



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 110 Dawns Edge Dr
Montgomery, TX 77356-9024

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 (S) is not occupying the Property. If unoccupied (by Seller), how long since Seller has occupied the Property? _____ (approximate date) 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	Y		
Carbon Monoxide Det.		N	
Ceiling Fans	Y		
Cooktop	Y		
Dishwasher	Y		
Disposal	Y		
Emergency Escape Ladder(s)		N	
Exhaust Fans	Y		
Fences	Y		
Fire Detection Equip.	Y		
French Drain		N	
Gas Fixtures	Y		
Natural Gas Lines	Y		

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

Item	Y	N	U
Pump: sump grinder		N	
Rain Gutters	Y		
Range/Stove	Y		
Roof/Attic Vents	Y		
Sauna		N	
Smoke Detector	Y		
Smoke Detector - Hearing Impaired		N	
Spa		N	
Trash Compactor		N	
TV Antenna		N	
Washer/Dryer Hookup	Y		
Window Screens	Y		
Public Sewer System	X		

Item	Y	N	U	Additional Information
Central A/C	Y			✓ electric gas number of units: 1
Evaporative Coolers		N		number of units: _____
Wall/Window AC Units		N		number of units: _____
Attic Fan(s)		N		if yes, describe: _____
Central Heat	Y			electric ✓ gas number of units: 1
Other Heat	Y			if yes, describe: Gas fire place
Oven	Y			number of ovens: 1 ✓ electric gas other: _____
Fireplace & Chimney	Y			wood ✓ (gas logs) mock other: _____
Carport		N		attached not attached
Garage	Y			✓ attached not attached
Garage Door Openers	Y			number of units: 1 number of remotes: 2
Satellite Dish & Controls	Y			owned ✓ leased from: Direct TV
Security System	X			✓ owned leased from: not activated
Solar Panels		N		owned leased from: _____
Water Heater	X			electric ✓ (gas) other: _____ number of units: 1
Water Softener		N		owned leased from: _____
Other Leased Items(s)		N		if yes, describe: _____

(TAR-1406) 02-01-18

Initialed by: Buyer: _____ and Seller: WJW, CW

Ruth Stultz & Company Real Estate, 13080 Highway 105 West, Suite 130 Conroe TX 77304
 Ruth Stultz

Phone: 7139622777

Fax: 9364474702

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Concerning the Property at _____

Underground Lawn Sprinkler	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/> automatic	manual areas covered: <u>can be both</u>
Septic / On-Site Sewer Facility	<input type="checkbox"/>	<input checked="" type="checkbox"/>	if yes, attach Information About On-Site Sewer Facility (TAR-1407)	

Water supply provided by: __ city __ well MUD __ co-op __ unknown __ other: _____

Was the Property built before 1978? __ yes no __ unknown

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

Roof Type: Composition Age: 1 1/2 yrs (approximate)

Is there an overlay roof covering on the Property (shingles or roof covering placed over existing shingles or roof covering)? __ yes no __ unknown

Are 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		N
Ceilings		N
Doors		N
Driveways		N
Electrical Systems		N
Exterior Walls		N

Item	Y	N
Floors		N
Foundation / Slab(s)		N
Interior Walls		N
Lighting Fixtures		N
Plumbing Systems		N
Roof		N

Item	Y	N
Sidewalks		N
Walls / Fences		N
Windows		N
Other Structural Components		N

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		N
Asbestos Components		N
Diseased Trees: <u>oak wilt</u>		N
Endangered Species/Habitat on Property		N
Fault Lines		N
Hazardous or Toxic Waste		N
Improper Drainage		N
Intermittent or Weather Springs		N
Landfill		N
Lead-Based Paint or Lead-Based Pt. Hazards		N
Encroachments onto the Property		N
Improvements encroaching on others' property		N
Located in 100-year Floodplain (If yes, attach TAR-1414)		N
Located in Floodway (If yes, attach TAR-1414)		N
Present Flood Ins. Coverage (If yes, attach TAR-1414)		N
Previous Flooding into the Structures		N
Previous Flooding onto the Property	<u>?</u>	<u>*</u>
Located in Historic District		N

Condition	Y	N
Previous Foundation Repairs		N
Previous Roof Repairs	Y	N
Previous Other Structural Repairs		N
Radon Gas		N
Settling		N
Soil Movement		N
Subsurface Structure or Pits		N
Underground Storage Tanks		N
Unplatted Easements		N
Unrecorded Easements		N
Urea-formaldehyde Insulation		N
Water Penetration		N
Wetlands on Property		N
Wood Rot	Y	N
Active infestation of termites or other wood destroying insects (WDI)		N
Previous treatment for termites or WDI		N
Previous termite or WDI damage repaired		N
Previous Fires		N

Historic Property Designation		
Previous Use of Premises for Manufacture of Methamphetamine		N

Termite or WDI damage needing repair		
Single Blockable Main Drain in Pool/Hot Tub/Spa*		N

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

WOOD ROT - EDGE OF ROOF REPAIRED WITH NEW ROOF
- BOTTOM OF FRAME ON GARAGE SIDE DOOR

* During Harvey run off from the golf course came into our yard. No damage was done due to run off. We built a retaining wall and run off has been no issue since.
 *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
 N Room additions, structural modifications, or other alterations or repairs made without necessary permits, with unresolved 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: APRIL SOUND POA
 Manager's name: _____ Phone: 936-588-1188
 Fees or assessments are: \$ 816.00 per YEAR 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. *pd Quarterly

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: _____
\$77 for Social Club membership monthly

 N Any notices of violations of deed restrictions or governmental ordinances affecting the condition or use of the Property.

 N Any lawsuits or other legal proceedings directly or indirectly affecting the Property. (Includes, but is not limited to: divorce, foreclosure, heirship, bankruptcy, and taxes.)

 N Any death on the Property except for those deaths caused by: natural causes, suicide, or accident unrelated to the condition of the Property.

 N Any condition on the Property which materially affects the health or safety of an individual.

 N 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).

 N 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.

 N The Property is located in a propane gas system service area owned by a propane distribution system retailer.

Any portion of the Property that is located in a groundwater conservation district or a subsidence district.

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

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

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

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

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

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

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): NOT Sure if according to Chapter 766

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

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

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

Harlyn W. Wilburn 4/10/19 Carolyn A. Wilburn 4/10/19
Signature of Seller Date Signature of Seller Date

Printed Name: HARLYN W. WILBURN Printed Name: Carolyn Wilburn

(TAR-1406) 02-01-18 Initialed by: Buyer: _____ and Seller: AW, AW Page 4 of 5

Concerning the Property at _____

ADDITIONAL NOTICES TO BUYER:

- (1) The Texas Department of Public Safety maintains a database that the public may search, at no cost, to determine if registered sex offenders are located in certain zip code areas. To search the database, visit www.txdps.state.tx.us. For information concerning past criminal activity in certain areas or neighborhoods, contact the local police department.
- (2) If the Property is located in a coastal area that is seaward of the Gulf Intracoastal Waterway or within 1,000 feet of the mean high tide bordering the Gulf of Mexico, the Property may be subject to the Open Beaches Act or the Dune Protection Act (Chapter 61 or 63, Natural Resources Code, respectively) and a beachfront construction certificate or dune protection permit may be required for repairs or improvements. Contact the local government with ordinance authority over construction adjacent to public beaches for more information.
- (3) If the Property is located in a seacoast territory of this state designated as a catastrophe area by the Commissioner of the Texas Department of Insurance, the Property may be subject to additional requirements to obtain or continue windstorm and hail insurance. A certificate of compliance may be required for repairs or improvements to the Property. For more information, please review *Information Regarding Windstorm and Hail Insurance for Certain Properties* (TAR 2518) and contact the Texas Department of Insurance or the Texas Windstorm Insurance Association.
- (4) 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.
- (5) If you are basing your offers on square footage, measurements, or boundaries, you should have those items independently measured to verify any reported information.
- (6) The following providers currently provide service to the Property:

Electric:	ENERGY	1-800-368-3749	phone #:	_____
Sewer:	MONTGOMERY U.D.#4	936-588-1166	phone #:	_____
Water:	"	"	phone #:	_____
Cable:			phone #:	_____
Trash:	MONTGOMERY U.D.#4	936-588-1166	phone #:	_____
Natural Gas:	CENTER POINT	1-800-752-8036	phone #:	_____
Phone Company:	CONSOLIDATED	1-844-968-7224	phone #:	_____
Propane:	—		phone #:	_____
Internet:	SUDENLINK CABLE	1-877-494-2724	phone #:	_____

- (7) 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: _____	



Notice to a Purchaser of Real Property in a Water District

Note: This Notice should be completed and given to a prospective purchaser prior to execution of a binding contract of sale and purchase, should be executed by the seller and purchaser and should be attached as a separate portion of a purchase contract. Please see NOTE at bottom of page.

1) The real property, described below, that you are about to purchase is located in the Montgomery County MUD 4 District. The district has taxing authority separate from any other taxing authority and may, subject to voter approval, issue an unlimited amount of bonds and levy an unlimited rate of tax in payment of such bonds. As of this date, the rate of taxes levied by the district on real property located in the district is \$0.08 on each \$100 of assessed valuation. If the district has not yet levied taxes, the most recent projected rate of tax, as of this date, is \$ _____ on each \$100 of assessed valuation. The total amount of bonds, excluding refunding bonds and any bonds or any portion of bonds issued that are payable solely from revenues received or expected to be received under a contract with a governmental entity, approved by the voters and which have been or may, at this date, be issued in \$35,160,000.00, and the aggregate initial principal amounts of all bonds issued for one or more of the specified facilities of the district and payable in whole or in part from property taxes is \$21,912,000.00.

2) The district has the authority to adopt and impose a standby fee on property in the district that has water, sanitary sewer, or drainage facilities and services available but not connected and which does not have a house, building, or other improvement located thereon and does not substantially utilize the utility capacity available to the property. The district may exercise the authority without holding an election on the matter. As of this date, the most recent amount of the standby fee is \$N/A. An unpaid standby fee is a personal obligation of the person that owned the property at the time of imposition and is secured by a lien on the property. Any person may request a certificate from the district stating the amount, if any, of unpaid standby fees on a tract of property in the district.

3) Mark an "X" in one of the following three spaces and then complete as instructed.

- Notice for Districts Located in Whole or in Part within the Corporate Boundaries of a Municipality (Complete Paragraph A).**
- Notice for Districts Located in Whole or in Part in the Extraterritorial Jurisdiction of One or More Home-Rule Municipalities and Not Located within the Corporate Boundaries of a Municipality (Complete Paragraph B).**
- Notice for Districts that are NOT Located in Whole or in Part within the Corporate Boundaries of a Municipality or the Extraterritorial Jurisdiction of One or More Home-Rule Municipalities.**

A) The district is located in whole or in part within the corporate boundaries of the City of Conroe. The taxpayers of the district are subject to the taxes imposed by the municipality and by the district until the district is dissolved. By law, a district located within the corporate boundaries of a municipality may be dissolved by municipal ordinance without the consent of the district or the voters of the district.

B) The district is located in whole or in part in the extraterritorial jurisdiction of the City of _____. By law, a district located in the extraterritorial jurisdiction of a municipality may be annexed without the consent of the district or the voters of the district. When a district is annexed, the district is dissolved.

4) The purpose of this district is to provide water, sewer, drainage, or flood control facilities and services within the district through the issuance of bonds payable in whole or in part from property taxes. The cost of these utility facilities is not included in the purchase price of your property, and these utility facilities are owned or to be owned by the district. The legal description of the property you are acquiring is as follows: 110 Dawns Edge, Montgomery, Tx 77356

Harlyn W. Wilburn 4/10/19
Signature of Seller Date
Harlyn W Wilburn

Carolyn A. Wilburn 4/10/19
Signature of Seller Date
Carolyn A Wilburn

PURCHASER IS ADVISED THAT THE INFORMATION SHOWN ON THIS FORM IS SUBJECT TO CHANGE BY THE DISTRICT AT ANY TIME. THE DISTRICT ROUTINELY ESTABLISHES TAX RATES DURING THE MONTHS OF SEPTEMBER THROUGH DECEMBER OF EACH YEAR, EFFECTIVE FOR THE YEAR IN WHICH THE TAX RATES ARE APPROVED BY THE DISTRICT. PURCHASER IS ADVISED TO CONTACT THE DISTRICT TO DETERMINE THE STATUS OF ANY CURRENT OR PROPOSED CHANGES TO THE INFORMATION SHOWN ON THIS FORM.

The undersigned purchaser hereby acknowledges receipt of the foregoing notice at or prior to execution of a binding contract for the purchase of the real property described in such notice or at closing of purchase of the real property.

Signature of Purchaser Date

Signature of Purchaser Date

NOTE: Correct district name, tax rate, bond amounts, and legal description are to be placed in the appropriate space. Except for notices included as an addendum or paragraph of a purchase contract, the notice shall be executed by the seller and purchaser, as indicated. If the district does not propose to provide one or more of the specified facilities and services, the appropriate purpose may be eliminated. If the district has not yet levied taxes, a statement of the district's most recent projected rate of tax is to be placed in the appropriate space. If the district does not have approval from the commission to adopt and impose a standby fee, the second paragraph of the notice may be deleted. For the purposes of the notice form required to be given to the prospective purchaser prior to execution of a binding contract of sale and purchase, a seller and any agent, representative, or person acting on the seller's behalf may modify the notice by substitution of the words "January 1, _____" for the words "this date" and place the correct calendar year in the appropriate space.