

# TEXAS ASSOCIATION OF REALTORS®

## **COMMERCIAL PROPERTY CONDITION STATEMENT**

USE OF THIS FORM BY PERSONS WHO ARE NOT MEMBERS OF THE TEXAS ASSOCIATION OF REALTORS® IS NOT AUTHORIZED.
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CONC	ERN	NING THE PROPERTY AT: 5618 \$5720 alleson Houston	n Jy	770	048
AS OF	THE ENAI	DISCLOSURE OF THE UNDERSIGNED'S KNOWLEDGE OF THE CONDITIC E DATE SIGNED. IT IS NOT A SUBSTITUTE FOR ANY INSPECTIONS OR W NT MAY WISH TO OBTAIN. IT IS NOT A WARRANTY OF ANY KIND B LANDLORD, LANDLORD'S AGENTS OR ANY OTHER AGENT.	VARRANTIE	ES A I	BUYER
PART	I - C	Complete if Property is Improved or Unimproved			
Are yo	u (Se	eller or Landlord) aware of:	<u>Aw</u>	<u>/are</u>	Not <u>Aware</u>
, (1)	any	of the following environmental conditions on or affecting the Property:			<i>;</i>
,	(a)	radon gas?		<b>_</b>	X
	(b)	asbestos components:			
		(i) friable components?		<b>_</b>	X
		(ii) non-friable components?		3	X
	(c)	urea-formaldehyde insulation?	[	]	a a a a a
	(d)	endangered species of their habitat?	<i>.</i> [		\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\
	(e)	wetlands?			Ħ
	(f)	underground storage tanks?			À
	(g)	leaks in any storage tanks (underground or above-ground)?			ÞŢ.
	(h)	lead-based paint?		<b>_</b>	Ø
	(i)	hazardous materials or toxic waste?	. <i></i> [		Ž.
	(j)	open or closed landfills on or under the surface of the Property?	[		Ź,
	(k)	external conditions materially and adversely affecting the Property such as nearby landfills, smelting plants, burners, storage facilities of toxic or hazardomaterials, refiners utility transmission lines, mills, feed lots, and the like?	us )	<b>z</b> (	
,	(1)	any activity relating to drilling or excavation sites for oil, gas, or other minerals	s? <sup>/</sup> [	j	Ø
(2)	affe	evious environmental contamination that was on or that materially and adversely ected the Property, including but not limited to previous environmental conditioned in Paragraph 1(a)-(l)?	าร	_	
(3)	any	part of the Property lying in a special flood hazard area (A or V Zone)?	[		)\(\frac{1}{2}\)
(4)	any	improper drainage onto or away from the Property?			DANDAY
(5)	any	fault line or near the Property that materially and adversely affects the Property	y? l		Ì <b>⊠</b> (
(6)	outs	standing mineral rights, exceptions, or reservations of the Property held by othe	ers? l		Ø
(7)	air s	space restrictions or easements on or affecting the Property?	1		
(8)	to th	ecorded or unplatted agreements for easements, utilities, or access on or he Property?		X	
(TAR-1	408) <sup>-</sup>	1-26-10 Initialed by Seller or Landlord: and Buyer or Tenant:	,	P:	age 1 of 4

Initialed by Seller or Landlord: \_\_\_

(TAR-1408) 1-26-10

\_, \_\_\_\_ and Buyer or Tenant: \_\_\_\_

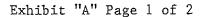
Comme	ercial F	Property Condition Statement concerning			
				<u>Aware</u>	Not <u>Aware</u>
(9)	spec distr	cial districts in which the Property lies (for example, historical districts, developme icts, extraterritorial jurisdictions, or others)?	nt 	🗖	M
(10)	) pend	ling changes in zoning, restrictions, or in physical use of the Property?		. 🗖	Æ
•	high Prop	receipt of any notice concerning any likely condemnation, planned streets, ways, railroads, or developments that would materially and adversely affect the perty (including access or visibility)?			X
(12)	) laws	uits affecting title to or use or enjoyment of the Property?			Ź
(13	) your gove	receipt of any written notices of violations of zoning, deed restrictions, or ernment regulations from EPA, OSHA, TCEQ, or other government agencies?		. 🗖	)XI
(14	) com	mon areas or facilities affiliated with the Property co-owned with others?		. 🔲	X
(15	Prop	wners' or tenants' association or maintenance fee or assessment affecting the perty?		. 🗀 -	
	Amo	ne of manager:perperper		_	
/40				г	$\mathcal{A}$
		surface structures, hydraulic lifts, or pits on the Property?			**
•	•	material defect in any irrigation system, fences, or signs on the Property?			$\overrightarrow{\mathbf{M}}$
		ditions on or affecting the Property that materially affect the health or safety of		· 🗀	
(18	an c	ordinary individual?			À
lf y	ou ar	e aware of any of the conditions listed above, explain. (Attach additional informat	ion if n	eeded.)	
<del>-</del>					
. —			-		
_					
	·				
		Complete only if Property is Improved	Propo	<del>-</del> 1.7	
A. Ar	re you	ı (Seller or Landlord) aware of any material defects in any of the following on the	Prope	Not	Not
(1	) <u>Strı</u>	uctural Items:	<u>ware</u>	<u>Aware</u>	Appl.
	(a)	foundation systems (slabs, columns, trusses, bracing, crawl spaces, piers, beams, footings, retaining walls, basement, grading)?			卤
	(b)	exterior walls?			囟
	(c)	fireplaces and chimneys?			<del>y</del>
	` `	roof, roof structure, or attic (covering, flashing, skylights, insulation, roof penetrations, ventilation, gutters and downspouts, decking)?			Ø
	(e)	windows, doors, plate glass, or canopies			<b>5</b>
(TAR	-1408)	1-26-10 Initialed by Seller or Landlord:, and Buyer or Tenant:	1		Page 2 of

Comm	ercial	Property Condition Statement concerning			
(2)		mbing Systems:  water heaters or water softeners?  supply or drain lines?  faucets, fixtures, or commodes?  private sewage systems?  pools or spas and equipments?  sprinkler systems?  water coolers?  private water wells?  pumps or sump pumps?		Not Aware	Naple 区区区区区区区区区区区区区区区区区区区区区区区区区区区区区区区区区区区区
(3)	HV	AC Systems: any cooling, heating, or ventilation systems?			Ø
(4)	gro	strical Systems: service drops, wiring, connections, conductors, plugs, unds, power, polarity, switches, light fixtures, or junction boxes?			9
(5)		er Systems or Items:		·	
	` '	security or fire detection systems?			<b>⊠</b>
	(b)	porches or decks?			<b>₽</b>
	(c)	gas lines?			<b>A</b>
	(d)	garage doors and door operators?			D D D D D
	(e).	loading doors or docks?			<b>X</b> 1
	(f)	rails or overhead cranes?		_	⊠. Γ2Φ
	(g)	elevators or escalators?			ZI
	(h)	parking areas, drives, steps, walkways?			
lf ad	(i) you <i>dition</i>	appliances or built-in kitchen equipment?  are aware of material defects in any of the items listed under Paragrap al information if needed.)		explain.	(Attach
			···	<u></u>	
_					
B. Ar	-	(Seller or Landlord) aware of:		<u>Aware</u>	Not <u>Aware</u>
(1)	aff	of the following water or drainage conditions materially and adversely ecting the Property:			~_4
		ground water?			<b>X</b>
		water penetration?			
		previous flooding or water drainage?			ĭ <b>Z</b>
	(d)	soil erosion or water ponding?		🔲	7
(TAR	-1408)	1-26-10 Initialed by Seller or Landlord:, and Buyer or Tenant:			Page 3 of 4

	nercial Property Condition Statement concerning			
			<u>Aware</u>	Not <u>Aware</u>
(2)	previous structural repair to the foundation system	ns on the Property?	🗖	1/2
(3)				Į.
(4)			<del></del>	ACT
(5)			<del></del>	<u></u>
(6)	mold to the extent that it materially and adversely		-	$\overline{\square}$
(7)	mold remediation certificate issued for the Propertif yes, attach a copy of the mold remediation certificate.	tv in the previous 5 years?		D D D D
(8)	previous termite treatment on the Property?		🗖	Æ
(9)	•			Ø
(10	modifications made to the Property without necess     with building codes in effect at the time?	sary permits or not in compliance		<u>/</u> _ \\(\f\)
(11	i) any part, system, or component in or on the Prope the Americans with Disabilities Act or the Texas A	erty not in compliance with		ľΧĺ
	· · · · · · · · · · · · · · · · · · ·			
_		The undersigned acknowledge foregoing statement.	s receipt	of the
—— Seller	or Landlord: RSH Sand and Trucking		s receipt	of the
	or Landlord: RSH Sand and Trucking	foregoing statement.		
Ву: <u>R</u>		Buyer or Tenant:		
By: <u>R</u> B <u>y</u> Pi	ichard Hughes y (signature): rinted Name: Richard Hughes	Buyer or Tenant:  By:  By (signature):  Printed Name:	•	
By: <u>R</u> B <u>y</u> Pi	ichard Hughes y (signature):	Buyer or Tenant:  By:  By (signature):  Printed Name:	•	
By: <b>R</b> By Pi Ti	ichard Hughes y (signature): rinted Name: Richard Hughes	Buyer or Tenant:  By:  By (signature):  Printed Name:	Date:	
By: <u>R</u> B <u>y</u> Ti By:	ichard Hughes  y (signature):  rinted Name: Richard Hughes  itle: President Date: 02/13/2011	Buyer or Tenant:  By:  By (signature):  Printed Name:  Title:	Date:	
By: <u>R</u> By: Ti By: _ B	ichard Hughes  y (signature): rinted Name: Richard Hughes itle: President Date: 02/13/2011	Buyer or Tenant:  By:  By (signature):  Printed Name:  Title:  By:  By (signature):	Date:	

NOTICE TO BUYER OR TENANT: The broker representing Seller or Landlord, and the broker representing you advise you that this statement was completed by Seller or Landlord, as of the date signed. The brokers have relied on this statement 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.

(TAR-1408) 1-26-10



X

DESCRIPTION OF 23.210-ACRE (1,011,030 SQ. FT.) TRACT OF LAND SITUATED IN THE J. HOLLOWAY SURVEY, A-339, HARRIS COUNTY, TEXAS

Being a 23.210-acre (1,011,030 square foot) tract of land situated in the J. Holloway Survey, A-339, Harris County, Texas. Said 23.210-acre tract being a portion of a 53.069-acres conveyed to Claud B. Hamill as recorded under Harris County Clerk's File No. B423586, Film Code No. 061-15-0054 of the Harris County Deed Records. Said 23.210-acre tract being more particularly described by metes and bounds as follows, with the basis of bearings being the north line of said 53.069-acre tract:

BEGINNING at a 3/4-inch iron rod found in the south right-of-way line of Allison Road (based on a width of 60.00 feet), the northeast corner of a tract of land conveyed to Houston Lighting & Power Company as filed for record under Volume 2651, Page 78 of the Harris County Deed Records and the northwest corner of the tract herein described;

THENCE South 89 deg. 49 min. 00 sec. East, along the north line of said 53.069-acre tract, the south right-of-way line of said Allison Road, a distance of 305.60 feet to a 5/8-inch iron rod found for the northwest corner of a tract of land conveyed to Harold James Williams as filed for record under Harris County Clerk's File No. T546308, Film Code No. 523-89-1793 of the Harris County Deed Records, the south right-of-way line of said Allison Road, a northeast corner of said 53.069-acre tract and a northeast corner of the tract herein described;

THENCE South 00 deg. 14 min. 54 sec. West, along the east line of said 53.069-acre tract and the west line of said Harold James Williams tract, a distance of 1,051.69 feet to a 3/4-inch iron pipe found for an interior corner of said 53.069-acre tract and the tract herein described;

THENCE South 89 deg. 16 min. 40 sec. East, along a north line of said 53.069-acre tract, a distance of 339.20 feet to a 1/2-inch iron rod found for the most northerly northeast corner of said 53.069-acre tract and the tract herein described;

THENCE South 00 deg. 46 min. 02 sec. East, along the westerly line of a tract of land conveyed to Charles Edward Virgin, and wife, Lou O. Virgin as filed for record under Harris County Clerk's File No. S586625, Film Code No. 514-30-1091 of the Harris County Deed Records, and along an easterly line of said 53.069-acre tract, a distance of 1,058.11 feet to a 1/2-inch iron rod found for an interior corner of said Charles Edward Virgin tract, the southeast corner of said 53.069-acre tract and the southeast corner of the tract herein described;

### Exhibit "A" Page 2 of 2

THENCE South 89 deg. 50 min. 07 sec. West, along the south line of said 53.069-acre tract, a north line of said Charles Edward Virgin tract, a distance of 357.45 feet to a 3/4-inch pinch-top-pipe found for the northeast corner of an 11.24-acre tract of land conveyed to Irma Hinds Laws as filed for record under Harris County Clerk's File No. M498948, Film Code No. 158-66-1542 of the Harris County Deed Records, an angle point of said 53.069-acre tract and an angle point of the tract herein described;

THENCE South 89 deg. 45 min. 24 sec. West, along the south line of said 53.069-acre tract, the north line of said 11.24-acre tract, a distance of 301.04 feet to a 1/2-inch iron rod found for southeast corner of said Houston Lighting & Power Company Tract, the northwest corner of said 11.24-acre tract and the southwest corner of the tract herein described;

THENCE North 00 deg. 06 min. 40 sec. East, along the east line of said Houston Lighting & Power Company Tract, a distance of 2,117.26 feet to the POINT-OF-BEGINNING and containing 23.210 acres (1,011,030 square feet) of land.

### Compiled By:

WEISSER ENGINEERING COMPANY 17171 Park Row Suite 100 Houston, Texas 77084

Job No.: LG557 (1207-007)

Date: 11/15/99

# **EXHBIIT "A"**

A Tract of land containing 8.6 acres, more or less out of Lot One Hundred Twenty-Six (126), of MINNETEX PLACE, a subdivision in Harris County, Texas, according to the map or plat thereof, recorded in Volume 2, Page 57 of the Map Records of Harris County, Texas.

Ricky Hughes 3.000 Acres E. Friedenhaus Survey Abstract No. 1073

STATE OF TEXAS

COUNTY OF HARRIS §

METES AND BOUNDS DESCRIPTION of a 3.000 acre tract in the E. Friedenhaus Survey, Abstract No. 1073 in Hams County, Texas. Said 3.000 acre tract is a part of Lot 126 of the Minnetex Place Subdivision as recorded in Volume 2, Page 57 of the Harris County Map Records and is further described as being a part of a tract described in a deed to Harold James Williams as recorded in File No. T546308 of the Harris County Clerk's Office. Said 3.000 acre tract is more particularly described by metes and bounds as follows:

COMMENCING at a 5/8-inch iron rod found at the intersection of the north right-of-way line of Fuqua Street (based on a width of 50 feet) with the east line of said Lot 182, said point being the southeast corner of a 7.791 acre tract described in a deed to RSH Trucking, Inc. as recorded in File No. U843571 at the Harris County Clerk's Office;

THENCE, North, along the east line of said Lot 182, same being the east line of said 7.791 acre tract for a distance of 779.90 feet to a ½-inch iron rod found for the POINT OF BEGINNING of the herein described tract, said point being the southeast corner of the aforementioned Harold James Williams tract, same being the common east corner of said Lot 182 and Lot 126 of said Minnetex Place Subdivision;

THENCE, West, along the south line of said Harold James Williams tract for a distance of 655.20 feet to a 5/8-inch iron rod found for the southwest comer of said Harold James William tract, same being the common west comer of said Lots 182 and 126, said point being the southwest comer of the herein described tract;

THENCE, North, along the west line of said Harold James Williams tract, same being the west line of said Lot 126 for a distance of 199.45 feet to a 5/8-inch iron rod set for the northwest corner of the herein described tract;

THENCE, East, for a distance of 655.20 feet to a 5/8-inch iron rod set in the east line of said Harold James Williams tract, same being the east line of said Lot 126, said point being the northeast comer of the herein described tract;

THENCE, South, along the east line of said Harold James Williams tract, same being the east line of said Lot 126 for a distance of 199.45 feet to the POINT OF BEGINNING, containing a computed area of 3.000 acres (130,680 square feet).

#### NOTE:

1. The bearings shown hereon are based on the plat of Minnetex Place Subdivision as recorded in Volume 2, Page 57 of the Harris County Map Records.

2. There is a separate survey plat prepared in connection with this description.

Walsh Surveying, Inc. 2006 East Broadway, Suite 105 Pearland, Texas 77581 Job No. 01-196

January 15, 2001

MICHAEL D. WILSON 1

Michael D. Wilson, R.P.L.S. Registration No 4821

1/08/02

Charles Virgin 4,249 Acres

1945 1945

> E. Friedenhaus Survey Abstract No. 1073

STATE OF TEXAS §
COUNTY OF HARRIS §

METES AND BOUNDS DESCRIPTION of a 4.429 acre tract in the E. Friedenhaus Survey, Abstract No. 1073 in Harris County, Texas. Said 4.429 acre tract is a part of Lot 202 of the Minnetex Place Subdivision as recorded in Volume 2, Page 57 of the Harris County Map Records and is further described as being a part of a 27.9453 acre tract described in a deed to Charles Edward Virgin and wife, Lou O. Virgin as recorded in File No. S586625 of the Harris County Clerk's Office. Said 4.249 acre tract is more particularly described by metes and bounds as follows:

BEGINNING at a 5/8-inch iron rod set at the point of intersection of the south line of Fuqua Street (based on a width of 50 feet) with the east line of said Lot 202, said point being the northeast corner of the herein described tract;

THENCE, South, along the east line of the aforementioned 27.9453 acre tract, same being the east line of said Lot 202 for a distance of 556.22 feet to a 5/8-inch iron rod set for the southeast corner of the herein described tract;

THENCE, West, for a distance of 653.23 feet to a 5/8-inch iron rod set in the west line of said 27.9453 acre tract, same being the west line of said Lot 202, said point being the most southerly southwest corner of the herein described tract;

THENCE, North, along the west line of said 27.9453 acre tract, same being the most westerly line of said Lot 202 for a distance of 50.00 feet to a 5/8-inch iron rod set for a westerly comer of said 27.9453 acre tract, from which a found 1-inch iron pipe bears South 53°54'38" West, 6.62 feet, said point being a westerly comer of the herein described tract;

THENCE, East, along the common line between said Lot 202 and the south line of a 23.210 acre tract described in a deed to Perrard Investments, LLC as recorded in File No. U157944 at the Harris County Clerk's Office for a distance of 357.06 feet to a 5/8-inch set for an interior corner of the aforementioned 27.9453 acre tract, also being the southeast corner of said 23.210 acre tract, said point being an interior corner of the herein described tract;

THENCE, North 01°07'28" West, along the west line of said Lot 202, same being the east line of said 23.210 acre tract for a distance of 506.31 feet to a 5/8-inch iron rod set in the south line of the aforementioned Fuqua Street, said point being the northwest corner of the herein described tract;

THENCE, East, along the south line of said Fuqua Street for a distance of 306.10 feet to the POINT OF BEGINNING, containing a computed area of 4.249 acres (185,101 square feet).

### NOTE:

 The bearings shown hereon are based on the plat of Minnetex Place Subdivision as recorded in Volume 2, Page 57 of the Harris County Map Records.

2. There is a separate survey plat prepared in connection with this description.

Walsh Surveying, Inc. 2006 East Broadway, Suite 105 Pearland, Texas 77581 Job No. 01-197 January 15, 2001

Michael D. Wilson, R.P.L.S. Registration No 4821

03/02

Charles Virgin 7.791 Acres

STATE OF TEXAS

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COUNTY OF HARRIS §

METES AND BOUNDS DESCRIPTION of a 7.791 acre tract in the E. Friedenhaus Survey, Abstract No. 1073 in Harris County, Texas. Said 7.791 acre tract is a part of Lot 182 of the Minnetex Place Subdivision as recorded in Volume 2, Page 57 of the Harris County Map Records and is further described as being a part of a 27.9453 acre tract described in a deed to Charles Edward Virgin and wife, Lou O. Virgin as recorded in File No. S586625 of the Harris County Clerk's Office. Said 7.791 acre tract is more particularly described by metes and bounds as follows:

BEGINNING at a 5/8-inch iron rod set at the point of intersection of the north line of Fuqua Street (based on a width of 50-feet) with the west line of said Lot 182, said point being the southwest corner of the herein described tract;

THENCE, North 01°07'28" West, along the west line of said Lot 182, same being the east line of a 23.210 acre tract described in a deed to Perrard Investments, LLC, as recorded in File No. U157944 of the Harris County Clerk's Office, for a distance of 500.10 feet to a 5/8-inch iron rod found for an interior comer of the herein described tract;

THENCE, West, for a distance of 338.30 feet to a 5/8-inch iron rod set for corner on the herein described tract, said point being the most northerly southwest corner of said Lot 182;

THENCE, North, along the most northerly west line of said Lot 182 for a distance of 279.90 feet to a 5/8-inch iron rod set for the northwest corner of the herein described tract, said point being the southwest corner of Lot 126 of said Minnetex Place Subdivision, from which a found ½-inch iron rod bears North 85°43'28" East, 0.67 feet;

THENCE, East, along the common line between said Lot 182 and Lot 126 for a distance of 655.20 feet to a 1/2-inch iron rod found for the common corner of Lots 182, 126, 125 and 183, said point being the northeast corner of the herein described tract;

THENCE, South, along the common line between said Lot 182 and Lot 183 for a distance of 7

79.90 feet to a 5/8-inch iron rod set in the aforementioned north line of Fuqua Street, said point being the southeast corner of the herein described tract;

THENCE, West, along the north line of said Fuqua Street for a distance of 307.09 feet to the POINT OF BEGINNING, containing a computed area of 7.791 acres (339,387 square feet).

### NOTE:

- 1. The bearings shown hereon are based on the plat of Minnetex Place Subdivision as recorded in Volume 2, Page 57 of the Harris County Map Records.
- 2. There is a separate survey plat prepared in connection with this description.

MICHAEL D. WILSON

Walsh Surveying, Inc. 2006 East Broadway, Suite 105 Pearland, Texas 77581

Job No. 00-236 January 15, 2001

01-15-01

Michael D. Wilson, R.P.L.S.

Registration No 4821

## WALKER L. TREESH

Registered Professional Land Surveyor

P.O. Box 2113 Pearland, Texas 77588 (281) 485-5191

FIELD NOTE DESCRIPTION OF A 5.8058 ACRE TRACT OF LAND OUT OF THE WEST ONE-HALF OF LOT 125 OF MINNETEX PLACE, A SUBDIVISION IN HARRIS COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN VOLUME 2, PAGE 57 OF THE MAP RECORDS OF HARRIS COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING at a ½ inch iron rod found at the common corner of Lots 125, 126, 182 and 183 of the aforementioned Minnetex Place;

THENCE NORTH, along the common line of said Lots 125 and 126, a distance of 774.90 feet to a ½ inch iron rod with cap set for corner in the south right of way line of Allison Road (60 foot R.O.W.), from which a found ½ inch iron rod bears S 02°38'24" E a distance of 1.09 feet;

THENCE EAST, along the south right of way line of Allison Road, a distance of 326.37 feet to a ½ inch iron with cap set for comer;

THENCE SOUTH, a distance of 774.90 feet to a ½ inch iron rod with cap set for comer in the south line of Lot 125;

THENCE WEST, along the south line of said Lot 125, a distance of 326.37 feet to the PLACE OF BEGINNING, and containing 5.8058 acres of land, more or less.

Walker L. Treesh, R.P.L.S. No. 1895

July 22, 2004

WALKER L. TREESH