



TEXAS ASSOCIATION OF REALTORS® SELLER'S DISCLOSURE NOTICE

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Section 5.008, Property Code requires a seller of residential property of not more than one dwelling unit to deliver a Seller's Disclosure Notice to a buyer on or before the effective date of a contract. **This form complies with and contains additional disclosures which exceed the minimum disclosures required by the Code.**

CONCERNING THE PROPERTY AT 7673 FM 929

Gatesville

Texas

76528

THIS NOTICE IS A DISCLOSURE OF SELLER'S KNOWLEDGE OF THE CONDITION OF THE PROPERTY AS OF THE DATE SIGNED BY SELLER AND IS NOT A SUBSTITUTE FOR ANY INSPECTIONS OR WARRANTIES THE BUYER MAY WISH TO OBTAIN. IT IS NOT A WARRANTY OF ANY KIND BY SELLER, SELLER'S AGENTS, OR ANY OTHER AGENT.

Seller ☒ is ☐ is not occupying the Property. If unoccupied (by Seller), how long since Seller has occupied the Property? ☐ _____ or ☐ never occupied the Property

Section 1. The Property has the items marked below: (Mark Yes (Y), No (N), or Unknown (U).)

This notice does not establish the items to be conveyed. The contract will determine which items will & will not convey.

Item	Y	N	U	Item	Y	N	U	Item	Y	N	U
Cable TV Wiring	☒	☐	☐	Liquid Propane Gas:	☐	☒	☐	Pump: ☐ sump ☐ grinder	☐	☒	☐
Carbon Monoxide Det.	☐	☒	☐	-LP Community (Captive)	☐	☒	☐	Rain Gutters	☐	☒	☐
Ceiling Fans	☒	☐	☐	-LP on Property	☐	☒	☐	Range/Stove	☒	☐	☐
Cooktop	☒	☐	☐	Hot Tub	☐	☒	☐	Roof/Attic Vents	☒	☐	☐
Dishwasher	☒	☐	☐	Intercom System	☐	☒	☐	Sauna	☐	☒	☐
Disposal	☐	☒	☐	Microwave	☒	☐	☐	Smoke Detector	☒	☐	☐
Emergency Escape Ladder(s)	☐	☒	☐	Outdoor Grill	☐	☒	☐	Smoke Detector – Hearing Impaired	☐	☒	☐
Exhaust Fans	☒	☐	☐	Patio/Decking	☒	☐	☐	Spa	☐	☒	☐
Fences	☒	☐	☐	Plumbing System	☒	☐	☐	Trash Compactor	☐	☒	☐
Fire Detection Equip.	☒	☐	☐	Pool	☐	☒	☐	TV Antenna	☒	☐	☐
French Drain	☐	☒	☐	Pool Equipment	☐	☒	☐	Washer/Dryer Hookup	☒	☐	☐
Gas Fixtures	☐	☒	☐	Pool Maint. Accessories	☐	☒	☐	Window Screens	☒	☐	☐
Natural Gas Lines	☐	☒	☐	Pool Heater	☐	☒	☐	Public Sewer System	☐	☒	☐

Item	Y	N	U	Additional Information
Central A/C	☒	☐	☐	☒ electric ☐ gas number of units: _____
Evaporative Coolers	☐	☒	☐	number of units: _____
Wall/Window AC Units	☐	☒	☐	number of units: _____
Attic Fan(s)	☐	☒	☐	if yes, describe: _____
Central Heat	☒	☐	☐	☒ electric ☐ gas number of units: _____
Other Heat	☒	☐	☐	if yes describe: <u>wood burning stove</u>
Oven	☒	☐	☐	number of ovens: <u>1</u> ☒ electric ☐ gas ☐ other: _____
Fireplace & Chimney	☒	☐	☐	☒ wood ☐ gas logs ☐ mock ☐ other: _____
Carport	☐	☒	☐	☐ attached ☐ not attached
Garage	☒	☐	☐	☐ attached ☒ not attached
Garage Door Openers	☐	☒	☐	number of units: _____ number of remotes: _____
Satellite Dish & Controls	☒	☐	☐	☒ owned ☐ leased from _____
Security System	☐	☒	☐	☐ owned ☐ leased from _____
Water Heater	☒	☐	☐	☒ electric ☐ gas ☐ other: _____ number of units: _____
Water Softener	☐	☒	☐	☐ owned ☐ leased from _____
Underground Lawn Sprinkler	☐	☒	☐	☐ automatic ☐ manual areas covered: _____
Septic / On-Site Sewer Facility	☒	☐	☐	if yes, attach Information About On-Site Sewer Facility (TAR-1407)

Water supply provided by: ☐ city ☐ well ☐ MUD ☒ co-op ☐ unknown ☐ other: _____Was the Property built before 1978? ☐ yes ☒ no ☐ unknown

(If yes, complete, sign, and attach TAR-1906 concerning lead-based paint hazards).

Roof Type: _____ Age: _____ (approximate)

Is there an overlay roof covering on the Property (shingles or roof covering placed over existing shingles or roof covering)? ☐ yes ☒ no ☐ unknownAre you (Seller) aware of any of the items listed in this Section 1 that are not in working condition, that have defects, or are need of repair? ☐ yes ☒ no If yes, describe (attach additional sheets if necessary): _____**Section 2. Are you (Seller) aware of any defects or malfunctions in any of the following?: (Mark Yes (Y) if you are aware and No (N) if you are not aware.)**

Item	Y	N	Item	Y	N	Item	Y	N
Basement		✓	Floors		✓	Sidewalks		✓
Ceilings		✓	Foundation / Slab(s)		✓	Walls / Fences		✓
Doors		✓	Interior Walls		✓	Windows		✓
Driveways		✓	Lighting Fixtures		✓	Other Structural Components		✓
Electrical Systems		✓	Plumbing Systems		✓			
Exterior Walls		✓	Roof		✓			

If the answer to any of the items in Section 2 is yes, explain (attach additional sheets if necessary): _____

Section 3. Are you (Seller) aware of any of the following conditions: (Mark Yes (Y) if you are aware and No (N) if you are not aware.)

Condition	Y	N	Condition	Y	N
Aluminum Wiring		✓	Previous Foundation Repairs		✓
Asbestos Components		✓	Previous Roof Repairs		✓
Diseased Trees: ☐ oak wilt ☐ _____		✓	Other Structural Repairs		✓
Endangered Species/Habitat on Property		✓	Radon Gas		✓
Fault Lines		✓	Settling		✓
Hazardous or Toxic Waste		✓	Soil Movement		✓
Improper Drainage		✓	Subsurface Structure or Pits		✓
Intermittent or Weather Springs		✓	Underground Storage Tanks		✓
Landfill		✓	Unplatted Easements		✓
Lead-Based Paint or Lead-Based Pt. Hazards		✓	Unrecorded Easements		✓
Encroachments onto the Property		✓	Urea-formaldehyde Insulation		✓
Improvements encroaching on others' property		✓	Water Penetration		✓
Located in 100-year Floodplain		✓	Wetlands on Property		✓
Located in Floodway		✓	Wood Rot		✓
Present Flood Ins. Coverage (If yes, attach TAR-1414)		✓	Active infestation of termites or other wood destroying insects (WDI)		✓
Previous Flooding into the Structures		✓	Previous treatment for termites or WDI		✓
Previous Flooding onto the Property		✓	Previous termite or WDI damage repaired		✓
Located in Historic District		✓	Previous Fires		✓
Historic Property Designation		✓	Termite or WDI damage needing repair		✓
Previous Use of Premises for Manufacture of Methamphetamine		✓	Single Blockable Main Drain in Pool/Ho Tub/Spa*		✓

If the answer to any of the items in Section 3 is yes, explain (attach additional sheets if necessary): _____

*A single blockable main drain may cause a suction entrapment hazard for an individual.

Section 4. Are you (Seller) aware of any item, equipment, or system in or on the Property that is in need of repair, which has not been previously disclosed in this notice? ☐ yes ☒ no If yes, explain (attach additional sheets if necessary): _____

Section 5. Are you (Seller) aware of any of the following (Mark Yes (Y) if you are aware. Mark No (N) if you are not aware.)

- | <u>Y</u> | <u>N</u> | |
|--------------------------|-------------------------------------|--|
| ☐ | ☒ | Room additions, structural modifications, or other alterations or repairs made without necessary permits or not in compliance with building codes in effect at the time. |
| ☐ | ☒ | Homeowners' associations or maintenance fees or assessments. If yes, complete the following:
Name of association: _____
Manager's name: _____ Phone: _____
Fees or assessments are: \$_____ per _____ and are: ☐ mandatory ☐ voluntary
Any unpaid fees or assessment for the Property? ☐ yes (\$_____) ☐ no
If the Property is in more than one association, provide information about the other associations below or attach information to this notice. |
| ☐ | ☒ | Any common area (facilities such as pools, tennis courts, walkways, or other) co-owned in undivided interest with others. If yes, complete the following:
Any optional user fees for common facilities charged? ☐ yes ☐ no If yes, describe: _____ |
| ☐ | ☒ | Any notices of violations of deed restrictions or governmental ordinances affecting the condition or use of the Property. |
| ☐ | ☒ | Any lawsuits or other legal proceedings directly or indirectly affecting the Property. (Includes, but is not limited to: divorce, foreclosure, heirship, bankruptcy, and taxes.) |
| ☐ | ☒ | Any death on the Property except for those deaths caused by: natural causes, suicide, or accident unrelated to the condition of the Property. |
| ☐ | ☒ | Any condition on the Property which materially affects the health or safety of an individual. |
| ☐ | ☒ | Any repairs or treatments, other than routine maintenance, made to the Property to remediate environmental hazards such as asbestos, radon, lead-based paint, urea-formaldehyde, or mold.
If yes, attach any certificates or other documentation identifying the extent of the remediation (for example, certificate of mold remediation or other remediation). |
| ☐ | ☒ | Any rainwater harvesting system located on the Property that is larger than 500 gallons and that uses a public water supply as an auxiliary water source. |
| ☐ | ☒ | The Property is located in a propane gas system service area owned by a propane distribution system retailer. |
| ☐ | ☒ | Any portion of the Property that is located in a groundwater conservation district or a subsidence district. |

If the answer to any of the items in Section 5 is yes, explain (attach additional sheets if necessary): _____

Section 6. Seller ☒ has ☐ has not attached a survey of the Property.

Section 7. Within the last 4 years, have you (Seller) received any written inspection reports from persons who regularly provide inspections and who are either licensed as inspectors or otherwise permitted by law to perform inspections? ☒ yes ☐ no If yes, attach copies and complete the following:

Inspection Date	Type	Name of Inspector	No. of Pages
8/11/14	PROPERTY	QUALITY REAL ESTATE INSPECTIONS	33

Note: A buyer should not rely on the above-cited reports as a reflection of the current condition of the Property. A buyer should obtain inspections from inspectors chosen by the buyer.

Section 8. Check any tax exemption(s) which you (Seller) currently claim for the Property:

- ☒ Homestead ☒ Senior Citizen ☐ Disabled
☐ Wildlife Management ☐ Agricultural ☐ Disabled Veteran
☐ Other: _____ ☐ Unknown

Section 9. Have you (Seller) ever filed a claim for damage to the Property with any insurance provider? ☐ yes ☒ no

Section 10. Have you (Seller) ever received proceeds for a claim for damage to the Property (for example, an insurance claim or a settlement or award in a legal proceeding) and not used the proceeds to make the repairs for which the claim was made? ☐ yes ☒ no If yes, explain: _____

Section 11. Does the property have working smoke detectors installed in accordance with the smoke detector requirements of Chapter 766 of the Health and Safety Code?* ☐ unknown ☐ no ☒ yes. If no or unknown, explain. (Attach additional sheets if necessary): _____

**Chapter 766 of the Health and Safety Code requires one-family or two-family dwellings to have working smoke detectors installed in accordance with the requirements of the building code in effect in the area in which the dwelling is located, including performance, location, and power source requirements. If you do not know the building code requirements in effect in your area, you may check unknown above or contact your local building official for more information.*

A buyer may require a seller to install smoke detectors for the hearing impaired if: (1) the buyer or a member of the buyer's family who will reside in the dwelling is hearing-impaired; (2) the buyer gives the seller written evidence of the hearing impairment from a licensed physician; and (3) within 10 days after the effective date, the buyer makes a written request for the seller to install smoke detectors for the hearing-impaired and specifies the locations for installation. The parties may agree who will bear the cost of installing the smoke detectors and which brand of smoke detectors to install.

Seller acknowledges that the statements in this notice are true to the best of Seller's belief and that no person, including the broker(s), has instructed or influenced Seller to provide inaccurate information or to omit any material information.

Judith A. Chiaverini 5/8/16
Signature of Seller Date

Signature of Seller Date

Printed Name: Judith A. Chiaverini

Printed Name: _____

ADDITIONAL NOTICES TO BUYER:

- (1) The Texas Department of Public Safety maintains a database that the public may search, at no cost, to determine if registered sex offenders are located in certain zip code areas. To search the database, visit www.txdps.state.tx.us. For information concerning past criminal activity in certain areas or neighborhoods, contact the local police department.
- (2) If the property is located in a coastal area that is seaward of the Gulf Intracoastal Waterway or within 1,000 feet of the mean high tide bordering the Gulf of Mexico, the property may be subject to the Open Beaches Act or the Dune Protection Act (Chapter 61 or 63, Natural Resources Code, respectively) and a beachfront construction certificate or dune protection permit may be required for repairs or improvements. Contact the local government with ordinance authority over construction adjacent to public beaches for more information.
- (3) If you are basing your offers on square footage, measurements, or boundaries, you should have those items independently measured to verify any reported information.
- (4) The following providers currently provide service to the property:

Electric: Heart of Texas Co-op

phone #: _____

Sewer: Septic System

phone #: _____

Water: Coryell County Water

phone #: _____

Cable: Direct TV

phone #: _____

Trash: _____

phone #: _____

Natural Gas: _____

phone #: _____

Phone Company: _____

phone #: _____

Propane: _____

phone #: _____

- (5) This Seller's Disclosure Notice was completed by Seller as of the date signed. The brokers have relied on this notice as true and correct and have no reason to believe it to be false or inaccurate. YOU ARE ENCOURAGED TO HAVE AN INSPECTOR OF YOUR CHOICE INSPECT THE PROPERTY.

The undersigned Buyer acknowledges receipt of the foregoing notice.

Signature of Buyer Date
Printed Name: _____

Signature of Buyer Date
Printed Name: _____



TEXAS ASSOCIATION OF REALTORS®

INFORMATION ABOUT ON-SITE SEWER FACILITY

USE OF THIS FORM BY PERSONS WHO ARE NOT MEMBERS OF THE TEXAS ASSOCIATION OF REALTORS® IS NOT AUTHORIZED.
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CONCERNING THE PROPERTY AT 7673 FM 929 Gatesville Texas 76528

A. DESCRIPTION OF ON-SITE SEWER FACILITY ON PROPERTY:

- (1) Type of Treatment System: ☒ Septic Tank ☐ Aerobic Treatment ☐ Unknown
☐ _____
- (2) Type of Distribution System: Lateral Lines ☐ Unknown
- (3) Approximate Location of Drain Field or Distribution System: behind the house ☐ Unknown

- (4) Installer: previous Homeowner ☒ Unknown
- (5) Approximate Age: 5 years ☐ Unknown

B. MAINTENANCE INFORMATION:

- (1) Is Seller aware of any maintenance contract in effect for the on-site sewer facility? ☐ Yes ☒ No If yes, name of maintenance contractor: _____
 Phone: _____ contract expiration date: _____
(Maintenance contracts must be in effect to operate aerobic treatment and certain non-standard on-site sewer facilities.)
- (2) Approximate date any tanks were last pumped? _____
- (3) Is Seller aware of any defect or malfunction in the on-site sewer facility? ☐ Yes ☒ No
 If yes, explain: _____

- (4) Does Seller have manufacturer or warranty information available for review? ☐ Yes ☒ No

C. PLANNING MATERIALS, PERMITS, AND CONTRACTS:

- (1) The following items concerning the on-site sewer facility are attached:
☐ planning materials ☐ permit for original installation ☐ final inspection when OSSF was installed
☐ maintenance contract ☐ manufacturer information ☐ warranty information ☐ _____
- (2) "Planning materials" are the supporting materials that describe the on-site sewer facility that are submitted to the permitting authority in order to obtain a permit to install the on-site sewer facility.
- (3) **It may be necessary for a buyer to have the permit to operate an on-site sewer facility transferred to the buyer.**

(TAR 1407) 1-7-04 Initialed for Identification by Buyer: _____ and Seller JAC

Page 1 of 2

D. INFORMATION FROM GOVERNMENTAL AGENCIES: Pamphlets describing on-site sewer facilities are available from the Texas Agricultural Extension Service. Information in the following table was obtained from Texas Commission on Environmental Quality (TCEQ) on 10/24/2002. The table estimates daily wastewater usage rates. Actual water usage data or other methods for calculating may be used if accurate and acceptable to TCEQ.

<u>Facility</u>	<u>Usage (gal/day) without water- saving devices</u>	<u>Usage (gal/day) with water- saving devices</u>
Single family dwelling (1-2 bedrooms; less than 1,500 sf)	225	180
Single family dwelling (3 bedrooms; less than 2,500 sf)	300	240
Single family dwelling (4 bedrooms; less than 3,500 sf)	375	300
Single family dwelling (5 bedrooms; less than 4,500 sf)	450	360
Single family dwelling (6 bedrooms; less than 5,500 sf)	525	420
Mobile home, condo, or townhouse (1-2 bedroom)	225	180
Mobile home, condo, or townhouse (each add'l bedroom)	75	60

This document is not a substitute for any inspections or warranties. This document was completed to the best of Seller's knowledge and belief on the date signed. Seller and real estate agents are not experts about on-site sewer facilities. Buyer is encouraged to have the on-site sewer facility inspected by an inspector of Buyer's choice.

Judith A. Chiaverini 5/18/16
 Signature of Seller Date
 Judith A. Chiaverini

 Signature of Seller Date

Receipt acknowledged by:

 Signature of Buyer Date

 Signature of Buyer Date



Information About Brokerage Services

Texas law requires all real estate license holders to give the following information about brokerage services to prospective buyers, tenants, sellers and landlords.

TYPES OF REAL ESTATE LICENSE HOLDERS:

- **A BROKER** is responsible for all brokerage activities, including acts performed by sales agents sponsored by the broker.
- **A SALES AGENT** must be sponsored by a broker and works with clients on behalf of the broker.

A BROKER'S MINIMUM DUTIES REQUIRED BY LAW (A client is the person or party that the broker represents):

- Put the interests of the client above all others, including the broker's own interests;
- Inform the client of any material information about the property or transaction received by the broker;
- Answer the client's questions and present any offer to or counter-offer from the client; and
- Treat all parties to a real estate transaction honestly and fairly.

A LICENSE HOLDER CAN REPRESENT A PARTY IN A REAL ESTATE TRANSACTION:

AS AGENT FOR OWNER (SELLER/LANDLORD): The broker becomes the property owner's agent through an agreement with the owner, usually in a written listing to sell or property management agreement. An owner's agent must perform the broker's minimum duties above and must inform the owner of any material information about the property or transaction known by the agent, including information disclosed to the agent or subagent by the buyer or buyer's agent.

AS AGENT FOR BUYER/TENANT: The broker becomes the buyer/tenant's agent by agreeing to represent the buyer, usually through a written representation agreement. A buyer's agent must perform the broker's minimum duties above and must inform the buyer of any material information about the property or transaction known by the agent, including information disclosed to the agent by the seller or seller's agent.

AS AGENT FOR BOTH - INTERMEDIARY: To act as an intermediary between the parties the broker must first obtain the written agreement of *each party* to the transaction. The written agreement must state who will pay the broker and, in conspicuous bold or underlined print, set forth the broker's obligations as an intermediary. A broker who acts as an intermediary:

- Must treat all parties to the transaction impartially and fairly;
- May, with the parties' written consent, appoint a different license holder associated with the broker to each party (owner and buyer) to communicate with, provide opinions and advice to, and carry out the instructions of each party to the transaction.
- Must not, unless specifically authorized in writing to do so by the party, disclose:
 - that the owner will accept a price less than the written asking price;
 - that the buyer/tenant will pay a price greater than the price submitted in a written offer; and
 - any confidential information or any other information that a party specifically instructs the broker in writing not to disclose, unless required to do so by law.

AS SUBAGENT: A license holder acts as a subagent when aiding a buyer in a transaction without an agreement to represent the buyer. A subagent can assist the buyer but does not represent the buyer and must place the interests of the owner first.

TO AVOID DISPUTES, ALL AGREEMENTS BETWEEN YOU AND A BROKER SHOULD BE IN WRITING AND CLEARLY ESTABLISH:

- The broker's duties and responsibilities to you, and your obligations under the representation agreement.
- Who will pay the broker for services provided to you, when payment will be made and how the payment will be calculated.

LICENSE HOLDER CONTACT INFORMATION: This notice is being provided for information purposes. It does not create an obligation for you to use the broker's services. Please acknowledge receipt of this notice below and retain a copy for your records.

<u>BURKS REAL ESTATE</u>	<u>0268721</u>	<u>cburks@burksrealestate.com</u>	<u>254-471-5738</u>
Licensed Broker /Broker Firm Name or Primary Assumed Business Name	License No.	Email	Phone
<u>Calvin Burks</u>	<u>0268721</u>	<u>cburks@burksrealestate.com</u>	<u>254-865-3601</u>
Designated Broker of Firm	License No.	Email	Phone
<u>Licensed Supervisor of Sales Agent/ Associate</u>	<u>License No.</u>	<u>Email</u>	<u>Phone</u>
<u>Johnny Burks</u>	<u>279977</u>	<u></u>	<u>254-223-0833</u>
Sales Agent/Associate's Name	License No.	Email	Phone

Judith A. Chiaverini
Buyer/Tenant/Seller/Landlord Initials

5/8/16
Date