



# 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 4008 FM 50  
Brenham, TX 77833

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
Cable TV Wiring	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Carbon Monoxide Det.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ceiling Fans	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Cooktop	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Dishwasher	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Disposal	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Emergency Escape Ladder(s)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Exhaust Fans	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Fences	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Fire Detection Equip.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
French Drain	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Gas Fixtures	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Natural Gas Lines	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Item	Y	N	U
Liquid Propane Gas:	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
-LP Community (Captive)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
-LP on Property	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Hot Tub	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Intercom System	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Microwave	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Outdoor Grill	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Patio/Decking	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Plumbing System	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Pool	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Pool Equipment	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Pool Maint. Accessories	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Pool Heater	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Item	Y	N	U
Pump: <input type="checkbox"/> sump <input type="checkbox"/> grinder	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rain Gutters	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Range/Stove	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Roof/Attic Vents	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sauna	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Smoke Detector	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Smoke Detector - Hearing Impaired	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Spa	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Trash Compactor	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
TV Antenna	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Washer/Dryer Hookup	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Window Screens	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Public Sewer System	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Item	Y	N	U	Additional Information
Central A/C	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/> electric <input type="checkbox"/> gas number of units: <u>1</u>
Evaporative Coolers	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	number of units: _____
Wall/Window AC Units	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	number of units: _____
Attic Fan(s)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	if yes, describe: _____
Central Heat	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/> electric <input type="checkbox"/> gas number of units: <u>1</u>
Other Heat	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	if yes, describe: <u>Fireplace</u>
Oven	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	number of ovens: <u>1</u> <input checked="" type="checkbox"/> electric <input type="checkbox"/> gas <input type="checkbox"/> other: _____
Fireplace & Chimney	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/> wood <input type="checkbox"/> gas logs <input type="checkbox"/> mock <input type="checkbox"/> other: _____
Carport	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> attached <input checked="" type="checkbox"/> not attached
Garage	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> attached <input checked="" type="checkbox"/> not attached
Garage Door Openers	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	number of units: <u>1</u> number of remotes: _____
Satellite Dish & Controls	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> owned <input type="checkbox"/> leased from _____
Security System	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/> owned <input type="checkbox"/> leased from _____
Water Heater	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/> electric <input type="checkbox"/> gas <input type="checkbox"/> other: _____ number of units: <u>3</u>
Water Softener	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/> owned <input type="checkbox"/> leased from _____
Underground Lawn Sprinkler	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/> automatic <input type="checkbox"/> manual areas covered: _____
Septic / On-Site Sewer Facility	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	if yes, attach Information About On-Site Sewer Facility (TAR-1407)

(TAR-1406) 01-01-14

Initialed by: Buyer: \_\_\_\_\_ and Seller: JEN, CW

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Concerning the Property at \_\_\_\_\_

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: Asphalt Shingles Age: 2 months (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
Basement		<input checked="" type="checkbox"/>
Ceilings		<input checked="" type="checkbox"/>
Doors		<input checked="" type="checkbox"/>
Driveways		<input checked="" type="checkbox"/>
Electrical Systems		<input checked="" type="checkbox"/>
Exterior Walls		<input checked="" type="checkbox"/>

Item	Y	N
Floors		<input checked="" type="checkbox"/>
Foundation / Slab(s)		<input checked="" type="checkbox"/>
Interior Walls		<input checked="" type="checkbox"/>
Lighting Fixtures		<input checked="" type="checkbox"/>
Plumbing Systems		<input checked="" type="checkbox"/>
Roof		<input checked="" type="checkbox"/>

Item	Y	N
Sidewalks		<input checked="" type="checkbox"/>
Walls / Fences		<input checked="" type="checkbox"/>
Windows		<input checked="" type="checkbox"/>
Other Structural Components		<input checked="" type="checkbox"/>

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
Aluminum Wiring		<input checked="" type="checkbox"/>
Asbestos Components		<input checked="" type="checkbox"/>
Diseased Trees: <input type="checkbox"/> oak wilt <input type="checkbox"/> _____		<input checked="" type="checkbox"/>
Endangered Species/Habitat on Property		<input checked="" type="checkbox"/>
Fault Lines		<input checked="" type="checkbox"/>
Hazardous or Toxic Waste		<input checked="" type="checkbox"/>
Improper Drainage		<input checked="" type="checkbox"/>
Intermittent or Weather Springs		<input checked="" type="checkbox"/>
Landfill		<input checked="" type="checkbox"/>
Lead-Based Paint or Lead-Based Pt. Hazards		<input checked="" type="checkbox"/>
Encroachments onto the Property		<input checked="" type="checkbox"/>
Improvements encroaching on others' property		<input checked="" type="checkbox"/>
Located in 100-year Floodplain		<input checked="" type="checkbox"/>
Located in Floodway		<input checked="" type="checkbox"/>
Present Flood Ins. Coverage (If yes, attach TAR-1414)		<input checked="" type="checkbox"/>
Previous Flooding into the Structures		<input checked="" type="checkbox"/>
Previous Flooding onto the Property		<input checked="" type="checkbox"/>
Located in Historic District		<input checked="" type="checkbox"/>
Historic Property Designation		<input checked="" type="checkbox"/>
Previous Use of Premises for Manufacture of Methamphetamine		<input checked="" type="checkbox"/>

Condition	Y	N
Previous Foundation Repairs		<input checked="" type="checkbox"/>
Previous Roof Repairs		<input checked="" type="checkbox"/>
Other Structural Repairs		<input checked="" type="checkbox"/>
Radon Gas		<input checked="" type="checkbox"/>
Settling		<input checked="" type="checkbox"/>
Soil Movement		<input checked="" type="checkbox"/>
Subsurface Structure or Pits		<input checked="" type="checkbox"/>
Underground Storage Tanks		<input checked="" type="checkbox"/>
Unplatted Easements		<input checked="" type="checkbox"/>
Unrecorded Easements		<input checked="" type="checkbox"/>
Urea-formaldehyde Insulation		<input checked="" type="checkbox"/>
Water Penetration		<input checked="" type="checkbox"/>
Wetlands on Property		<input checked="" type="checkbox"/>
Wood Rot		<input checked="" type="checkbox"/>
Active infestation of termites or other wood destroying insects (WDI)		<input checked="" type="checkbox"/>
Previous treatment for termites or WDI		<input checked="" type="checkbox"/>
Previous termite or WDI damage repaired		<input checked="" type="checkbox"/>
Previous Fires		<input checked="" type="checkbox"/>
Termite or WDI damage needing repair		<input checked="" type="checkbox"/>
Single Blockable Main Drain in Pool/Hot Tub/Spa*		<input checked="" type="checkbox"/>

Concerning the Property at \_\_\_\_\_

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.)**

Y N

- ☐ ☒ 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.

Concerning the Property at \_\_\_\_\_

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
10/26/18	General	North Star Inspections	68
10/26/18	Structural Eng	Alton Rogers	10

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 ☒ noSection 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.

Concerning the Property at \_\_\_\_\_

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.

Signature of Seller Terry Lynn Nevels Date 7-23-18 Signature of Seller Charles S. Nevels Date 7-23-18  
 Printed Name: TERRY Lynn Nevels Printed Name: Charles S. Nevels

**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](http://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: <u>Blue Bonnet</u>	phone #: _____
Sewer: _____	phone #: _____
Water: _____	phone #: _____
Cable: _____	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 \_\_\_\_\_ Signature of Buyer \_\_\_\_\_ Date \_\_\_\_\_  
 Printed Name: \_\_\_\_\_ 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.  
©Texas Association of REALTORS®, Inc., 2004

4008 FM 50  
Brenham, TX 77833

### CONCERNING THE PROPERTY AT

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

- (1) Type of Treatment System: ☒ Septic Tank ☐ Aerobic Treatment ☐ Unknown  
☐ \_\_\_\_\_
- (2) Type of Distribution System: \_\_\_\_\_ ☐ Unknown
- (3) Approximate Location of Drain Field or Distribution System: North of Home ☐ Unknown  
 \_\_\_\_\_  
 \_\_\_\_\_
- (4) Installer: \_\_\_\_\_ ☐ Unknown
- (5) Approximate Age: 17yrs pumped out in April 2018 ☐ 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? April 2018
- (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 TLN, CN

Page 1 of 2

Coldwell Bankers Properties Unlmt, 2402 South Day St. Brenham, TX 77833

Phone: 979.836.0011117

Fax: 979.353.4334

Lindi Braddock

4008 FM 50

Produced with ZipForm® by zipLogix 18070 Fifteen Mile Road, Fraser, Michigan 48026 www.zipLogix.com

- 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.

 7-23-18  
\_\_\_\_\_  
Signature of Seller Date  
TERRY LYNN NEVELS

 7-23-18  
\_\_\_\_\_  
Signature of Seller Date  
CARLA S NEVELS

Receipt acknowledged by:

\_\_\_\_\_  
Signature of Buyer Date

\_\_\_\_\_  
Signature of Buyer Date



# Information About Brokerage Services

**B**efore working with a real estate broker, you should know that the duties of a broker depend on whom the broker represents. If you are a prospective seller or landlord (owner) or a prospective buyer or tenant (buyer), you should know that the broker who lists the property for sale or lease is the owner's agent. A broker who acts as a subagent represents the owner in cooperation with the listing broker. A broker who acts as a buyer's agent represents the buyer. A broker may act as an intermediary between the parties if the parties consent in writing. A broker can assist you in locating a property, preparing a contract or lease, or obtaining financing without representing you. A broker is obligated by law to treat you honestly.

## IF THE BROKER REPRESENTS THE OWNER:

The broker becomes the owner's agent by entering into an agreement with the owner, usually through a written - listing agreement, or by agreeing to act as a subagent by accepting an offer of subagency from the listing broker. A subagent may work in a different real estate office. A listing broker or subagent can assist the buyer but does not represent the buyer and must place the interests of the owner first. The buyer should not tell the owner's agent anything the buyer would not want the owner to know because an owner's agent must disclose to the owner any material information known to the agent.

## IF THE BROKER REPRESENTS THE BUYER:

The broker becomes the buyer's agent by entering into an agreement to represent the buyer, usually through a written buyer representation agreement. A buyer's agent can assist the owner but does not represent the owner and must place the interests of the buyer first. The owner should not tell a buyer's agent anything the owner would not want the buyer to know because a buyer's agent must disclose to the buyer any material information known to the agent.

## IF THE BROKER ACTS AS AN INTERMEDIARY:

A broker may act as an intermediary between the parties if the broker complies with The Texas Real Estate License Act. The broker must obtain the written consent of each party to the transaction to act as an

intermediary. The written consent must state who will pay the broker and, in conspicuous bold or underlined print, set forth the broker's obligations as an intermediary. The broker is required to treat each party honestly and fairly and to comply with The Texas Real Estate License Act. A broker who acts as an intermediary in a transaction:

- (1) shall treat all parties honestly;
- (2) may not disclose that the owner will accept a price less than the asking price unless authorized in writing to do so by the owner;
- (3) may not disclose that the buyer will pay a price greater than the price submitted in a written offer unless authorized in writing to do so by the buyer; and
- (4) may not disclose any confidential information or any information that a party specifically instructs the broker in writing not to disclose unless authorized in writing to disclose the information or required to do so by The Texas Real Estate License Act or a court order or if the information materially relates to the condition of the property.

With the parties' consent, a broker acting as an intermediary between the parties may appoint a person who is licensed under The Texas Real Estate License Act and associated with the broker to communicate with and carry out instructions of one party and another person who is licensed under that Act and associated with the broker to communicate with and carry out instructions of the other party.

**If you choose to have a broker represent you**, you should enter into a written agreement with the broker that clearly establishes the broker's obligations and your obligations. The agreement should state how and by whom the broker will be paid. You have the right to choose the type of representation, if any, you wish to receive. Your payment of a fee to a broker does not necessarily establish that the broker represents you. If you have any questions regarding the duties and responsibilities of the broker, you should resolve those questions before proceeding.

Real estate licensee asks that you acknowledge receipt of this information about brokerage services for the licensee's records.

TLN: CW  
Buyer, Seller, Landlord or Tenant  
**TERRY LYNN NEVELS, CARLA S NEVELS**

7-24-18  
Date

Texas Real Estate Brokers and Salespersons are licensed and regulated by the Texas Real Estate Commission (TREC). If you have a question or complaint regarding a real estate licensee, you should contact TREC at P.O. Box 12188, Austin, Texas 78711-2188, 512-936-3000 (<http://www.trec.texas.gov>)

(TAR-2501) 10-10-11

TREC No. OP-K

Coldwell Bankers Properties Unlmt, 2402 South Day St. Brenham, TX 77833  
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4008 FM 50

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October 28, 2018

Mr. Terry Nevels  
4008 FM 50  
Brenham, Texas 77833

Re: Forensic Engineering Study  
Nevels Residence  
4008 FM 50  
Washington County, Texas  
RES Project No. 0018-1-009

Dear Mr. Nevels:

A forensic engineering study of the residence located at 4008 FM 50 in Washington County, Texas was performed by Rogers Engineering Services (RES) as per your request on October 26, 2018. The forensic engineering study was requested to evaluate the structural condition of the home. The items listed are not meant to represent a total or exhaustive list of defects present. RES neither extends nor implies any warrantee as a result of this forensic engineering study or any repair performed upon this residential structure. The results of this inspection are provided in the following paragraphs and are provided for the exclusive use of Terry Nevels and the Nevels family.

RES reviewed the Washington County Appraisal District (WCAD) records and found the residence first appeared on the WCAD records in 2001. The one-story residential structure has an enclosed living area of approximately 2,408 square feet and the area of the foundation slab is 4,234 square feet per the WCAD records. Terry and Carla Nevels are listed as the current owners of the home.

RES observed that the residence was constructed upon a monolithically poured, conventionally reinforced concrete foundation. RES did not review any foundation plans for the residence during the site visit. One fact to keep in mind is that residential foundation slabs are generally not poured level and will display degrees of surface slope directly related to several factors including the size and expertise of the foundation crew, surface finishing equipment available at the time of the concrete pour, and the existing environmental conditions.

A monolithically poured, conventionally reinforced foundation in Texas typically consists of exterior and interior concrete beams with steel reinforcement. The exterior and interior concrete beams typically are approximately twelve (12) inches in width. The geometric location and depth of the beams varies depending on the spacing of the beams and the expansive characteristics of the supporting soil. The monolithic floor slab that extends between the beams is marginally four (4) inches thick and is reinforced with steel reinforcement or woven wire fabric. The purpose of the exterior and interior reinforced stiffening beams is to resist the seasonal movement of the

expansive clays supporting the structure's foundation. Conventional wood framing was typically used during construction of most light-framed residential structures. The framing for a residence typically supports the walls, ceiling joists, rafters and braces. Sheet rock panels were used to finish the walls and ceiling. The roof for this residence consists of composition shingles.

Typically, the interior and exterior foundation beams for recently built residences range from twenty-four to thirty inches in depth. Based upon experience with typical residential foundations designed in the Washington County area, the interior and exterior beams should have a design depth of thirty-six inches to resist the seasonal movement experienced by residences built on the expansive clays present in this area.

A monolithically poured, conventionally reinforced foundation is many times referred to as a floating slab. The premise is that such foundations are "floating" on the supporting subgrade soils similarly as a boat floats on water. As a result, movement of a foundation can be expected to occur in direct proportion to the seasonal moisture changes of the supporting soils. In areas such as Washington County where clayey soils are prevalent, the seasonal movement can be expected to be more than similar designs constructed at sites supported by non-expansive soils. When excessive foundation movement occurs, extensive severe cracking of the interior sheetrock walls typically occurs. However, some minor sheetrock cracking can be expected even when the seasonal movement is accounted for in the foundation design.

Based upon information developed by the University of Texas Bureau of Economic Geology, the soils at this site appear to be associated with the Fleming Formation. The Fleming Formation consists of clay and sandstone. The clay soils are calcareous in nature and forms brownish-black soil at the surface. The clay soils have a moderate to high expansive potential associated with seasonal moisture changes. The sandstone layers are medium to coarse grained, calcareous, thick bedded, with some crossbedding. The sandstone layers are typically yellowish-gray in color. As the sandstone layer weathers, it transitions to a gray to medium gray. The Fleming Formation is approximately 1,200 feet thick in this area.

The front of the residence shall be designated as the west face of the home for the purposes of this report. During the October 26<sup>th</sup> forensic engineering study, no appreciable evidence of excessive foundation distress was evident from the exterior of the residence that requires foundation underpinning. See Photographs 1 through 4 to view the exterior of the residence. The only minor items of distress were noted in the interior of the residence and consisted of two sheetrock bulges. However, these sheetrock bulges should be considered as a standard maintenance issue and are typical for a residence constructed with a stiffened slab foundation due to the seasonal moisture change of the supporting soil.

Elevation measurements were recorded for this residence slab and are depicted on Figure 1. It appears that the foundation slab was constructed on compacted fill when originally built in 2001. The south and east elevations of the residence were

constructed on native soils and the northerly and westerly portions of the residence was constructed on fill. This is not an unusual condition that occurs during construction of residences in Washington County due to the natural rolling terrain. It is my professional opinion that the fill towards the westerly portion of the building pad may not have been sufficiently compacted and experienced consolidation (settlement) during construction of the residence and the application of the added weight of the structure. It is probable that the consolidation of the fill occurred even before the interior finishes of the residence was completed in 2001.

The highest portion of the foundation slab was recorded in the master bedroom area. The maximum differential elevation measured was 0.39 feet between the most northeasterly corner of the master bedroom and the front entry of the residence. The maximum slope of the slab between these two points is less than 1.00%. The recorded slab elevation for the remainder of the residence is denoted on Figure 1.

The American Society of Civil Engineers (ASCE) *Guideline for the Evaluation and Repair of Residential Foundations* discusses deflection and tilt of the slab. Deflection is typically associated with the movement due to loss of slab support or excessive loading of the slab. Tilt is typically the slope of the slab due to construction finish or loss of slab support. The limits for deflection is typically defined in the local building codes. The term tilt with reference to the foundation slab attempts to describe the comfort or aesthetic use of the structure. A tilt greater than 1% is typically noticeable to even to the lay person. As noted, the slab slope for this residence was determined to be less than 1% for all portions of the residence.

No significant structural nor minor foundation slab cracks (cracks that form after the hydration process) were evident around the exterior of the residence during the forensic inspection.

The first fact to be recognized when you own a home is that concrete cracks. Concrete cracks because of the chemical reaction called hydration. When water and Portland cement are mixed, the hydration process begins. Hydrating concrete foundation slabs are also subject to both moisture and temperature induced stress that drive the cracking mechanism at early concrete ages. Most concrete cracks are formed within 24 hours of the initial pour due to the fact the volume of the concrete slightly reduces during the curing process. That is why steel reinforcement is placed in concrete to account for the tensile stresses developed during the curing process. And in most residences these cracks are not observed by the lay person because of the installed floor coverings (tile, carpet, wood, etc.). Despite no shrinkage cracks were observed at this residence some could be discovered if the floor finishes were removed. Again, no slab cracks of a structural nature were observed at this residence, which indicates there are no serious underlying problem with the foundation slab.

An observation of the interior of the residence was also completed also during this forensic engineering study. No significant interior sheetrock cracks were evident which would indicate excessive seasonal foundation moment. Based on the information observed during the forensic engineering study and personal experience

designing and observing the construction of numerous foundations, it is my opinion that that the **foundation is structurally sound.**

One of the privileges of home ownership is the annual maintenance which will occur. Conditions associated with annual maintenance which could have detrimental effects upon the foundation are discussed in this paragraph for your edification. Positive drainage away from the residential foundation must be maintained. The International Residential Code (Section R401.3) states that the grade shall fall a minimum of six inches in the first ten feet away from the foundation. In addition, swales shall be maintained to continue to convey the water away from the residential structure. The installation of gutters around the roof many times is used to assist in conveying the runoff away from the foundation. A second condition that will help in maintaining a "healthy" foundation is to plant trees such that when the tree matures, the drip line is a minimum of ten (10) feet away from the residential foundation. Trees planted too close to the foundation can affect the soil moisture content significantly. As previously stated, the native clay soils found in the Washington County are very expansive. What this means is that during the dry summer seasons, the volume of the clay soils will reduce due to moisture loss associated with the tree root system. The seasonal change of the soil moisture content can cause several inches of foundation movement near trees planted too close to the foundation. When this movement is sufficient, it can result in sheet rock cracks and seasonally tight-fitting doors and windows and in severe cases foundation cracks. None of these issues were evident at this residence during the time of this forensic inspection.

Maintenance practices that must be avoided when practical is the installation of French drains next to the foundation or the installation of irrigation systems with the intent to "water the foundation". French drains should only be installed adjacent to foundations if a moisture barrier is installed between the French drain and the foundation and below the French drain to prevent the supporting soils from becoming saturated. "Foundation watering" is an attempt to control moisture content. Most homeowners will not oversee that these systems are operating properly or notice when they need repair. Though the intent may be good, the practice typically falls short. As a result, improper "foundation watering" can cause inconsistent moisture conditions that can actually cause the development of excessive foundation stresses.

Please review Photographs 2 and 3 which depicts drainage modifications installed to convey runoff from behind the residence. These drains denoted are not French drain systems previously discussed. The slotted drain along the east side of the residence extends to the north and south away from the collection point and discharges the runoff away from the residence. This drain should be periodically inspected to assure that no blockage has accumulated in the pipe that prevents the system from functioning properly. The property owner can test the system by simply placing a hose in the drain and observe the outlet to be assured that the water is discharging.

It has been a pleasure to provide you this Forensic Engineering Study for the residence located at 4008 FM 50 in Washington County, Texas. If you have any

questions with regards to the findings of this Forensic Engineering Investigation, please do not hesitate to contact RES for further information.

Respectfully,



Alton G. Rogers, P.E.



#### References

1. Building Research Advisory Board Report No. 33.
2. ASCE "Guidelines for the Evaluation and Repair of Residential Foundation", Version 2, Adapted May 1, 2009, Texas Section.
3. FPS 201-2001, Supplement 1, Revision A, "Criterion for the Inspection of and the Assessment of Residential Slab-on-Grade Foundations", April 13, 2003.
4. 2006 "International Residential Code" for One and Two Family Dwellings.

Figure

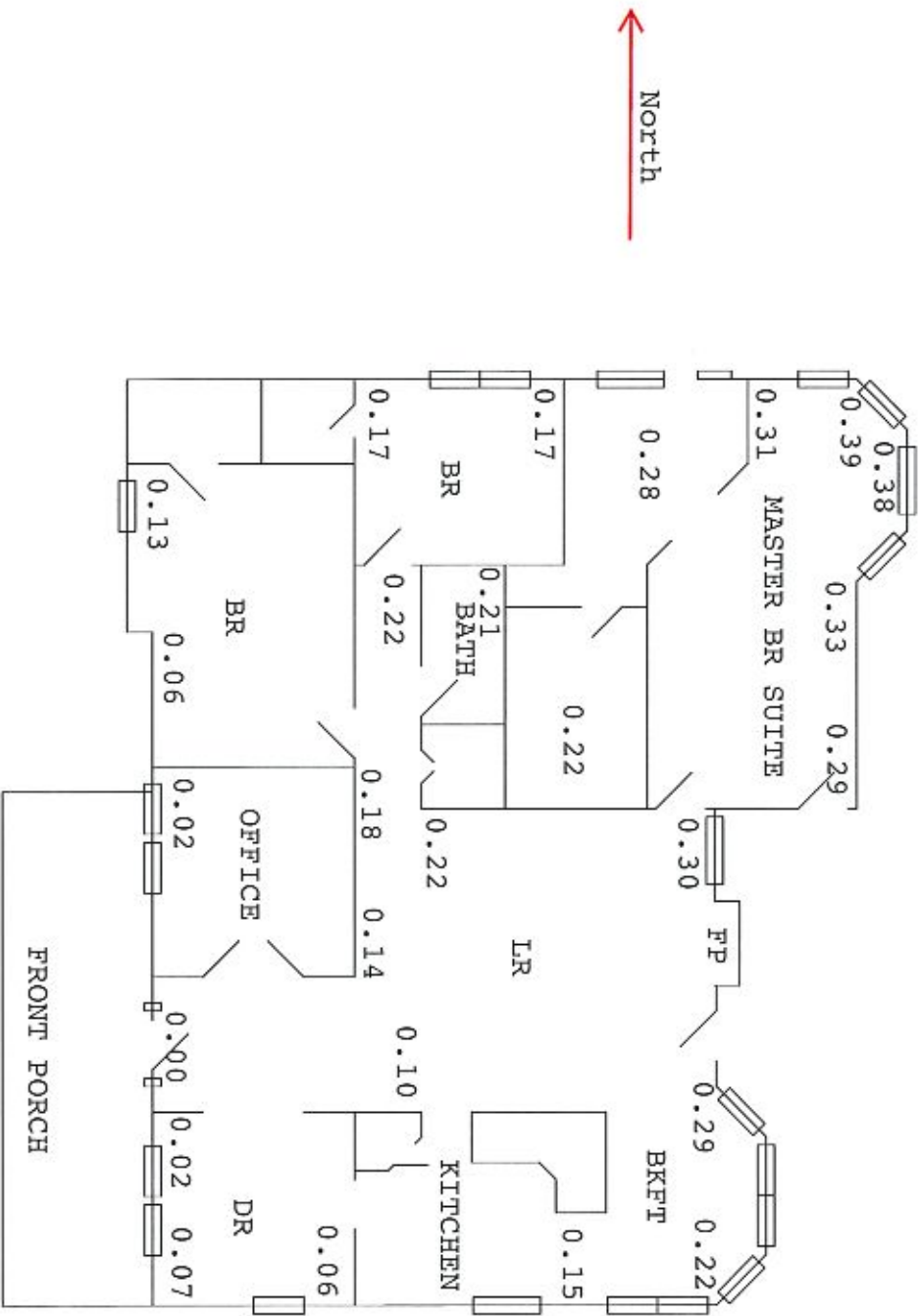


Figure 1. Nevels Residence - Washington County, TX

## Photographs



**Photo #1** Front of the residence facing west for this report



**Photo #2** South elevation drainage



Photo #3 East elevation drainage



Photo #4 North elevation

1) Added French Drain @ East side of Pool House  
2) Added Gutter Extensions  
see next page

345880

# STATEMENT

DATE 10-22-18

TO Mr Terry - Hwy 50

TERMS

FOR ACCOUNT WITH

Robert Johnson

Fix French Doors

Material

Bill Back

4" Pipe

90° 4"

Fabricate Lumber

Labor

7,770.00

1500.00

French Drain Around

Pool House

PAID

2018-10-22



Added  
gutter extensions

Added  
French  
drain

