

## 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: 7719 Prairie Fire Lane, Cypress, Texas 77433

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  $\square$  is  $\boxtimes$  is not occupying the property. If unoccupied (by Seller), how long since Seller has occupied the Property? 4/1/2021 (approximate date) or  $\square$  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.

ltem	Υ	N	U	Item	Υ	N	U	Item	Υ	N	U
Cable TV Wiring	Х			Liquid Propane Gas		Х		Pump: ☐ sump ☐ grinder		X	
Carbon Monoxide Det.		Х		- LP Community (Captive)		Х		Rain Gutters		X	
Ceiling Fans	Χ			- LP on Property		Х		Range/Stove	Х		
Cooktop		Х		Hot Tub		Х		Roof/Attic Vents	Х		
Dishwasher	Х			Intercom System		Х		Sauna		Х	
Disposal	Х			Microwave	Х			Smoke Detector	X		
Emergency Escape Ladder(s)		Х		Outdoor Grill		Х		Smoke Detector Hearing Impaired			X
Exhaust Fan		Х		Patio/Decking		Х		Spa		Х	
Fences	Х			Plumbing System	Х			Trash Compactor		Х	
Fire Detection Equipment	Х			Pool		Х		TV Antenna		Х	
French Drain		Х		Pool Equipment		Х		Washer/Dryer Hookup	Χ		
Gas Fixtures	Х			Pool Maint. Accessories		Х		Window Screens	Х		
Natural Gas Lines	Х			Pool Heater		X		Public Sewer System	Χ		

Item	Υ	N	U	Additional Information
Central A/C	Χ			⊠ electric □ gas number of units: 1
Evaporative Coolers		Χ		number of units:
Wall/Window AC Units		X		number of units:
Attic Fan(s)		Х		if yes, describe:
Central Heat	Χ			☐ electric ☒ gas number of units: 1
Other Heat		X		if yes, describe:
Oven	Χ			number of ovens: 1 □ electric ⊠ gas □ other
Fireplace & Chimney		X		□wood □ gas log □mock □ other
Carport		X		☐ attached ☐ not attached
Garage	Χ			☑ attached ☐ not attached
Garage Door Openers	Χ			number of units: 1 number of remotes: 2
Satellite Dish & Controls		X		□ owned □ leased from:
Security System	Χ			⊠ owned □ leased from:
Solar Panels		X		□ owned □ leased from:
Water Heater	Χ			☐ electric ☒ gas ☐ other number of units: 1
Water Softener		Χ		□ owned □ leased from:

Initialed by: Buyer: \_\_\_\_, \_\_\_ and Seller: <u>DA</u>, <u>PA</u>

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Other Leased Item(s)				es,	desci	ribe:					
Underground Lawn Sprinkler		X	⊠a	auto	matio	c □ man	ual	area	as covered: front, back and si	de ya	ards
Septic / On-Site Sewer Facility			X if Y	es,	attac	h Informa	tion /	Abou	ut On-Site Sewer Facility.(TXF	₹-140	)7)
Water supply provided by: $\Box$ city	y 🗆	W	ell ⊠ MU	D	□ со	-op □ ur	ıknov	vn	□ other:		_
Was the Property built before 19	978?		yes ⊠ no	c [	⊒ unŀ	nown					
(If yes, complete, sign, and attac	ch TX	(R	-1906 con	cer	ning	lead-base	d pai	int h	azards).		
Roof Type: Composite (Shingles	s)					Age: 3 (a <sub>l</sub>	oprox	kima	te)		
Is there an overlay roof covering covering)? ☐ Yes ☒ No ☐ Un	-		Property	(sh	ingle	s or roof c	overi	ing p	placed over existing shingles of	or roc	of
Are you (Seller) aware of any of defects, or are in need of repair?							at are	e not	t in working condition, that have	/e	
Section 2. Are you (Seller) awayou are aware and No (N) if you			•		or ma	lfunction	s in	any	of the following?: (Mark Ye	s (Y)	if
Item	ΥN	]	Item				Y	N	Item	TY	/ N
Basement	X	1 1	Floors					X	Sidewalks		Tx
Ceilings	X		Foundatio	n /	Slab(	s)		X	Walls / Fences	$\top$	Tx
Doors	X		Interior Wa					X	Windows	$\top$	Tx
Driveways	X		Lighting F					X	Other Structural Componen	ts	ĺχ
Electrical Systems	X	1 1	Plumbing			;		X	·		$\top$
Exterior Walls	X	1 1	Roof					X			$\top$
If the answer to any of the items					•	`					
Section 3. Are you (Seller) av No (N) if you are not aware.)	vare	O	ally of th	ie i	Silow	ing cond	ition	51 (	wark fes (f) ii you are awa	e an	ıu
Condition				Υ	N	Conditi	on			Y	/ N
Aluminum Wiring					X	Radon (	Gas				\ \
Asbestos Components					Х	Settling					)
Diseased Trees: ☐ Oak Wilt					X	Soil Mo	veme	ent			7
Endangered Species/Habitat on Property					X	Subsurf	ace S	Struc	cture or Pits		7
Fault Lines					X	Undergi	round	Stc	orage Tanks		>
Hazardous or Toxic Waste					X	Unplatte	ed Ea	sem	nents		7>
Improper Drainage					X	Unrecor	ded	Ease	ements		>
Intermittent or Weather Springs					Х				de Insulation	$\neg$	)
Landfill					X				lot Due to a Flood Event	$\top$	7
ead-Based Paint or Lead-Based Pt Hazards					X	Wetland				$\top$	1>

Radon Gas	X
Settling	X
Soil Movement	X
Subsurface Structure or Pits	X
Underground Storage Tanks	X
Unplatted Easements	X
Unrecorded Easements	X
Urea-formaldehyde Insulation	X
Water Damage Not Due to a Flood Event	X
Wetlands on Property	X
Wood Rot	X
Active infestation of termites or other wood destroying insects (WDI)	Х
Previous treatment for termites or WDI	X
Previous termite or WDI damage repaired	X
Previous Fires	X

Initialed by: Buyer: \_\_\_\_, \_\_\_ and Seller: <u>DA</u>, <u>PA</u>

Χ



Encroachments onto the Property

Located in Historic District Historic Property Designation

Previous Roof Repairs

Previous Foundation Repairs

Improvements encroaching on others' property

- · · · · · · · · · · · · · · · · · · ·	1 1,7	<u> </u>	<del></del>
Previous Other Structural Repairs	X	Termite or WDI damage needing repair	X
Previous Use of Premises for Manufacture of Methamphetamine		Single Blockable Main Drain in Pool/Hot Tub/Spa*	X
If the answer to any of the items in Section 3 is Y	es, exp	<u> </u>	
Previous Roof Repairs – Replaced roof 3 yrs a	igo.		
*A single blockable main drain may cause a suction	n entrapn	nent hazard for an individual.	
		nent, or system in or on the Property that is in ne n this notice? □ Yes ⊠ No If Yes, explain (a	
Section 5. Are you (Seller) aware of any of the check wholly or partly as applicable. Mark No YN Present flood insurance coverage (if yes, at	(N) if y	•	n <b>d</b>
check wholly or partly as applicable. Mark No.  Y N  □ ⊠ Present flood insurance coverage (if yes, a	( <b>N) if y</b> ttach TX	ou are not aware.)	
check wholly or partly as applicable. Mark No.  Y N □ ⊠ Present flood insurance coverage (if yes, a □ ⊠ Previous flooding due to a failure or breach	( <b>N) if y</b> ttach TX of a res	ou are not aware.) (R 1414). servoir or a controlled or emergency release of water	
<ul> <li>Check wholly or partly as applicable. Mark Note Y N</li> <li>□ ⊠ Present flood insurance coverage (if yes, at □ ⊠ Previous flooding due to a failure or breach a reservoir.</li> <li>□ ⊠ Previous flooding due to a natural flood ever the second of t</li></ul>	ttach TX of a res	ou are not aware.) (R 1414). servoir or a controlled or emergency release of water	from
<ul> <li>check wholly or partly as applicable. Mark Note Y N</li> <li>□ ⋈ Present flood insurance coverage (if yes, and who is a previous flooding due to a failure or breach a reservoir.</li> <li>□ ⋈ Previous flooding due to a natural flood even when it is a previous water penetration into a structure 1414).</li> </ul>	ttach TX of a resent (if year	ou are not aware.)  (R 1414).  Servoir or a controlled or emergency release of water s, attach TXR 1414).	from 〈R
<ul> <li>check wholly or partly as applicable. Mark Note Y N</li> <li>□ ⋈ Present flood insurance coverage (if yes, and wholly □ Previous flooding due to a failure or breach a reservoir.</li> <li>□ ⋈ Previous flooding due to a natural flood even wholly □ Previous water penetration into a structure 1414).</li> <li>□ ⋈ Located □ wholly □ partly in a 100-year floor AH, VE, or AR) (if yes, attach TXR 1414).</li> </ul>	ttach TX of a resent (if year on the F	ou are not aware.)  (R 1414).  Servoir or a controlled or emergency release of water s, attach TXR 1414).  Property due to a natural flood event (if yes, attach TX	from 〈R
<ul> <li>check wholly or partly as applicable. Mark Note Y N</li> <li>□ ⋈ Present flood insurance coverage (if yes, and wholly □ Previous flooding due to a failure or breach a reservoir.</li> <li>□ ⋈ Previous flooding due to a natural flood even wholly □ Previous water penetration into a structure 1414).</li> <li>□ ⋈ Located □ wholly □ partly in a 100-year floor AH, VE, or AR) (if yes, attach TXR 1414).</li> </ul>	ttach TX of a resent (if year on the F	ou are not aware.)  (R 1414).  Servoir or a controlled or emergency release of water s, attach TXR 1414).  Property due to a natural flood event (if yes, attach TX  (Special Flood Hazard Area-Zone A, V, A99, AE, AC)  (Moderate Flood Hazard Area-Zone X (shaded)).	from 〈R
<ul> <li>check wholly or partly as applicable. Mark Note Y N</li> <li>□ ⋈ Present flood insurance coverage (if yes, at which will be previous flooding due to a failure or breach a reservoir.</li> <li>□ ⋈ Previous flooding due to a natural flood even which will be previous water penetration into a structure 1414).</li> <li>□ ⋈ Located □ wholly □ partly in a 100-year flow AH, VE, or AR) (if yes, attach TXR 1414).</li> <li>□ ⋈ Located □ wholly □ partly in a 500-year flow wholly □ partly in a 500-year fl</li></ul>	ttach TX of a resent (if year on the F	ou are not aware.)  (R 1414).  Servoir or a controlled or emergency release of water s, attach TXR 1414).  Property due to a natural flood event (if yes, attach TX  (Special Flood Hazard Area-Zone A, V, A99, AE, AC)  (Moderate Flood Hazard Area-Zone X (shaded)).	from 〈R
<ul> <li>check wholly or partly as applicable. Mark Note YN</li> <li>✓ N</li> <li>✓ Present flood insurance coverage (if yes, and wholly or partly in a floodway (if yes, and yes)</li> <li>✓ Previous flooding due to a failure or breach a reservoir.</li> <li>✓ Previous flooding due to a natural flood even the previous water penetration into a structure 1414).</li> <li>✓ Previous water penetration into a structure 1414).</li> <li>✓ Located or wholly or partly in a 100-year flow AH, VE, or AR) (if yes, attach TXR 1414).</li> <li>✓ Located or wholly or partly in a floodway (if yes)</li> </ul>	ttach TX of a resent (if year on the F	ou are not aware.)  (R 1414).  Servoir or a controlled or emergency release of water s, attach TXR 1414).  Property due to a natural flood event (if yes, attach TX  (Special Flood Hazard Area-Zone A, V, A99, AE, AC)  (Moderate Flood Hazard Area-Zone X (shaded)).	from 〈R

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<sup>\*</sup>For purposes of this notice:

<sup>&</sup>quot;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.

<sup>&</sup>quot;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.

<sup>&</sup>quot;Flood pool" means the area adjacent to a reservoir that lies above the normal maximum operating level of the reservoir and that

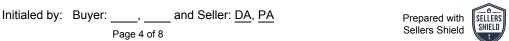
is subject to controlled inundation under the management of the United States Army Corps of Engineers.

"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.).

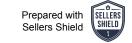
"Floodway" means an area that is identified on the flood insurance rate map as a regulatory floodway, which includes the channel of a river or other watercourse and the adjacent land areas that must be reserved for the discharge of a base flood, also referred to as a 100-year flood, without cumulatively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

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.)
Y 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.
If Yes, please explain:



Concerning the Property at 7719 Prairie Fire Lane, Cypress, Texas 77433
$\ \square$ Homeowners' associations or maintenance fees or assessments.
If Yes, please explain: Homeowners Association
If Yes, complete the following:  Name of association: Yaupon Ranch Homeowners Association Inc.  Manager's name: C. I. A. Services, Inc. 3000 Wilcrest Drive, Suite 200, Houston, TX Phone: 713-981-9000  Fees or assessments are: \$455 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:
$ extstyle \square$ 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, please explain:
□ ☑ Any notices of violations of deed restrictions or governmental ordinances affecting the condition or use of the Property.
If Yes, please explain:
□ ⊠ Any lawsuits or other legal proceedings directly or indirectly affecting the Property. (Includes, but is not limited to: divorce, foreclosure, heirship, bankruptcy, and taxes.)
If Yes, please explain:
$\square$ Any death on the Property except for those deaths caused by: natural causes, suicide, or accident unrelated to the condition of the Property.
If Yes, please explain:



Concerning the Property at 7719 Prairie	e Fire Lane, Cypress, Texas 77433		
☐ ⊠ Any condition on the Prope	erty which materially affects t	he health or safety of an indiv	idual.
If Yes, please explain:			
□ ⊠ Any repairs or treatments, hazards such as asbestos,	other than routine maintenar radon, lead-based paint, ure	· · · · · · · · · · · · · · · · · · ·	emediate environmenta
<del>_</del>	icates or other documentatio mold remediation or other rer	n identifying the extent of the mediation).	remediation (for
☐ ☑ Any rainwater harvesting s public water supply as an a		ty that is larger than 500 gallo	ns and that uses a
If Yes, please explain:			
☐ ☑ The Property is located in a retailer.	a propane gas system servic	e area owned by a propane d	istribution system
If Yes, please explain:			
☐ ☑ Any portion of the Property	that is located in a groundw	ater conservation district or a	subsidence district.
If Yes, please explain:			
Section 9. Seller $\boxtimes$ has $\square$	has not attached a surve	y of the Property.	
Section 10. Within the last 4 persons who regularly provide permitted by law to perform in	e inspections and who are	-	-
Note: A buyer should not rely o	n the above-cited reports as	a reflection of the current con nspectors chosen by the buye	•
Section 11. Check any tax e	,	•	Property:
☐ Homestead	☐ Senior Citizen	<ul><li>□ Disabled</li><li>□ Disabled Veteran</li></ul>	
<ul><li>☐ Wildlife Management</li><li>☐ Other:</li></ul>	□ Agricultural	☐ Disabled Veteran ☐ Unknown	
	Initialed by: Buyer: ,	and Seller: DA, PA	Prenared with SELIERS

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Concerning the Property at 7719 Prairie Fire Lane, Cypress, Texas 77433

	Have you (Seller) ever filed a claim for damage, other than flood damage, to the Property rance provider?
example, an i	Have you (Seller) ever received proceeds for a claim for damage to the Property (for nsurance claim or a settlement or award in a legal proceeding) and not used the proceeds to airs for which the claim was made? $\square$ Yes $\square$ No
detector requ	Does the Property have working smoke detectors installed in accordance with the smoke irements of Chapter 766 of the Health and Safety Code?* ⊠ Yes □ No □ Unknown wn, 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.

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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.

David James Avery	07/29/2021	Patricia Renee Avery	07/29/2021
Signature of Seller	Date	Signature of Seller	Date
Printed Name: David Avery		Printed Name: Patricia Avery	

## 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 <a href="https://publicsite.dps.texas.gov/SexOffenderRegistry">https://publicsite.dps.texas.gov/SexOffenderRegistry</a>. 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:	Windrose Energy	Phone #	(800) 483-1836
Sewer:	Harris County MUD 165	Phone #	281-861-6215
Water:	Harris County MUD 165	Phone #	281-861-6215
Cable:		Phone #	
Trash:	Harris County MUD 165	Phone #	281-861-6215
Natural Gas:	Centerpoint Energy	Phone #	713-659-2111
Phone Company:		Phone #	
Propane:		Phone #	
Internet:		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:	

Initialed by: Buyer: \_\_\_\_, \_\_\_ and Seller: <u>DA</u>, <u>PA</u>

