



APPROVED BY THE TEXAS REAL ESTATE COMMISSION (TREC)



SELLER'S DISCLOSURE NOTICE

20506 Moonrise River Ln, Cypress, TX 77433

CONCERNING THE PROPERTY AT _____ (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 [X] is not occupying the Property. If unoccupied, how long since Seller has occupied the Property? Never Occupied _____

1. The Property has the items checked below [Write Yes (Y), No (N), or Unknown (U)]:

- Y Range, N Oven, Y Microwave, Y Dishwasher, U Trash Compactor, Y Disposal, Y Washer/Dryer Hookups, U Window Screens, U Rain Gutters, Y Security System, U Fire Detection Equipment, U Intercom System, Y Smoke Detector

Buyer is aware that security system does not convey with sale of home. Kwikset 914 lock will be replaced upon close.

- U Smoke Detector-Hearing Impaired, U Carbon Monoxide Alarm, N Emergency Escape Ladder(s)

- U TV Antenna, U Cable TV Wiring, U Satellite Dish, Y Ceiling Fan(s), N Attic Fan(s), Y Exhaust Fan(s), Y Central A/C, Y Central Heating, N Wall/Window Air Conditioning, Y Plumbing System, N Septic System, U Public Sewer System, Y Patio/Decking, N Outdoor Grill, Y Fences, N Pool, N Sauna, N Spa, N Hot Tub, N Pool Equipment, N Pool Heater, U Automatic Lawn Sprinkler System, N Fireplace(s) & Chimney (Wood burning), N Fireplace(s) & Chimney (Mock)

- Y Natural Gas Lines, U Gas Fixtures, U Liquid Propane Gas, U LP on Property, Garage: Y Attached, N Not Attached, N Carport, Garage Door Opener(s): Y Electronic, U Control(s), Water Heater: Y Gas, N Electric, Water Supply: N City, N Well, Y MUD, N Co-op

Roof Type: Shingle Age: 10 years (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 [X] Unknown. If yes, then describe. (Attach additional sheets if necessary): _____

Seller has never occupied this property. Seller encourages Buyer to have their own inspections performed and verify all information relating to this property.

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): Detectors have been brought to code for age of home.

Seller has never occupied this property. Seller encourages Buyer to have their own inspections performed and verify all information relating to this property.

* 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>N</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): _____		

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

Seller has never occupied this property. Seller encourages Buyer to have their own inspections performed and verify all information relating to this property.

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): _____

Seller has never occupied this property. Seller encourages Buyer to have their own inspections performed and verify all information relating to this property.

* 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): _____

Seller has never occupied this property. Seller encourages Buyer to have their own inspections performed and verify all information relating to this property.

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.
- N Present flood insurance coverage
- N Previous flooding due to a failure or breach of a reservoir or a controlled or emergency release of water from a reservoir
- N 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.

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

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

Seller has never occupied this property. Seller encourages Buyer to have their own inspections performed and verify all information relating to this property.

*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): _____

Seller has never occupied this property. Seller encourages Buyer to have their own inspections performed and verify all information relating to this property.

*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): _____

Seller has never occupied this property. Seller encourages Buyer to have their own inspections performed and verify all information relating to this property.

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.
- N 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.
 - Y Homeowners' Association or maintenance fees or assessments.
 - N Any "common area" (facilities such as pools, tennis courts, walkways, or other areas) co-owned in undivided interest with others.
 - N Any notices of violations of deed restrictions or governmental ordinances affecting the condition or use of the Property.
 - N Any lawsuits directly or indirectly affecting the Property.
 - N Any condition on the Property which materially affects the physical health or safety of an individual.
 - 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.
 - Y 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): Property located in Harris Galveston Subsidence District POA of Canyon Village at Cypress Springs Inc - Main Fee - \$550.00 - Annually - (832) 593-7300

Please see attached for HOA-related expenses provided to Seller at the time Seller purchased this property. Buyer is encouraged to contact HOA for current information. Seller has never occupied this property. Seller encourages Buyer to have their own inspections performed and verify all information relating to this property.

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.

Authorized signer on behalf of
Opendoor Homes Phoenix 2 LLC

Jason Cline
Signature of Seller

10-05-2019
Date

Signature of Seller

Date

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, 2019. Texas Real Estate Commission, P.O. Box 12188, Austin, TX 78711-2188, 512-936-3000 (<http://www.trec.texas.gov>) TREC NO. OP-H

SUBDIVISION INFORMATION, INCLUDING
RESALE CERTIFICATE FOR PROPERTY SUBJECT TO MANDATORY
MEMBERSHIP IN A PROPERTY OWNERS' ASSOCIATION
(Chapter 207, Texas Property Code)

Resale Certificate concerning the Property (including any common areas assigned to the Property) located at **20506 MOONRISE RIVER LN** (Street Address), City of Cypress, County of **Harris**, Texas, prepared by the property owners' association (Association).

- A. The Property is is not subject to a right of first refusal (other than a right of first refusal prohibited by statute) or other restraint contained in the restrictions or restrictive covenants that restricts the owner's right to transfer the owner's property.
- B. The current regular assessment for the Property is **\$550.00** per **Year**.
- C. Other applicable fees due to the Association at closing: **Not Applicable**, transfer fee: **Not Applicable**, enhancement fee: **Not Applicable**, adopt a school fee: **1/10th of the annual assessment from the buyer**, capitalization fee: **Not Applicable**, foundation fee: **Not Applicable**, initial fee: **Not Applicable**, other: **Not Applicable**.
- D. A special assessment for the Property due after this resale certificate is delivered is **\$ Not Applicable** payable as follows **Not Applicable** for the following purpose: **Not Applicable**.
- E. In addition to amounts shown in items C. and D, assessments due and unpaid to the Association that are attributable to the Property are **\$-0-** (attached is a statement providing description and breakdown of amount due) and should be made payable to: **POA of Canyon Village at Cypress Springs, Inc.**
- F. The capital expenditures approved by the Association for its current fiscal year are **\$none**.
- G. The amount of reserve for capital expenditures is **\$27.02**.
- H. Unsatisfied judgments against the Association total **\$ Not Applicable**.
- I. Other than lawsuits relating to unpaid ad valorem taxes of an individual member of the association, there are are not any suits pending in which the Association is a party. The style and cause number of each pending suit is: **See Exhibit "A"**.
- J. The Association's board: has no actual knowledge has actual knowledge of conditions on the Property in violation of the restrictions applying to the subdivision or the bylaws or rules of the Association. Known violations are: **NONE**

Subdivision Information Concerning **20506 MOONRISE RIVER LN.**
(Address of Property)

- K. The Association has has not received notice from any governmental authority regarding health or building code violations with respect to the Property or any common areas or common facilities owned or leased by the Association. A summary or copy of each notice is attached.
- L. The transfer fee for a change of ownership of property in the subdivision is **\$185.00**, payable to VanMor Properties, Inc.
- M. The Association's managing agent is:

VanMor Properties, Inc
8711 Highway 6 North, Ste. 270
Houston, Texas 77095
832-593-7300 (P) 832-593-7301 (F)

- N. The restrictions do do not allow foreclosure of the Association's lien on the Property for failure to pay assessments.

REQUIRED ATTACHMENTS:

- | | |
|--------------------------|--|
| 1. Restrictions | 5. Current Operating Budget |
| 2. Rules | 6. Certificate of Insurance concerning Property & Liability for Common Area and Facilities |
| 3. Bylaws | 7. Any Governmental Notices of Health or Housing Code Violations |
| 4. Current Balance Sheet | |

NOTICE: This Subdivision information may change at any time.

POA of Canyon Village at Cypress Springs, Inc.
Name of Association

By:



Print Name:

Kim Stewart

Title:

Association Manager

Date:

MAY 17, 2019

Mailing Address:

8711 Highway 6 North, Suite 270, Houston, TX 77095

Email:

nancy@vanmor.com

Exhibit "A"

Property Owners Association of Canyon Village at Cypress Springs vs. Benjamin W. Foreman; Cause No. 2017-68361; 165th Judicial District Court; Harris County, Texas (inactive due to bankruptcy)

Property Owners Association of Canyon Village at Cypress Springs vs. Trenell C. Frazer and Brian Frazer, jointly and severally; Cause No. 2017-78672; 165th Judicial District Court; Harris County, Texas (inactive due to bankruptcy)

Property Owners Association of Canyon Village at Cypress Springs vs. Terrell Latimer and Melissa Vazquez, jointly and severally; Cause No. 2018-70729; 281st Judicial District Court; Harris County, Texas

Property Owners Association of Canyon Village at Cypress Springs vs. Brianna Udick and Robert Howard, jointly and severally; Cause No. 2018-55758; 125th Judicial District Court; Harris County, Texas

POA OF CANYON VILLAGE AT CYPRESS SPRINGS

Balance Sheet
As of 04/30/19

ASSETS

1000-000	ALLIANCE ASSOC BANK OPER	\$	201,698.65
1001-005	ALLIANCE ASSOC BK ADOPT A SCHO		35,320.71
1005-000	ALLIANCE ASSOC BK - PETTY CASH		1,630.42
1007-000	ALLIANCE ASSOC BANK RES		27.02
1030-000	ALLIANCE ICS		648,500.64
1032-000	CD ALLIANCE ASSOC4055 12/01/19		51,649.10
1033-000	CD ALLIANCE ASSOC4101 05/29/19		51,764.66
	 TOTAL ASSETS		 \$ 990,591.20

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EQUITY

33005-000	HOMEOWNER'S EQUITY	\$	710,176.55
33020-000	CAP RESERVE FUNDING		239,067.59
33025-000	CAP EXPENDITURE		(181,235.85)
33030-000	RESERVE INTEREST		413.53
	CURRENT YEAR NET INCOME/(LOSS)		222,169.38
	 SUBTOTAL EQUITY		 \$ 990,591.20
	 TOTAL LIABILITIES & EQUITY		 \$ 990,591.20

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POA OF CANYON VILLAGE AT CYPRESS SPRINGS

Income/Expense Statement
Period: 04/01/19 to 04/30/19

Account	Description	Actual	Current Period		Actual	Year-To-Date		Yearly Budget
			Budget	Variance		Budget	Variance	
INCOME:								
44005-000	MAINTENANCE FEES	40,367.78	21,000.00	19,367.78	305,273.14	284,755.00	20,518.14	460,000.00
44011-000	LATE CHARGES/INTEREST	949.23	330.00	619.23	2,089.97	1,320.00	769.97	3,960.00
44014-000	D/R CHARGEBACK	55.00	100.00	(45.00)	165.00	100.00	65.00	400.00
44015-000	LEGAL FEES	3,664.22	2,000.00	1,664.22	11,100.00	15,500.00	(4,400.00)	31,500.00
44018-000	COLLECTION FEES	1,688.97	400.00	1,288.97	3,311.94	3,800.00	(488.06)	5,500.00
44020-000	INTEREST & DIVIDENDS	369.43	200.00	169.43	1,385.14	800.00	585.14	2,400.00
44020-005	INTEREST & DIVIDENDS	20.07	10.00	10.07	79.80	40.00	39.80	120.00
44021-000	NSF FEES	.00	.00	.00	71.00	35.00	36.00	35.00
44031-005	ADOPT A SCHOOL PROGRAM	220.00	200.00	20.00	605.00	800.00	(195.00)	2,200.00
44035-000	MISCELLANEOUS INCOME	.00	.00	.00	.00	10.00	(10.00)	10.00
	Subtotal Income	47,334.70	24,240.00	23,094.70	324,080.99	307,160.00	16,920.99	506,125.00
EXPENSES								
Utilities								
65006-000	ELECTRIC	406.06	860.00	453.94	1,896.79	3,440.00	1,543.21	10,320.00
65015-000	WATER / SEWER	.00	3,550.00	3,550.00	4,003.10	14,200.00	10,196.90	42,600.00
	Utilities	406.06	4,410.00	4,003.94	5,899.89	17,640.00	11,740.11	52,920.00
Contract Services								
66105-000	ALARM SYSTEM	46.16	50.00	3.84	184.16	200.00	15.84	600.00
66106-000	CLEANING	248.98	125.00	(123.98)	248.98	125.00	(123.98)	1,300.00
66110-000	PEST CONTROL	329.49	200.00	(129.49)	443.29	600.00	156.71	2,320.00
66115-000	LANDSCAPE	3,721.66	3,725.00	3.34	14,886.64	14,900.00	13.36	44,700.00
66120-000	SWIMMING POOL	475.00	550.00	75.00	1,900.00	2,200.00	300.00	31,850.00
	Contract Services	4,821.29	4,650.00	(171.29)	17,663.07	18,025.00	361.93	80,770.00
Repair & Maintenance								
67240-000	POOL REPAIRS/SUPPLIES	.00	600.00	600.00	.00	4,200.00	4,200.00	6,400.00
67245-000	ALARM SYSTEM	.00	.00	.00	.00	75.00	75.00	225.00
67247-000	HOLIDAY DECORATIONS	.00	.00	.00	1,160.00	.00	(1,160.00)	2,204.00
67255-000	GROUNDS IMPROVEMENT	.00	5,000.00	5,000.00	.00	22,300.00	22,300.00	28,200.00
67256-000	DEED RESTRIC - CHGBK	.00	300.00	300.00	110.00	300.00	190.00	1,800.00
67270-000	CLUBHOUSE	.00	100.00	100.00	385.75	600.00	214.25	1,200.00
67275-000	SPRINKLER SYSTEM	2,255.00	500.00	(1,755.00)	2,255.00	5,250.00	2,995.00	8,000.00
67285-000	GENERAL REPAIRS	2,837.50	1,000.00	(1,837.50)	32,085.95	170,000.00	137,914.05	175,600.00
	Repair & Maintenance	5,092.50	7,500.00	2,407.50	35,996.70	202,725.00	166,728.30	223,629.00
Administrative								

POA OF CANYON VILLAGE AT CYPRESS SPRINGS

Income/Expense Statement
 Period: 04/01/19 to 04/30/19

Account	Description	Current Period			Year-To-Date			Yearly Budget
		Actual	Budget	Variance	Actual	Budget	Variance	
68302-005	ADOPT A SCHOOL PROGRAM	5,500.00	.00	(5,500.00)	5,500.00	.00	(5,500.00)	5,000.00
68305-000	AUDIT/TAX RETURN	.00	.00	.00	.00	.00	.00	3,795.00
68307-000	ARC SERVICES	1,125.00	600.00	(525.00)	1,125.00	2,600.00	1,475.00	6,950.00
68320-000	LEGAL FEES	2,329.41	6,835.00	4,505.59	6,697.02	27,340.00	20,642.98	82,020.00
68324-000	BILLING/COLLECTIONS	.00	400.00	400.00	6,193.16	7,400.00	1,206.84	10,000.00
68325-000	MANAGEMENT FEE	3,000.00	3,000.00	.00	12,000.00	12,000.00	.00	36,000.00
68326-000	PROFESSIONAL ADMIN	415.00	725.00	310.00	3,187.25	5,255.00	2,067.75	9,985.00
68330-000	POSTAGE	631.55	700.00	68.45	2,879.26	3,780.00	900.74	7,200.00
68335-000	PHONE/INTERNET	197.31	210.00	12.69	937.48	1,120.00	182.52	2,800.00
68340-000	COPIES/PRINTING	1,134.80	1,200.00	65.20	1,509.80	2,050.00	540.20	4,100.00
68354-000	WEBSITE/NEWSLETTER	60.00	70.00	10.00	240.00	280.00	40.00	840.00
68364-000	COMMUNITY EVENTS	(52.74)	.00	52.74	1,047.26	1,500.00	452.74	5,000.00
68370-000	POOL TAGS	.00	400.00	400.00	421.34	400.00	(21.34)	400.00
68385-000	LICENSES / PERMITS	.00	.00	.00	.00	.00	.00	10.00
68390-000	MISC. ADMINISTRATIVE	169.25	400.00	230.75	513.06	2,000.00	1,486.94	5,200.00
	Administrative	14,509.58	14,540.00	30.42	42,250.63	65,725.00	23,474.37	179,300.00
	Insurance & Taxes							
69405-000	TCPP	.00	.00	.00	.00	.00	.00	24,560.00
69420-000	DIRECTORS & OFFICERS	.00	.00	.00	.00	.00	.00	6,545.00
69440-000	PROPERTY TAXES	3.06	.00	(3.06)	101.32	.00	(101.32)	.00
	Insurance & Taxes	3.06	.00	(3.06)	101.32	.00	(101.32)	31,105.00
	Payroll							
	Payroll	.00	.00	.00	.00	.00	.00	.00
	Sale of Assets							
	Sale of Assets	.00	.00	.00	.00	.00	.00	.00
	Purchase of Assets							
	Purchase of Assets	.00	.00	.00	.00	.00	.00	.00
	TOTAL EXPENSES	24,832.49	31,100.00	6,267.51	101,911.61	304,115.00	202,203.39	567,724.00
	Current Year Net Income/(loss)	22,502.21	(6,860.00)	29,362.21	222,169.38	3,045.00	219,124.38	(61,599.00)