage treatment system laws and rules.**

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

SUBSURFACE SEWAGE TREATMENT
SYSTEM DISCLOSURE STATEMENT

44. Page 2

- 45. Property located at 24491 COUNTY ROAD 17
- 46. Seller or transferor shall disclose to Buyer or transferee what Seller or transferor has knowledge of relative to the
- 47. compliance status of the subsurface sewage treatment system.
- 48.
- 49.
- 50. Any previous inspection report in Seller's possession must be attached to this Disclosure Statement.
- 51. When was the subsurface sewage treatment system installed? 1994
- 52. Installer Name/Phone CORCORAN'S PLUMBING & HEATING 507-689-2007
- 53. Where is tank located? 45' SOUTH OF THE HOUSE
- 54. What is tank size? 1600 GAL 2 COMPARTMENT TANK
- 55. When was tank last pumped? 8/2011
- 56. How often is tank pumped? EVERY 2 YEARS
- 57. Where is the drain field located? APPX 50' SOUTH OF TANK
- 58. What is the drain field size? 250' OF 10" SB2
- 59. Describe work performed to the subsurface sewage treatment system since you have owned the Property.
- 60. NONE
- 61.
- 62. Date work performed/by whom:
- 63.
- 64. Is subsurface sewage treatment system entirely within Property boundary lines, including set back
- 65. requirements? YES Is the system shared? NO How many units on system? 1 Annual Fee?
- 66. Comments:
- 67.
- 68. On this Property:
- 69.
- 70. Approximate number of:
- 71. people using the subsurface sewage treatment system 2
- 72. showers/baths taken per week 12 to 14
- 73. wash loads per week 6
- 74. Distance between well and subsurface sewage treatment system? 50 FEET
- 75. Have you received any notices from any government agencies relating to the subsurface sewage treatment system?
- 76. (If "Yes", see attached notice.) Yes No
- 77. Are there any known defects in the subsurface sewage treatment system? Yes No
- 78. If "Yes", please explain:
- 79.
- 80.

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


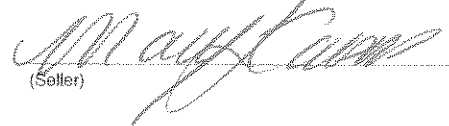
**SUBSURFACE SEWAGE TREATMENT
SYSTEM DISCLOSURE STATEMENT**

83. Property located at 24491 County Road 17

84. **SELLER'S STATEMENT:**

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

86. I/We, Seller(s) of the Property acknowledge the above subsurface sewage treatment system disclosure and MAP
87. and authorize listing broker to disclose this information to prospective buyers.

88.  _____ 8/17/11 _____  _____ 8/17/11
(Seller) (Date) (Seller) (Date)

89. **BUYER'S ACKNOWLEDGMENT:**

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

91. I/We, the Buyer(s) of the Property acknowledge receipt of this Subsurface Sewage Treatment System Disclosure
92. Statement and MAP and agree that no representation regarding the condition of the subsurface sewage treatment
93. system have been made, other than those made above.

94. **LISTING BROKER AND LICENSEES MAKE NO REPRESENTATIONS AND ARE NOT RESPONSIBLE FOR ANY**
95. **CONDITIONS EXISTING IN THE SUBSURFACE SEWAGE TREATMENT SYSTEM.**

96. _____
(Buyer) (Date) (Buyer) (Date)

97. **SELLER'S ACKNOWLEDGMENT:**

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

99. AS OF THE DATE OF THE ACCEPTANCE OF THE PURCHASE AGREEMENT, I/We, the Seller(s) of the above
100. Property, agree that the condition of the subsurface sewage treatment system is the same as noted above, except for
101. changes as indicated below which have been signed and dated.

102. _____
103. _____
104. _____
105. _____
106. _____
107. _____
108. _____
109. _____
110. _____
111. _____
112. _____
113. _____

114. _____
(Seller) (Date) (Seller) (Date)

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

LOCATION MAP

This form approved by the Minnesota Association of REALTORS®, which disclaims any liability arising out of use or misuse of this form. © 2009 Minnesota Association of REALTORS®, Edina, MN

1. Page _____ of _____ pages

2. Please use the space below to sketch the real property being sold and, to Seller's knowledge, the approximate location of
3. any of the following on the property.

4. SUBSURFACE SEWAGE TREATMENT SYSTEM WELL METHAMPHETAMINE PRODUCTION AREA
(Check all that apply.)

5. Include approximate distances from fixed reference points such as streets, buildings and landmarks.

6. Property located at 24491 COUNTY ROAD 17

7. _____

[Large empty rectangular box for sketching the property and its location relative to reference points.]

8. ATTACH ADDITIONAL SHEETS AS NEEDED.

9. Seller and Buyer initial:

[Signature] 8/17/11
(Seller) (Date) (Buyer) (Date)

10.

[Signature] 8/17/11
(Seller) (Date) (Buyer) (Date)

11.

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

