

BENJAMIN LANIER SURVEY, A-23

U.S. HIGHWAY 190

AREA SURVEYING & MAPPING
418 N. PINE
WOODVILLE, TEXAS 76798
(409) 283-8797 OFFICE

PURCHASERS: DAVID M. LAMBORN
LAVERN LAMBORN
ADDRESS: 300 HWY 190 WEST
WOODVILLE, TEXAS 75979

NOTE: SUBJECT PROPERTY DOES NOT
LIE IN THE 100 YEAR FLOOD PLANE
ACCORDING TO THE H.U.D. FLOOD
HAZARD BOUNDARY MAP COMMUNITY
PANEL NO. 481034 0007 B
NOTE: ALL BEARINGS SHOWN HEREON
ARE ROTATED TO THE EAST LINE OF
THE SUBJECT TRACT. (S 16°57' W)

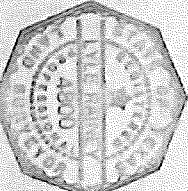
SURVEY PLAT SHOWING

A 12.230 ACRE TRACT OF LAND AS SITUATED IN
THE BENJAMIN LANIER SURVEY, A-23, TYLER
COUNTY, TEXAS AND BEING A RESURVEY OF THAT
SAME CALLED 13.46 ACRE TRACT CONVEYED TO
MILDRED P. WILSON AND BRENDA J. MINYARD BY
DEED RECORDED IN VOLUME 619, PAGE 383 OF
THE OFFICIAL PUBLIC RECORDS OF TYLER COUNTY.

I, LYLE RAINY, REGISTERED PROFESSIONAL LAND SURVEYOR NO. 4800, DO
HEREBY CERTIFY THAT THIS SURVEY OF THE PROPERTY LEGALLY SHOWN
HEREON IS CORRECT AND THAT THERE ARE NO APPARENT DISCREPANCIES
CONFLICTS, SHORTAGES OF AREA, BOUNDARY LINE CONFLICTS, ENCROACHMENTS,
OVERLAPPING OF IMPROVEMENTS, EASEMENTS OR RIGHTS OF WAY EXCEPT AS
SHOWN HEREON, AND THAT SAID PROPERTY HAS ACCESS TO AND FROM A
DEDICATED ROADWAY.

SURVEYED: JUNE 20, 2003 - UPDATED JULY 26, 2006

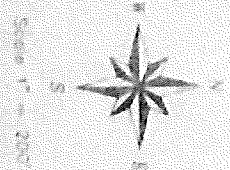
LYLE RAINY
REGISTERED PROFESSIONAL
LAND SURVEYOR NO. 4800



Champion International Corp.
Vol. 248, Pg. 385

BY: M.B.K. CAD FILE NO. 1091 1/4 S & W JOB NO. 0603-11 BENJAMIN LANIER SURVEY, A-23 TYLER COUNTY, TEXAS

David M. Lamborn



ROY E. COOK
11 Acre Tract
Vol. 575, Pg. 134

LESTER MILLER
11 Acre Tract
Vol. 130, Pg. 84

THOMAS E. SMITH
14.652 Acre Tract
Vol. 581, Pg. 947

END CONCRETE
MONUMENT

N 00°53' E 428.96'

HORSE PEN
CREEK

S 55°46' W 1295.18'

12.230 ACRES

N 56°17'03" E 1115.34'

N 12°39'35" E 333.32'

END 5/8" IRON ROD

END 5/8" IRON ROD

S 8°71'41" E 225.04'

END CONCRETE MONUMENT

S 16°57' W 662.00'

END 3/4" IRON ROD



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 8203 US Highway 190 W Woodville TX 75979-8948

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

- (1) Type of Treatment System: ☒ Septic Tank ☐ Aerobic Treatment ☐ Unknown
- (2) Type of Distribution System: by edge of back porch. ☐ Unknown
- (3) Approximate Location of Drain Field or Distribution System: ☐ Unknown
Back behind porch towards field
- (4) Installer: _____ ☒ Unknown
- (5) Approximate Age: _____ ☒ 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? unknown
- (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

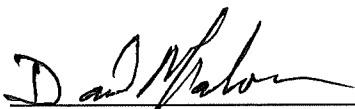
C. PLANNING MATERIALS, PERMITS, AND CONTRACTS:

- (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.

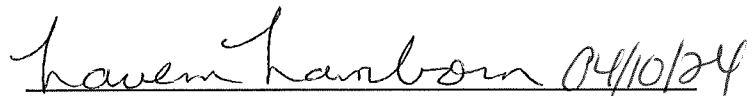
D. INFORMATION FROM GOVERNMENTAL AGENCIES: Pamphlets describing on-site sewer facilities are available from the Texas Agricultural Extension Service. Information in the following table was obtained from Texas Commission on Environmental Quality (TCEQ) on 10/24/2002. The table estimates daily wastewater 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)</u> <u>without water-</u> <u>saving devices</u>	<u>Usage (gal/day)</u> <u>with water-</u> <u>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.


Signature of Seller **David M Lamborn**

04/10/24
Date


Signature of Seller **Lavern Lamborn**

04/10/24
Date

Receipt acknowledged by:

Signature of Buyer

Date

Signature of Buyer

Date



APPROVED BY THE TEXAS REAL ESTATE COMMISSION (TREC)

**SELLER'S DISCLOSURE NOTICE**

CONCERNING THE PROPERTY AT 8203 US Highway 190 W Woodville
 (Street Address and City)

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 PURCHASER MAY WISH TO OBTAIN. IT IS NOT A WARRANTY OF ANY KIND BY SELLER OR SELLER'S AGENTS.

Seller ☒ is ☐ is not occupying the Property. If unoccupied, how long since Seller has occupied the Property? _____
 1. The Property has the items checked below [Write Yes (Y), No (N), or Unknown (U)]:

☒ Range	☒ Oven	☒ Microwave
☒ Dishwasher	☒ Trash Compactor	☒ Disposal
☒ Washer/Dryer Hookups	☒ Window Screens	☒ Rain Gutters
☒ Security System	☒ Fire Detection Equipment	☒ Intercom System
	☒ Smoke Detector	
	☒ Smoke Detector-Hearing Impaired	
	☒ Carbon Monoxide Alarm	
	☒ Emergency Escape Ladder(s)	
☒ TV Antenna	☒ Cable TV Wiring	☒ Satellite Dish
☒ Ceiling Fan(s)	☒ Attic Fan(s)	☒ Exhaust Fan(s)
☒ Central A/C	☒ Central Heating	☒ Wall/Window Air Conditioning
☒ Plumbing System	☒ Septic System	☒ Public Sewer System
☒ Patio/Decking	☒ Outdoor Grill	☒ Fences
☒ Pool	☒ Sauna	☒ Spa ☒ Hot Tub
☒ Pool Equipment	☒ Pool Heater	☒ Automatic Lawn Sprinkler System
☒ Fireplace(s) & Chimney		☒ Fireplace(s) & Chimney (Mock)
☒ (Wood burning)		☒ Gas Fixtures
☒ Natural Gas Lines		
☒ Liquid Propane Gas:	☒ LP Community (Captive)	☒ LP on Property
☒ Fuel Gas Piping:	☒ Black Iron Pipe	☒ Corrugated Stainless Steel Tubing ☒ Copper
Garage: ☒ Attached	☒ Not Attached	☒ Carport
Garage Door Opener(s):	☒ Electronic	☒ Control(s)
Water Heater:	☒ Gas	☒ Electric
Water Supply:	☒ City	☒ Well ☒ MUD ☒ Co-op

Roof Type: metal Age: 16 yrs (approx.)

Are you (Seller) aware of any of the above items that are not in working condition, that have known defects, or that are in need of repair? ☐ Yes ☒ No ☐ Unknown. If yes, then describe. (Attach additional sheets if necessary): _____

2. Does the property have working smoke detectors installed in accordance with the smoke detector requirements of Chapter 766, Health and Safety Code? ☐ Yes ☐ No ☒ Unknown. If the answer to this question is 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 the installation. The parties may agree who will bear the cost of installing the smoke detectors and which brand of smoke detectors to install.

3. Are you (Seller) aware of any known defects/malfunctions in any of the following? Write Yes (Y) if you are aware, write No (N) if you are not aware.

<u>N</u> Interior Walls	<u>N</u> Ceilings	<u>N</u> Floors
<u>N</u> Exterior Walls	<u>N</u> Doors	<u>N</u> Windows
<u>N</u> Roof	<u>N</u> Foundation/Slab(s)	<u>N</u> Sidewalks
<u>N</u> Walls/Fences	<u>Y</u> Driveways	<u>N</u> Intercom System
<u>N</u> Plumbing/Sewers/Septics	<u>N</u> Electrical Systems	<u>N</u> Lighting Fixtures
<u>N</u> Other Structural Components (Describe):		

Got some washouts

If the answer to any of the above is yes, explain. (Attach additional sheets if necessary):

4. Are you (Seller) aware of any of the following conditions? Write Yes (Y) if you are aware, write No (N) if you are not aware.

<u>N</u> Active Termites (includes wood destroying insects)	<u>N</u> Previous Structural or Roof Repair
<u>N</u> Termite or Wood Rot Damage Needing Repair	<u>N</u> Hazardous or Toxic Waste
<u>N</u> Previous Termite Damage	<u>N</u> Asbestos Components
<u>N</u> Previous Termite Treatment	<u>N</u> Urea-formaldehyde Insulation
<u>N</u> Improper Drainage	<u>N</u> Radon Gas
<u>N</u> Water Damage Not Due to a Flood Event	<u>N</u> Lead Based Paint
<u>N</u> Landfill, Settling, Soil Movement, Fault Lines	<u>N</u> Aluminum Wiring
<u>N</u> Single Blockable Main Drain in Pool/Hot Tub/Spa*	<u>N</u> Previous Fires
	<u>N</u> Unplatted Easements
	<u>N</u> Subsurface Structure or Pits
	<u>N</u> Previous Use of Premises for Manufacture of Methamphetamine

If the answer to any of the above is yes, explain. (Attach additional sheets if necessary):

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

5. Are you (Seller) aware of any item, equipment, or system in or on the Property that is in need of repair? ☐ Yes (if you are aware)
☒ No (if you are not aware). If yes, explain (attach additional sheets if necessary).

6. Are you (Seller) aware of any of the following conditions?* Write Yes (Y) if you are aware, write No (N) if you are not aware.

- ☒ Present flood insurance coverage
☒ Previous flooding due to a failure or breach of a reservoir or a controlled or emergency release of water from a reservoir
☒ Previous water penetration into a structure on the property due to a natural flood event

Write Yes (Y) if you are aware, and check wholly or partly as applicable, write No (N) if you are not aware.

- ☒ Located ☐ wholly ☐ partly in a 100-year floodplain (Special Flood Hazard Area-Zone A, V, A99, AE, AO, AH, VE, or AR)
☒ Located ☐ wholly ☐ partly in a 500-year floodplain (Moderate Flood Hazard Area-Zone X (shaded))
☒ Located ☐ wholly ☒ partly in a floodway
☒ Located ☐ wholly ☐ partly in a flood pool
☒ Located ☐ wholly ☐ partly in a reservoir

If the answer to any of the above is yes, explain (attach additional sheets if necessary): The back part of the property is next to Horse Pen Creek.

*For purposes of this notice:

"100-year floodplain" means any area of land that:

- (A) is identified on the flood insurance rate map as a special flood hazard area, which is designated as Zone A, V, A99, AE, AO, AH, VE, or AR on the map;
- (B) has a one percent annual chance of flooding, which is considered to be a high risk of flooding; and
- (C) may include a regulatory floodway, flood pool, or reservoir.

"500-year floodplain" means any area of land that:

- (A) is identified on the flood insurance rate map as a moderate flood hazard area, which is designated on the map as Zone X (shaded); and
- (B) has a two-tenths of one percent annual chance of flooding, which is considered to be a moderate risk of flooding.

"Flood pool" means the area adjacent to a reservoir that lies above the normal maximum operating level of the reservoir and that is subject to controlled inundation under the management of the United States Army Corps of Engineers.

"Flood insurance rate map" means the most recent flood hazard map published by the Federal Emergency Management Agency under the National Flood Insurance Act of 1968 (42 U.S.C. Section 4001 et seq.).

"Floodway" means an area that is identified on the flood insurance rate map as a regulatory floodway, which includes the channel of a river or other watercourse and the adjacent land areas that must be reserved for the discharge of a base flood, also referred to as a 100-year flood, without cumulatively increasing the water surface elevation of more than a designated height.

"Reservoir" means a water impoundment project operated by the United States Army Corps of Engineers that is intended to retain water or delay the runoff of water in a designated surface area of land.

7. Have you (Seller) ever filed a claim for flood damage to the property with any insurance provider, including the National Flood Insurance Program (NFIP)?* ☐ Yes ☒ No. If yes, explain (attach additional sheets as necessary):

*Homes in high risk flood zones with mortgages from federally regulated or insured lenders are required to have flood insurance. Even when not required, the Federal Emergency Management Agency (FEMA) encourages homeowners in high risk, moderate risk, and low risk flood zones to purchase flood insurance that covers the structure(s) and the personal property within the structure(s).

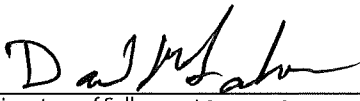
8. Have you (Seller) ever received assistance from FEMA or the U.S. Small Business Administration (SBA) for flood damage to the property? ☐ Yes ☒ No. If yes, explain (attach additional sheets as necessary):

9. Are you (Seller) aware of any of the following? Write Yes (Y) if you are aware, write No (N) if you are not aware.

- ☒ Room additions, structural modifications, or other alterations or repairs made without necessary permits or not in compliance with building codes in effect at that time.
- ☒ Homeowners' Association or maintenance fees or assessments.
- ☒ Any "common area" (facilities such as pools, tennis courts, walkways, or other areas) co-owned in undivided interest with others.
- ☒ Any notices of violations of deed restrictions or governmental ordinances affecting the condition or use of the Property.
- ☒ Any lawsuits directly or indirectly affecting the Property.
- ☒ Any condition on the Property which materially affects the physical health or safety of an individual.
- ☒ 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.
- ☒ Any portion of the property that is located in a groundwater conservation district or a subsidence district.

If the answer to any of the above is yes, explain. (Attach additional sheets if necessary):

10. 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 maybe required for repairs or improvements. Contact the local government with ordinance authority over construction adjacent to public beaches for more information.
11. This property may be located near a military installation and may be affected by high noise or air installation compatible use zones or other operations. Information relating to high noise and compatible use zones is available in the most recent Air Installation Compatible Use Zone Study or Joint Land Use Study prepared for a military installation and may be accessed on the Internet website of the military installation and of the county and any municipality in which the military installation is located.


Signature of Seller David M Lamborn


Date 04/10/24 Signature of Seller Lavern Lamborn Date 04/10/24

The undersigned purchaser hereby acknowledges receipt of the foregoing notice.

Signature of Purchaser

Date

Signature of Purchaser

Date



This form was prepared by the Texas Real Estate Commission in accordance with Texas Property Code § 5.008(b) and is to be used in conjunction with a contract for the sale of real property entered into on or after September 1, 2023. Texas Real Estate Commission, P.O. Box 12188, Austin, TX 78711-2188, 512-936-3000 (<http://www.trec.texas.gov>) TREC NO. 55-0. This form replaces OP-H.



INFORMATION ABOUT SPECIAL FLOOD HAZARD AREAS

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CONCERNING THE PROPERTY AT 8203 US Highway 190 W Woodville TX 75979-8948

A. FLOOD AREAS:

- (1) The Federal Emergency Management Agency (FEMA) designates areas that have a high risk of flooding as special flood hazard areas.
- (2) A property that is in a special flood hazard area is designated on flood insurance rate maps with a zone beginning in a "V" or "A". Both V-Zone and A-Zone areas indicate a high risk of flooding.
- (3) Some properties may also lie in the "floodway" which is the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge a flood under FEMA rules. Communities must regulate development in these floodways.

B. AVAILABILITY OF FLOOD INSURANCE:

- (1) Generally, flood insurance is available regardless of whether the property is located in or out of a special flood hazard area. Contact your insurance agent to determine if any limitations or restrictions apply to the property in which you are interested.
- (2) FEMA encourages every property owner to purchase flood insurance regardless of whether the property is in a high, moderate, or low risk flood area.
- (3) A homeowner may obtain flood insurance coverage (up to certain limits) through the National Flood Insurance Program. Supplemental coverage is available through private insurance carriers.
- (4) A mortgage lender making a federally related mortgage will require the borrower to maintain flood insurance if the property is in a special flood hazard area.

C. GROUND FLOOR REQUIREMENTS:

- (1) Many homes in special flood hazard areas are built-up or are elevated. In elevated homes the ground floor typically lies below the base flood elevation and the first floor is elevated on piers, columns, posts, or piles. The base flood elevation is the highest level at which a flood is likely to occur as shown on flood insurance rate maps.
- (2) Federal, state, county, and city regulations:
 - (a) restrict the use and construction of any ground floor enclosures in elevated homes that are in special flood hazard areas.
 - (b) may prohibit or restrict the remodeling, rebuilding, and redevelopment of property and improvements in the floodway.
- (3) The first floor of all homes must now be built above the base flood elevation.
 - (a) Older homes may have been built in compliance with applicable regulations at the time of construction and may have first floors that lie below the base flood elevation, but flood insurance rates for such homes may be significant.

- (b) It is possible that modifications were made to a ground floor enclosure after a home was first built. The modifications may or may not comply with applicable regulations and may or may not affect flood insurance rates.
 - (c) It is important for a buyer to determine if the first floor of a home is elevated at or above the base flood elevation. It is also important for a buyer to determine if the property lies in a floodway.
- (4) Ground floor enclosures that lie below the base flood elevation may be used only for: (i) parking; (ii) storage; and (iii) building access. Plumbing, mechanical, or electrical items in ground floor enclosures that lie below the base flood elevation may be prohibited or restricted and may not be eligible for flood insurance coverage. Additionally:
- (a) in A-Zones, the ground floor enclosures below the base flood elevation must have flow-through vents or openings that permit the automatic entry and exit of floodwaters:
 - (b) in V-Zones, the ground floor enclosures must have break-away walls, screening, or lattice walls; and
 - (c) in floodways, the remodeling or reconstruction of any improvements may be prohibited or otherwise restricted.

D. COMPLIANCE:

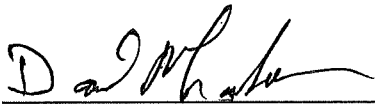
- (1) The above-referenced property may or may not comply with regulations affecting ground floor enclosures below the base flood elevation.
- (2) A property owner's eligibility to purchase or maintain flood insurance, as well as the cost of the flood insurance, is dependent on whether the property complies with the regulations affecting ground floor enclosures.
- (3) A purchaser or property owner may be required to remove or modify a ground floor enclosure that is not in compliance with city or county building requirements or is not entitled to an exemption from such requirements.
- (4) A flood insurance policy maintained by the current property owner does not mean that the property is in compliance with the regulations affecting ground floor enclosures or that the buyer will be able to continue to maintain flood insurance at the same rate.
- (5) Insurance carriers calculate the cost of flood insurance using a rate that is based on the elevation of the lowest floor.
 - (a) If the ground floor lies below the base flood elevation and does not meet federal, state, county, and city requirements, the ground floor will be the lowest floor for the purpose of computing the rate.
 - (b) If the property is in compliance, the first elevated floor will be the lowest floor and the insurance rate will be significantly less than the rate for a property that is not in compliance.
 - (c) If the property lies in a V-Zone the flood insurance rate will be impacted if a ground floor enclosure below the base flood elevation exceeds 299 square feet (even if constructed with break-away walls).

E. ELEVATION CERTIFICATE:

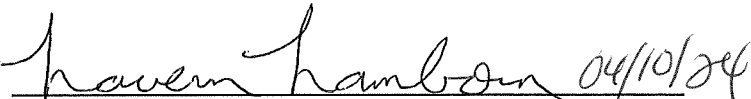
The elevation certificate is an important tool in determining flood insurance rates. It is used to provide elevation information that is necessary to ensure compliance with floodplain management laws. To determine the proper insurance premium rate, insurers rely on an elevation certificate to certify building elevations at an acceptable level above flood map levels. If available in your area, it is recommended that you obtain an elevation certificate for the property as soon as possible to accurately determine future flood insurance rates.

You are encouraged to: (1) inspect the property for all purposes, including compliance with any ground floor enclosure requirement; (2) review the flood insurance policy (costs and coverage) with your insurance agent; and (3) contact the building permitting authority if you have any questions about building requirements or compliance issues.

Receipt acknowledged by:


Signature **David M Lamborn**

04/10/24
Date


Signature **Lavern Lamborn** 04/10/24
Date