



APPROVED BY THE TEXAS REAL ESTATE COMMISSION (TREC)



SELLER'S DISCLOSURE NOTICE

CONCERNING THE PROPERTY AT 2715 Cally Ct, Manvel, TX 77578 (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, Y Rain Gutters, Y Security System, U Fire Detection Equipment, U Intercom System, Y Smoke Detector, U Smoke Detector-Hearing Impaired, U Carbon Monoxide Alarm, N Emergency Escape Ladder(s)

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

- 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, Y 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, Fireplace(s) & Chimney (Wood burning), N Fireplace(s) & Chimney (Mock)

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

Roof Type: Shingle Roof 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? [x] Yes [ ] No [ ] Unknown. If yes, then describe. (Attach additional sheets if necessary):

Garbage disposal and refrigerator are damaged/missing. Plumbing system: see bottom of page 2, section 3. Buyer should have their own inspection.

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.

\* 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> Y </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): \_\_\_\_\_

Plumbing/sewers/septics: Toilet at master bathroom is damaged. Buyer should have their own inspection.

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). \_\_\_\_\_

Please refer to previous sections for any repairs needed.

**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.

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): Property is located in Brazoria County GCD LPI Property Management, LLC, (281) 947-8675 and main Fee: \$540.00 per year. 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 Property Trust I**

*Megan Meyer*  
Signature of Seller

01-16-2020  
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



## RESALE CERTIFICATE

(For a Lot in Subdivision, Townhome or PUD Community)

This is a resale certificate concerning the Property located at – **2715 Cally Court**. This certificate has been issued on behalf of the **Southfork Community Association** home owners' association (the "Association") by its governing body (the "Board") through its management company ("Management Company"). The certificate contains the most current information and attachments, if any, in the possession of the management company as of the preparation date hereof set forth below.

1. The property is not subject to a right of first refusal or other restraint in favor of Association that restricts right of transfer of the Property.
2. The most recent regular assessment for the Property - **\$540.00** as of **01/01/19**.
3. The most recent regular assessment payable to the Association for the Property - **as of 01/01/19 is PAID**
4. The most recent special assessment payable to the Association for the property - \$0.00.
5. Other amounts payable to the Association for the Property - **\$0.00**
6. The total of all sums currently due and unpaid to the Association - **\$0.00**
7. **Please collect 2020 assessment in the amount of \$540.00 from buyer and make check payable to Southfork CA.**
8. The Association does have reserves for capital expenditures. The total amount is  
0.
9. The Association has approved capital expenditures for the Association's current fiscal year in the amount of \$0.00.
10. The Association has approved special assessments, which will become due after the preparation date of this certificate, in the total amount of \$0.00
11. The current operating budget and balance sheet for the Association are attached.
12. There are no unsatisfied judgments against the Association to the knowledge of the Association and Management Company.
13. There are no lawsuits filed and pending against the Association to the knowledge of the Association and Management Company.
14. A copy of a certificate of insurance showing the Association's property and liability insurance coverage relating to common areas and common elements as defined in the Declaration is not attached as the Association owns no property and therefore carries no insurance.
15. The Association does not have actual, personal knowledge of any conditions on the Property that are presently in violation of the restrictions applicable to the subdivision or the bylaws or rules of the Association.
16. The Association has not received actual notice from any government authority covering presently

existing health or housing code violations relating to the Property or any common areas or facilities owned or leased by the Association.

17. The Association administrative transfer fee when ownership of the Property changes is **\$150.00**. The transfer fee is payable to LPI Property Management, LLC, P.O. Box 3217, Pearland, Texas 77588-3217.
18. The declaration or restrictions allow the Association to foreclose a property owner's association lien against the property for failure to pay monies (including assessments) due the Association.
19. COPIES OF DECLARATION AND DOCUMENTS. A fee is charged for copies of the declaration, restrictions, bylaws and rules provided to the selling owner or the owner's agent or title insurance company or its agent.
20. **NOTICE TO BUYER. BEFORE ACQUIRING TITLE, BUYER SHOULD READ THE INFORMATION IN THIS CERTIFICATE AND ALL ATTACHMENTS AS WELL AS THE ASSOCIATION'S DECLARATION, RULES AND BYLAWS.**
21. BUYERS ADDRESS. Buyer is required to notify the Association of Buyer's name(s) and mailing address.
22. OBTAIN UPDATE OF RESALE CERTIFICATE. Information in a Resale Certificate and its attachments can change daily. Shortly before closing, Buyer should obtain a written update of the Resale Certificate or any of its attachments. A fee is charged for the Resale Certificate and the Updates.

Required Attachments:

1. Association operating budget
2. Association balance sheet

PRINTED NAME OF ASSOCIATION:

**Southfork Community Association**

Association Managing Agent if any: **LPI Property Management, LLC**

Title of person signing for the Association: **Vice-President**

Association's mailing address: **P.O. Box 3217, Pearland, Texas 77588-3217**

Association's phone number: **281/947-8675** Fax Number: **281/947-8680**

Date certificate was prepared: **12/18/2019**

**Southfork Community Association**

By: LPI Property Management, LLC,  
Property Manager

By: *Irene Segovia-Harman*

Irene Segovia-Harman, VP