

# Close~Converse

COMMERCIAL & PREFERRED PROPERTIES  
Specializing in Commercial Real Estate & Business Brokerage

521 Charles Street | Brainerd, Minnesota 56401  
Phone: (218) 828-3334 | Fax: (218) 828-4330

## VACANT LAND DISCLOSURE STATEMENT

This form approved by the Minnesota Association of REALTORS®, which disclaims any liability arising out of use or misuse of this form.  
© 2005 Minnesota Association of REALTORS®, Edina, MN

1. Date 1/14/09
2. Page 1 of 5 pages

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

4. **NOTICE:** This disclosure is not a warranty or a guaranty of any kind by Seller(s) or licensee(s) representing or assisting any party(ies) in the transaction.

6. **INSTRUCTIONSTO 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.

10. **INSTRUCTIONSTO 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 "NA" (not applicable).

14. Property located at Section 9-135-28, Crow Wing County: NENE & NWNE and, GL 1 and GL 2,  
15. City of Nisswa, County of Crow Wing, State of Minnesota.

16. **A. GENERAL INFORMATION:**

17. (1) When did you acquire the property? 1-2006?

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

19. Location of Abstract: ME

20. Is there an existing Owner's Title Insurance Policy?  Yes  No

21. (3) Has the land been surveyed?  Yes  No

22. Year surveyed: 2005

23. (4) What company/person performed the survey? Westwood Eng.

24. Name: Tim Daimert Address: \_\_\_\_\_ Phone: 829-1751

25. (5) Is this platted land?  Yes  No  
26. If "Yes,"

27. has the plat been recorded?  Yes  No

28. do you have a certificate of survey in your possession?  Yes  No  
29. If "Yes,"

30. Who completed the survey? SAIME When? 2005

31. (6) Are you aware of any property markers on the property?  Yes  No

32. If "Yes," give details: SURVEY MARKERS (+ Ribbons)

33. To your knowledge,

34. (7) are there encroachments?  Yes  No

35. (8) are there easements, other than utility or drainage easements?  Yes  No

36. (9) is the property located in a drainage district and/or drain tiled?  Yes  No

37. (10) is the property located in a designated flood plain?  Yes  No

38. (11) has there ever been a flood or other disaster at the property?  Yes  No

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

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

42. Property located at Section 9-135-28, Crow Wing County: NENE & NWNE and, GL 1 and GL 2
43. (12) Are you in possession of prior vacant land disclosure statement(s)?  Yes  No
44. (If "Yes," please attach)
45. (13) Comments: \_\_\_\_\_
46. \_\_\_\_\_
47. \_\_\_\_\_

48. **B. USE RESTRICTIONS AND FINANCING:**

49. (1) To your knowledge, do any of the following types of covenants, conditions, reservations or restrictions affect
50. the land?
51. (a) Subdivision or other recorded covenants, conditions or restrictions?  Yes  No
52. (b) Association requirements or restrictions?  Yes  No
53. (c) A right of first refusal to purchase? WE OWN ONE ON ADJACENT  Yes  No
54. (d) Reservations? PROPERTY  Yes  No
55. (e) Department of Natural Resources? PASSES WITH THIS TITLE  Yes  No
56. (f) Watershed?  Yes  No
57. (g) Local municipality?  Yes  No

58. (2) If any of the above questions [B(1)] are answered "Yes," list which written copies of these covenants, conditions,
59. reservations or restrictions you have: \_\_\_\_\_
60. \_\_\_\_\_
61. \_\_\_\_\_

62. (3) Have you ever received notice from any person or authority as to any breach of any of these covenants,
63. conditions, reservations or restrictions?  Yes  No
64. If "Yes," describe: \_\_\_\_\_
65. \_\_\_\_\_
66. \_\_\_\_\_

67. (4) To your knowledge, is this property approved for FHA financing?  Yes  No

68. **C. CONDITION OF THE PROPERTY:**

69. (Answer the following to the best of your knowledge.)

70. (1) Are there any structures, improvements, emblements or personal property included
71. in the sale?  Yes  No
72. If "Yes," list all items: deer stands
73. \_\_\_\_\_
74. \_\_\_\_\_

75. Are there any problems or defects with any of the above items?  Yes  No
76. If "Yes," describe all problems and defects: \_\_\_\_\_
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 Section 9-135-28, Crow Wing County: NENE & NWNE and, GL 1 and GL 2

83. (2) Were there any previous structures on the property?  Yes  No

84. (3) Are there any buried storage tanks or buried debris or waste on the property?  Yes  No

85. If "Yes," give details: \_\_\_\_\_

86. \_\_\_\_\_

87. (4) Are there any hazardous or toxic substances or wastes in, on or affecting this property?

88.  Yes  No

89. If "Yes," give details: \_\_\_\_\_

90. \_\_\_\_\_

91. (5) Have any soil tests been performed?  Yes  No

92. When? \_\_\_\_\_ By whom? \_\_\_\_\_

93. Results? \_\_\_\_\_

94. (6) Are there any settling or soil movement problems on or affecting this property?  Yes  No

95. If "Yes," give details: \_\_\_\_\_

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

97. (7) Are there any dead or diseased trees?  Yes  No

98. If "Yes," give details: \_\_\_\_\_

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

100. (8) Are there any insect/animal/pest infestations?  Yes  No

101. (9) Other: \_\_\_\_\_

**102. D. UTILITIES:**

103. *(Answer the following to the best of your knowledge.)*

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

105. When? \_\_\_\_\_ By whom? \_\_\_\_\_

106. Results? \_\_\_\_\_

107. (2) Are any of the following presently existing within the property?

108. (a) Connection to public water?  Yes  No

109. (b) Connection to public sewer?  Yes  No

110. (c) Connection to private water system off property?  Yes  No

111. (d) Connection to electric utility?  Yes  No

112. (3) Private Sewer System Disclosure: (A private sewer system disclosure is required by MN Statute 115.55.)

113. *(Check appropriate box.)*

114.  Seller does not know of a private sewer system on or serving the above-described real property.

115.  There is a private sewer system on or serving the above-described real property.

116. *(See Private Sewer System Disclosure Statement.)*

117.  There is an abandoned private sewer system on the above-described real property.

118. *(See Private Sewer System Disclosure Statement.)*

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

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

122. Property located at Section 9-135-28, Crow Wing County: NENE & NWNE and, GL 1 and GL 2

123. (4) Private Well Disclosure: (A well disclosure and Certificate are required by MN Statute 103I.235.)  
124. (Check appropriate box.)

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

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

128. Are there any wells serving the above-described property that are not located on the  
129. property? (If "Yes," see Well Disclosure Statement.)  Yes  No

130. To your knowledge, is this property in a Special Well Construction Area?  Yes  No

131. (5) Are any of the following existing at the boundary of the property?

132. (a) Public water system access?  Yes  No

133. (b) Private water system access?  Yes  No

134. (c) Electric service access?  Yes  No

135. E. PREFERENTIAL PROPERTY TAX TREATMENT: Is the property subject to any preferential property tax status  
136. or any other credits affecting the property, which would terminate upon the sale of the property? (e.g., Green Acres,  
137. CRP, RIM)  Yes  No

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

139. \_\_\_\_\_

140. \_\_\_\_\_

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

142. \_\_\_\_\_

143. \_\_\_\_\_

144. F. METHAMPHETAMINE PRODUCTION DISCLOSURE:

145. (A methamphetamine production disclosure is required by MN Statute 152.0275, Subd. 2 (m).)

146.  Seller is not aware of any methamphetamine production that has occurred on the property.

147.  Seller is aware that methamphetamine production has occurred on the property.

148. (See Methamphetamine Production Disclosure Statement.)

149. G. AIRPORT ZONING REGULATIONS: MN Statute 360.065, Subd. 3 requires sellers of real property located in  
150. airport safety zones A, B or C, under zoning regulations adopted by the governing body, to disclose to a buyer or  
151. transferee the existence of airport zoning regulations that affect the real property before accepting consideration  
152. or signing an agreement to sell or transfer the real property.

153. **Note:** This disclosure is **NOT** required for safety zones associated with an airport owned and operated by the  
154. Metropolitan Airports Commission which include the following airports: Anoka County, Crystal, Eden Prairie — Flying  
155. Cloud, Lake Elmo, Lakeville — Air Lake, Mps/St Paul International, St. Paul — Downtown Holman Field.

156. Seller discloses that the property, as described in this Disclosure,  IS  IS NOT located in airport safety  
----- (Check one.) -----

157. zone A, B or C and there  IS  IS NOT existing airport zoning regulations affecting the property.  
----- (Check one.) -----

158. MN Statute 360.065, Subd. 2 requires a copy of adopted airport zoning regulations be filed with the county recorder  
159. in each county in which the zoned area is located. **Contact the county where the property is located to obtain**  
160. **further information regarding airport zoning regulations.**

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

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

164. Property located at Section 9-135-28, Crow Wing County: NENE & NWNE and, GL 1 and GL 2

165. **H. CEMETERY ACT:** MN Statute 307.08 prohibits any damage or illegal molestation of human remains, burials or  
 166. cemeteries. A person who intentionally, willfully and knowingly destroys, mutilates, injures, disturbs or removes  
 167. human skeletal remains or human burial grounds is guilty of a felony.

168. To your knowledge, are you aware of any human remains, burials or cemeteries located on the property?

169.  Yes  No

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

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

175. **I. OTHER MATTERS:** To your knowledge,

176. (1) are there any landfills or waste disposal sites within two (2) miles of the property?  Yes  No

177. If "Yes," state their locations: \_\_\_\_\_

178. (2) is there anything else that may materially and adversely affect the property (e.g., including but not limited to,  
 179. pending claims or litigation, notice from any governmental authority of violation of any law or regulation,  
 180. proposed zoning changes, street changes, threat of condemnation)?  Yes  No

181. If "Yes," give details: \_\_\_\_\_

182. \_\_\_\_\_

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

185. **J. SELLER'S STATEMENT:**

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

187. Seller(s) hereby states the condition of the property to be as stated above and authorizes any licensee(s)  
 188. representing or assisting any party(ies) in this transaction to provide a copy of this Disclosure to any person or  
 189. entity in connection with any actual or anticipated sale of the property.

190. [Signature] 1-14-09 \_\_\_\_\_  
 (Seller) (Date) (Seller) (Date)

191. **K. BUYER'S ACKNOWLEDGEMENT:**

192. \_\_\_\_\_  
 193. receipt of this Vacant Land Disclosure Statement and agree that  
 194. property have been made other than those made above.

195. not everyone \_\_\_\_\_  
 (Bu) (Buyer) (Date)

196. has to sign this  
 197. \_\_\_\_\_  
 198. the property, state that the condition of the property is the same,  
 199. **have been signed and dated.**

200. \_\_\_\_\_  
 201. \_\_\_\_\_

202. \_\_\_\_\_  
 (Se) (Seller) (Date)

203. **COPIES TO SELLER, BUYER, SELLING BROKER.**