



### SELLER'S PROPERTY DISCLOSURE STATEMENT

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- 1. Date 3/10/10
- 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. **INSTRUCTION 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 5310 180<sup>th</sup> St W.  
 22. City of FARMINGTON, County of DAKOTA, State of Minnesota.

**A. GENERAL INFORMATION:**

- 24. (1) When did you  **Acquire**  **Build** the home? July 2007  
(Check one.)
- 25. (2) Type of title evidence:  Abstract  Registered (Torrens)
- 26. Location of Abstract: Lot 23, Block 7, Dakota Estates
- 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  
 35. requirements?  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: \_\_\_\_\_

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

Coldwell Banker Burnet

**SELLER'S PROPERTY  
DISCLOSURE STATEMENT**

44. Page 2

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

46. Property located at 5310 180<sup>th</sup> St Farmington MN

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?  
55. (e.g., additions, altered roof lines, changes to load-bearing walls)  Yes  No

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: \_\_\_\_\_

63. \_\_\_\_\_

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: Kitchen Floor Areas partially

69. done.

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 LABRADOR RETRIEVER and number 1

75. (6) Comments: \_\_\_\_\_

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

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

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

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

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**SELLER'S PROPERTY  
DISCLOSURE STATEMENT**

80. Page 3

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

82. Property located at 5310 180th St W Farmington Mn

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

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

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

- |                             |                              |  |                      |                              |  |
|-----------------------------|------------------------------|--|----------------------|------------------------------|--|
| 87. (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 |
| 88. (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 |
| 89. (c) flooding            | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | (g) wet floors/walls | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| 90. (d) foundation problem  | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | (h) other            | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |

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

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? 2 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": Roof Replaced prior to Closing  
108. in June 2007

109. \_\_\_\_\_  
110. \_\_\_\_\_  
111. \_\_\_\_\_  
112. \_\_\_\_\_  
113. \_\_\_\_\_  
114. \_\_\_\_\_  
115. \_\_\_\_\_  
116. \_\_\_\_\_

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SELLER'S PROPERTY DISCLOSURE STATEMENT

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

120. Property located at 5310 180th St W Farmington MN

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 items unless otherwise noted in comments below. Personal property is included in the sale ONLY IF specifically referenced in the Purchase Agreement.

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

Grid of items with 'In Working Order' columns (Yes/No) and checkboxes. Items include Air-conditioning, Dishwasher, Electrical system, etc.

147. Comments:
148.

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

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

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

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

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**SELLER'S PROPERTY  
DISCLOSURE STATEMENT**

159. Page 5

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

161. Property located at 5310 180th St W Farmington Mn

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.**

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**SELLER'S PROPERTY  
DISCLOSURE STATEMENT**

201. Page 6

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

203. Property located at 5310 180th St W Farmington MN

**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. Diseased 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 checked="" 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.**

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**SELLER'S PROPERTY  
DISCLOSURE STATEMENT**

241. Page 7

**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  
244. affect many homes. Water intrusion may occur from exterior moisture entering the home and/or interior moisture  
245. 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  
262. in the growth of mold, mildew and other fungi. Mold growth may also cause structural damage to the property.  
263. 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  
265. humans. However, molds have the ability to produce mycotoxins that may have a potential to cause serious health  
266. problems, particularly in some immunocompromised individuals and people who have asthma or allergies to  
267. mold.

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

273. For additional information about water intrusion, indoor air quality, moisture or mold issues, go to the Minnesota  
274. 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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**SELLER'S PROPERTY  
DISCLOSURE STATEMENT**

276. Page 8

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

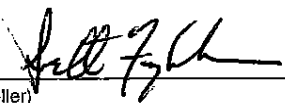
278. Property located at \_\_\_\_\_

279. **P. NOTICE REGARDING PREDATORY OFFENDER INFORMATION:** Information regarding the predatory  
280. offender registry and persons registered with the predatory offender registry under MN Statue 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.

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.  3/10/10 \_\_\_\_\_  
(Seller) (Date) (Seller) (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 ACKNOWLEDGMENT:**

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) (Date) (Seller) (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.**

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**SELLER'S PROPERTY  
DISCLOSURE STATEMENT**

315. Page 9

316.	<b>THE INFORMATION DISCLOSED IS GIVEN TO THE BEST OF SELLER'S KNOWLEDGE.</b>
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**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;
  - 342. (2) was the site of a suicide, accidental death, natural death or perceived paranormal activity; or
  - 343. (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.
- 359. (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.**

MN:SPDS-9 (8/09)