



## 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 5261 CR 2235, GRAPELAND TX 75844

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?  SEPT. 15, 2020 (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	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Carbon Monoxide Det.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Ceiling Fans	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Cooktop	<input checked="" type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Gas Fixtures	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Natural Gas Lines	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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

Item	Y	N	U
Pump: <input type="checkbox"/> sump <input type="checkbox"/> grinder	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Rain Gutters	<input type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Smoke Detector	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Smoke Detector - Hearing Impaired	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Spa	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Trash Compactor	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
TV Antenna	<input type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	number of units:
Wall/Window AC Units	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	number of units:
Attic Fan(s)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	if yes, describe:
Central Heat	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> electric <input checked="" type="checkbox"/> gas number of units: <u>1</u>
Other Heat	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	if yes describe:
Oven	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	number of ovens: <u>1</u> <input type="checkbox"/> electric <input checked="" type="checkbox"/> gas <input type="checkbox"/> other:
Fireplace & Chimney	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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 type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> attached <input type="checkbox"/> not attached
Garage Door Openers	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	number of units: number of remotes:
Satellite Dish & Controls	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> owned <input checked="" type="checkbox"/> leased from <u>HUGHES NET + DIRECTV</u>
Security System	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/> owned <input type="checkbox"/> leased from
Solar Panels	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> owned <input type="checkbox"/> leased from
Water Heater	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> electric <input checked="" type="checkbox"/> gas <input type="checkbox"/> other: number of units: <u>1</u>
Water Softener	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> owned <input type="checkbox"/> leased from
Other Leased Item(s)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	if yes, describe:

(TXR-1406) 09-01-19

Initialed by: Buyer:   and Seller:

DS  
GMC
DS  
AMC



Concerning the Property at 5261 CR 2235, GRAPELAND, TX 75844

Underground Lawn Sprinkler     automatic  manual areas covered: \_\_\_\_\_

Septic / On-Site Sewer Facility    if yes, attach information About On-Site Sewer Facility (TXR-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 TXR-1906 concerning lead-based paint hazards).

Roof Type: COMPOSITION SHINGLES Age: 1 YEAR (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	Item	Y	N	Item	Y	N
Basement	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Floors	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Sidewalks	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Ceilings	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Foundation / Slab(s)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Walls / Fences	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Doors	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Interior Walls	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Windows	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Driveways	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Lighting Fixtures	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Other Structural Components	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Electrical Systems	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Plumbing Systems	<input type="checkbox"/>	<input checked="" type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>
Exterior Walls	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Roof	<input type="checkbox"/>	<input checked="" type="checkbox"/>		<input type="checkbox"/>	<input 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	Condition	Y	N
Aluminum Wiring	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Radon Gas	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Asbestos Components	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Settling	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Diseased Trees: <input type="checkbox"/> oak wilt <input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Soil Movement	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Endangered Species/Habitat on Property	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Subsurface Structure or Pits	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Fault Lines	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Underground Storage Tanks	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Hazardous or Toxic Waste	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Unplatted Easements	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Improper Drainage	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Unrecorded Easements	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Intermittent or Weather Springs	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Urea-formaldehyde Insulation	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Landfill	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Water Damage Not Due to a Flood Event	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Lead-Based Paint or Lead-Based Pt. Hazards	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Wetlands on Property	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Encroachments onto the Property	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Wood Rot	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Improvements encroaching on others' property	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Active infestation of termites or other wood destroying insects (WDI)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Located in Historic District	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Previous treatment for termites or WDI	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Historic Property Designation	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Previous termite or WDI damage repaired	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Previous Foundation Repairs	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Previous Fires	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Previous Roof Repairs	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Termite or WDI damage needing repair	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Previous Other Structural Repairs	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Single Blockable Main Drain in Pool/Hot Tub/Spa*	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Previous Use of Premises for Manufacture of Methamphetamine	<input type="checkbox"/>	<input checked="" type="checkbox"/>			

DS EMG DS MMC



Concerning the Property at 5261 CA 2235, GRAPELAND, TX. 75844

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 conditions?\*** (Mark Yes (Y) if you are aware and check wholly or partly as applicable. Mark No (N) if you are not aware.)

- |  |                                     |  |                          |                                     |  |
|--|-------------------------------------|--|--------------------------|-------------------------------------|--|
| <table border="0"> <tr> <td style="text-align: center;">Y</td> <td style="text-align: center;">N</td> </tr> <tr> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input checked="" type="checkbox"/></td> </tr> </table> | Y                                   | N  | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> Present flood insurance coverage (if yes, attach TXR 1414). |
| Y  | N                                   |  |                          |                                     |  |
| <input type="checkbox"/>   | <input checked="" type="checkbox"/> |  |                          |                                     |  |
| <input type="checkbox"/>   | <input checked="" type="checkbox"/> | <input type="checkbox"/> Previous flooding due to a failure or breach of a reservoir or a controlled or emergency release of water from a reservoir.   |                          |                                     |  |
| <input type="checkbox"/>   | <input checked="" type="checkbox"/> | <input type="checkbox"/> Previous flooding due to a natural flood event (if yes, attach TXR 1414).   |                          |                                     |  |
| <input type="checkbox"/>   | <input checked="" type="checkbox"/> | <input type="checkbox"/> Previous water penetration into a structure on the Property due to a natural flood event (if yes, attach TXR 1414).   |                          |                                     |  |
| <input type="checkbox"/>   | <input checked="" type="checkbox"/> | <input type="checkbox"/> Located <input type="checkbox"/> wholly <input type="checkbox"/> partly in a 100-year floodplain (Special Flood Hazard Area-Zone A, V, A99, AE, AO, AH, VE, or AR) (if yes, attach TXR 1414). |                          |                                     |  |
| <input type="checkbox"/>   | <input checked="" type="checkbox"/> | <input type="checkbox"/> Located <input type="checkbox"/> wholly <input type="checkbox"/> partly in a 500-year floodplain (Moderate Flood Hazard Area-Zone X (shaded)).  |                          |                                     |  |
| <input type="checkbox"/>   | <input checked="" type="checkbox"/> | <input type="checkbox"/> Located <input type="checkbox"/> wholly <input type="checkbox"/> partly in a floodway (if yes, attach TXR 1414).  |                          |                                     |  |
| <input type="checkbox"/>   | <input checked="" type="checkbox"/> | <input type="checkbox"/> Located <input type="checkbox"/> wholly <input type="checkbox"/> partly in a flood pool.  |                          |                                     |  |
| <input type="checkbox"/>   | <input checked="" type="checkbox"/> | <input type="checkbox"/> Located <input type="checkbox"/> wholly <input type="checkbox"/> partly in a reservoir.   |                          |                                     |  |

If the answer to any of the above is yes, explain (attach additional sheets as necessary): \_\_\_\_\_

\*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 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.

(TXR-1406) 09-01-19

Initialed by: Buyer:

and Seller:



Concerning the Property at 5261 CR 2235, GRAPELAND, TX.

**Section 6. 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).

**Section 7. 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): \_\_\_\_\_

**Section 8. Are you (Seller) aware of any of the following? (Mark Yes (Y) if you are aware. Mark No (N) if you are not aware.)**

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

If the answer to any of the items in Section 8 is yes, explain (attach additional sheets if necessary): \_\_\_\_\_

(TXR-1406) 09-01-19

Initialed by: Buyer:

and Seller: EMC MMG



Concerning the Property at 5261 CA 2235, GRANBLAND, TX - 75844

Section 9. Seller  has  has not attached a survey of the Property.

Section 10. 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 11. 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 12. Have you (Seller) ever filed a claim for damage, other than flood damage, to the Property with any insurance provider?  yes  no New Roof - Hail Damage

Section 13. 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 14. 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.*

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: Gary M. Cutshall Date: 9/18/2020 | 7:44 PM

Signature of Seller: Mary M. White Date: 9/18/2020 | 5:47 PM

Printed Name: \_\_\_\_\_ Printed Name: \_\_\_\_\_

(TXR-1406) 09-01-19 Initialed by: Buyer:    and Seller:



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](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 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* (TXR 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: <u>HOUSTON COUNTY ELECTRIC</u>	phone #: <u>800-657-2445</u>
Sewer: <u>SEPTIC</u>	phone #: _____
Water: <u>CONSOLIDATED WATER SUPPLY</u>	phone #: <u>936-544-2986</u>
Cable: <u>DIRECTV</u>	phone #: <u>855-802-3473</u>
Trash: <u>PINEY WOODS SANITATION</u>	phone #: <u>936-876-5640</u>
Natural Gas: <u>N/A</u>	phone #: _____
Phone Company: <u>N/A</u>	phone #: _____
Propane: <u>CONSUMERS LP</u>	phone #: <u>800-247-6231</u>
Internet: <u>HUGHES NET</u>	phone #: <u>844-674-4752</u>

(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: <sup>DS</sup> CMG <sup>DS</sup> MMG





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

CONCERNING THE PROPERTY AT 5261 CR 2235, GARDELAND, TX 75844

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

- (1) Type of Treatment System: [X] Septic Tank [ ] Aerobic Treatment [ ] Unknown
(2) Type of Distribution System: 200 FT OF PERFORATED PIPES [ ] Unknown
(3) Approximate Location of Drain Field or Distribution System: STARTING ON WEST SIDE OF THE HOUSE AND EXTENDING OUT INTO THE PASTURE [ ] Unknown
(4) Installer: KEITH RHONE (DECEASED) [ ] Unknown
(5) Approximate Age: 4 YRS [ ] Unknown

B. MAINTENANCE INFORMATION:

- (1) Is Seller aware of any maintenance contract in effect for the on-site sewer facility? [ ] Yes [X] No If yes, name of maintenance contractor: Phone: contract expiration date:
(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 [X] No If yes, explain:
(4) Does Seller have manufacturer or warranty information available for review? [ ] Yes [X] 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.

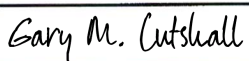


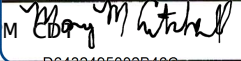
Information about On-Site Sewer Facility concerning \_\_\_\_\_

**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.**

DocuSigned by:  
  
 Signature of Seller  
 9/18/2020 | 7:44 PM  
 Date

DocuSigned by:  
  
 Signature of Seller  
 9/18/2020 | 5:47 PM  
 Date

Receipt acknowledged by:  
 \_\_\_\_\_  
 Signature of Buyer  
 \_\_\_\_\_  
 Date

Receipt acknowledged by:  
 \_\_\_\_\_  
 Signature of Buyer  
 \_\_\_\_\_  
 Date





# THE STORY TEAM

Keller Williams Advantage Realty

## Seller's Disclosure Notice Attachment

Address: 5261 CR. 2235, GRAPELAND, TX. 75844

### Average Utility Costs:

Water: _____	Monthly Avg: <u>\$ 47.00</u>
Electricity: _____	Monthly Avg: <u>\$ 53.00</u>
Gas: _____	Monthly Avg: _____
Other: _____	Monthly Avg: _____

### Age of Systems:

HVAC-Type: <u>CENTRAL</u>	Unit #: _____	Age: <u>4 YRS</u>
Water Heater-Location: <u>HALL</u>	Unit #: _____	Age: <u>4 YRS</u>
Dishwasher: <u>4 YRS</u>	Oven: <u>4 YRS</u>	Stove: <u>4 YRS</u>
Microwave: <u>4 YRS</u>	Fence: <u>4 YRS</u>	Sprinkler: <u>N/A</u>

### Pool:

Year Built: \_\_\_\_\_ # of Gallons: \_\_\_\_\_ Depth: \_\_\_\_\_ Spa: Yes/No  
 Pool Equipment Age: \_\_\_\_\_ Saltwater: \_\_\_\_\_ Chlorine: \_\_\_\_\_

### Locations:

Mailbox: \_\_\_\_\_ Box #: \_\_\_\_\_  
 Water Meter: INSIDE FENCE ALONG CR 2235 APPROX 150' FROM HOUSE  
 Emergency Water Shutoff valve: \_\_\_\_\_

Please provide any additional features or improvements not mentioned above:

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## FLOOD AND RISING WATER ADDENDUM

### NOTICE TO BUYERS IN HARRIS COUNTY, MONTGOMERY COUNTY, AND SURROUNDING COUNTIES:

There is no guaranty that a property located in Harris County, Montgomery County and surrounding counties will not have a problem with flooding, storm runoff, rising water, or other unexpected storm-related events. These storm-related events can be devastating. Therefore, Buyers/ Tenants are advised to check with your insurance agent about obtaining flood insurance for the property.

Broker and agents further recommend and advise the Buyer(s) when purchasing a property to investigate whether the property is located in a flood zone by reviewing of the Seller's surveys and conducting research with the county drainage and flood control district. Please be aware that even when a property is located outside a flood zone, the possibilities of flooding, storm runoff, and rising water due to acts of God and other storm-related events still exist. Broker and its agents in no manner warrant or represent that any specific property in Harris County, Montgomery County, or any surrounding county will not be subject to flash flooding, rising water, storm runoff, drainage district releases, and/or flooding.

*I/ We, the BUYER(S) / TENANT(S) before signing below, affirm and represent that I/ we have personally read and understood this Notice and I/we will do my/our due diligence and research the availability of flood insurance and any applicable flood zones pertaining to this property.*

**5261 CR 2235, Grapeland, TX 75844**

Property Address

Buyer/ Tenant

Date

Buyer/ Tenant

Date

DocuSigned by:

*Gary M. Cutshall*

9/18/2020 | 7:44 PM CDT

64341E4E68824A8...  
Seller/ Landlord

Date

DocuSigned by:

*Mary M Cutshall*

9/18/2020 | 5:47 PM PDT

6432795002549C...  
Seller/ Landlord

Date



**T-47 RESIDENTIAL REAL PROPERTY AFFIDAVIT  
(MAY BE MODIFIED AS APPROPRIATE FOR COMMERCIAL TRANSACTIONS)**

Date: 9-12-20 GF No. \_\_\_\_\_

Name of Affiant(s): Gary Cutshall

Address of Affiant: 5264 CR 2235, Grayland, TX 75844

Description of Property: J M Towlis AB 1039 19.602 AC, 4 BODILLA AB 3 35.508 AC

County Houston, Texas

"Title Company" as used herein is the Title Insurance Company whose policy of title insurance is issued in reliance upon the statements contained herein.

Before me, the undersigned notary for the State of Texas, personally appeared Affiant(s) who after by me being sworn, stated:

1. We are the owners of the Property. (Or state other basis for knowledge by Affiant(s) of the Property, such as lease, management, neighbor, etc. For example, "Affiant is the manager of the Property for the record title owners."):

2. We are familiar with the property and the improvements located on the Property.

3. We are closing a transaction requiring title insurance and the proposed insured owner or lender has requested area and boundary coverage in the title insurance policy(ies) to be issued in this transaction. We understand that the Title Company may make exceptions to the coverage of the title insurance as Title Company may deem appropriate. We understand that the owner of the property, if the current transaction is a sale, may request a similar amendment to the area and boundary coverage in the Owner's Policy of Title Insurance upon payment of the promulgated premium.

4. To the best of our actual knowledge and belief, since 2014 there have been no:  
a. construction projects such as new structures, additional buildings, rooms, garages, swimming pools or other permanent improvements or fixtures;  
b. changes in the location of boundary fences or boundary walls;  
c. construction projects on immediately adjoining property(ies) which encroach on the Property;  
d. conveyances, replattings, easement grants and/or easement dedications (such as a utility line) by any party affecting the Property.

EXCEPT for the following (If None, Insert "None" Below): \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

5. We understand that Title Company is relying on the truthfulness of the statements made in this affidavit to provide the area and boundary coverage and upon the evidence of the existing real property survey of the Property. This Affidavit is not made for the benefit of any other parties and this Affidavit does not constitute a warranty or guarantee of the location of improvements.

6. We understand that we have no liability to Title Company that will issue the policy(ies) should the information in this Affidavit be incorrect other than information that we personally know to be incorrect and which we do not disclose to the Title Company.

Gary Cutshall  
\_\_\_\_\_  
Gary Cutshall  
Mary Cutshall  
\_\_\_\_\_  
Mary Cutshall



SWORN AND SUBSCRIBED this 12 day of September, 2020  
Cynthia Lynn Barosh  
\_\_\_\_\_  
Notary Public



EDWARD B  
SURVEY A

J. M. TOULLIS SURVEY A-1039  
HOUSTON COUNTY, TEXAS

ORDIANO BADILLO SURVEY A-3

CR 2252

SITP  
10-7-15  
CR 2235

- LEGEND
- = 1/4" IRON PIN FOUND
  - = EXISTING BOUNDARY FOUND
  - = EXISTING BOUNDARY FOUND
  - = P.P.M.
  - = DATA FROM IMAGE RECORDS
  - = DATA FROM OPTICAL RECORDS
  - = DATA FROM AERIAL RECORDS
  - PAI = POINT OF INTEREST

<p>NOTICE: THIS SURVEY WAS MADE BY THE SURVEYOR IN ACCORDANCE WITH THE SURVEYING ACTS OF TEXAS, AND THE SURVEYOR'S CERTIFICATE IS HEREBY FILED FOR THE PUBLIC RECORDS OF HOUSTON COUNTY, TEXAS.</p>	
<p>DATE: 10/7/15</p>	<p>BY: [Signature]</p>
<p>PROJECT: [Project Name]</p>	<p>SCALE: [Scale]</p>
<p>NOTED: THE SURVEYOR HAS REVIEWED THE RECORDS OF THE PUBLIC RECORDS OF HOUSTON COUNTY, TEXAS, AND HAS FOUND NO RECORDS WHICH AFFECT THIS PROPERTY, BUT CANNOT BE USED HEREIN.</p>	

TEXAS SURVEYING ASSOCIATES

TELE: (936) 632-2729 FAX: (936) 634-6562

email: tsa@tcc.net

# SURVEY PLAT

LUFKIN, TEXAS 75902

P.O. BOX 513  
LUFKIN, TEXAS 75902-0513

**EDWARD WINGATE  
SURVEY A-1089**

NOW OR FORMERLY  
CHARLES ANN FRETAG  
CALLED 11.9 AC.  
[022000000000 612]

NOW OR FORMERLY  
CHARLES F. COOPER, JR., ET UX  
CALLED 2.598 AC.  
[0452453]

NOW OR FORMERLY  
HARRICE ANN FRETAG  
CALLED 26 AC.  
[1138/493]

## J. M. TOULLIS SURVEY A-1039 HOUSTON COUNTY, TEXAS

NOW OR FORMERLY  
CHARLES F. COOPER, JR., ET UX  
CALLED 18.024 AC.  
[1037/327]

NOW OR FORMERLY  
BOBBY L. PARSONS  
CALLED 2.3 AC.  
[625/48]

NOW OR FORMERLY  
TOY F. MATTHEWS, ET AL  
CALLED 249 AC.  
[378/283]

NOW OR FORMERLY  
BILLY J. ROBINSON, ET UX  
RESIDUE OF CALLED 70.740 AC.  
[0311043]

**55.11 AC.**  
OF WHICH 1.37 AC. LIES  
WITHIN THE 10.2235  
AC. LIES  
WITHIN S. R. NO. 2250  
FOR A TOTAL OF  
51.74 AC.

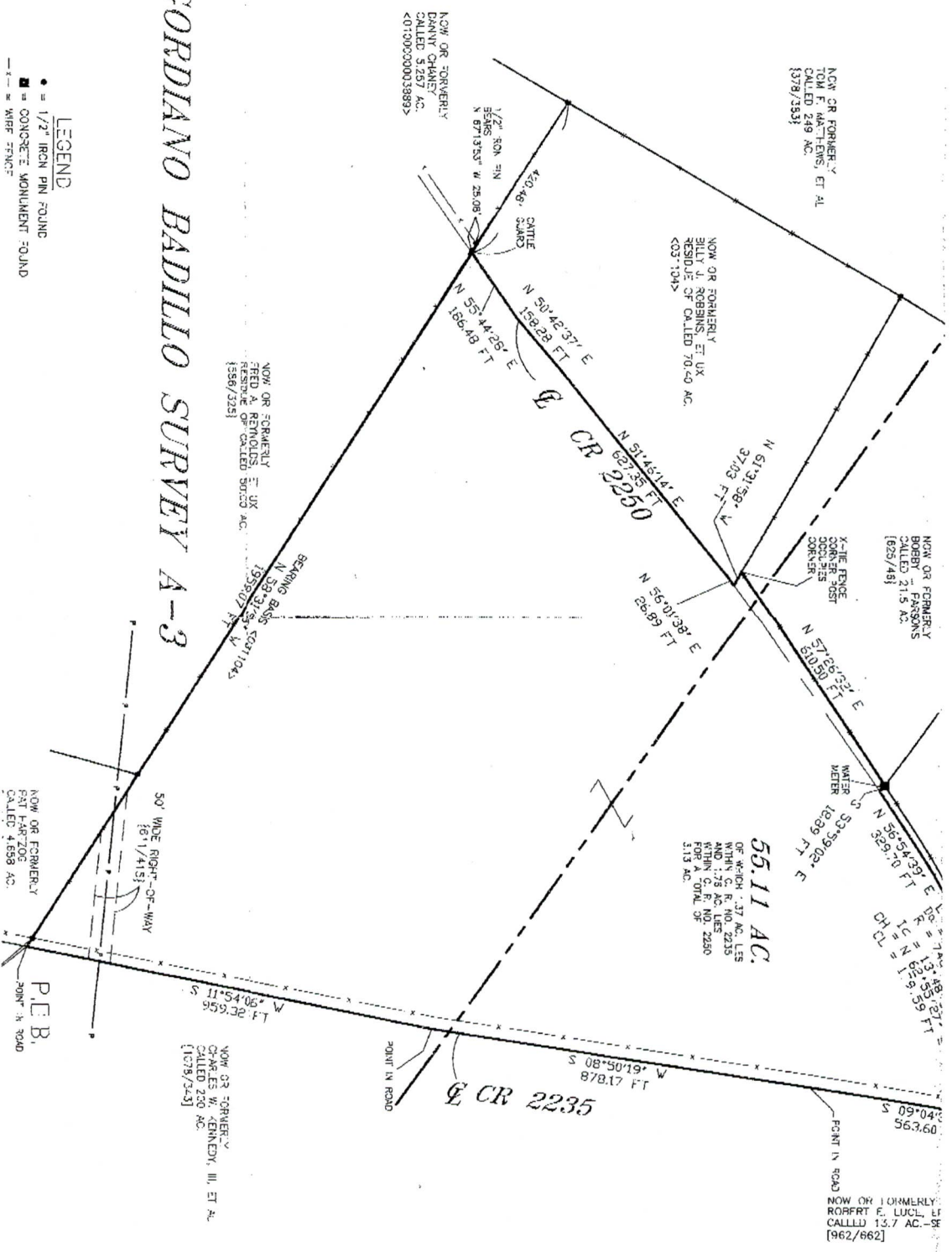


NOW OR FORMERLY  
ROBERT E. LUCE, ET UX  
CALLED 13.7 AC. -SECOND TRACT  
[982/862]



# GORDIANO BADILLO SURVEY A-3

**LEGEND**  
 • = 1/2" IRON PIN FOUND  
 ■ = CONCRETE MONUMENT FOUND  
 - - - = WIDE FENCE



1/4" SECTION  
BEARS S53° W 28.08'  
N 55°44'26"  
196.18 FT

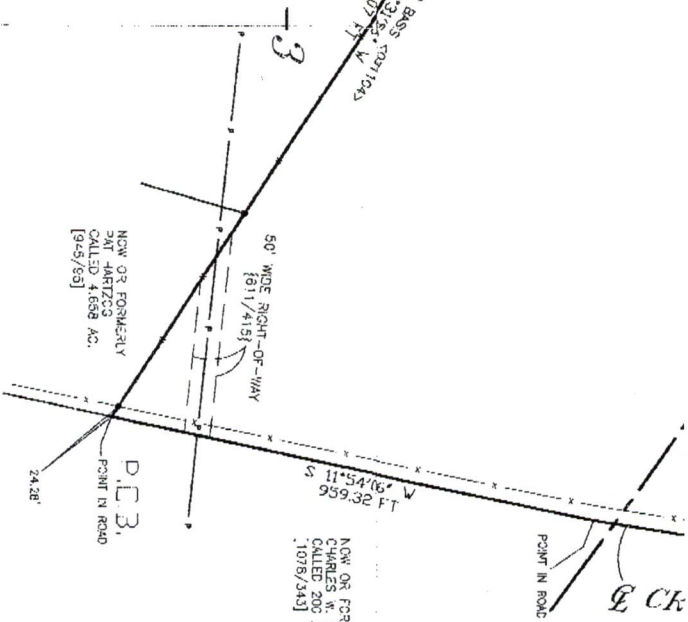
NOW OR FORMERLY  
FRANK A. RONNEN  
RESIDENT OF CALLED 50.00 AC.  
[598/3251]

BEARING BAS.  
N 58°32'22" E 307.1043  
1959/07 1/2

NOW OR FORMERLY  
CHARLES W. KENNEDY, II, ET AL  
[1078/343]

- LEGEND**
- = 1/2" IRON PIN FOUND
  - = CONCRETE MONUMENT FOUND
  - = WIRE FENCE
  - P- = PIPELINE
  - <> = DATA FROM IMAGE RECORDS
  - [ ] = DATA FROM OFFICAL RECORDS
  - [ ] = DATA FROM DEED RECORDS
  - P.O.B. = POINT OF BEGINNING

# GORDIANO BADILLO SURVEY A-3



SCALE: 1"=200'

**CERTIFICATION**

I, THE UNDERSIGNED, DOES HEREBY CERTIFY TO THE PARTIES LISTED BELOW THAT THIS PLAN CORRECTLY REPRESENTS A SURVEY MADE FOR THE RECORD OF THE PROPERTY SHOWN HEREON, AND THAT THERE ARE NO UNRECORDED EASEMENTS, RIGHTS, OR INTERESTS, EXCEPT AS SHOWN HEREON, AND THAT THERE IS NO ACCESS TO A PUBLIC HIGHWAY, EASEMENT, OR RIGHT AS SHOWN HEREON.

EDDIE: 1-08 FAMILY LIMITED PARTNERSHIP  
SEALER: BILLY J. ROBBINS AND CHERON A. MCJAINS  
PLAN NO.: 08352

LENDER: N/A  
TITLE CO.: ALDRICH ABSTRACT COMPANY  
SURVEY DATE: DECEMBER 15, 2009

DO NOT REPLICATE WITHOUT THE CONSENT OF TEXAS SURVEYING ASSOCIATES.

**PROPERTY DESCRIPTION:**  
SEE ATTACHED.

NOTED: THE EASEMENT'S RECORDED IN 6829/774, 6584/493, AND C(700175) DO AFFECT THIS PROPERTY, BUT CANNOT BE LOCATED.



4- HAROLD S. WILLIAMS  
SURVEYOR  
NO. 41889  
STATE OF TEXAS  
COMMISSION NO. 10868







