



## SELLER'S DISCLOSURE NOTICE

©Texas Association of REALTORS®, Inc. 2019

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.**

**1089 Briar Crest Dr.**

**New Ulm, TX 78950-2200**

CONCERNING THE PROPERTY AT \_\_\_\_\_

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? \_\_\_\_\_ (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                                   |
|---|---|---|-------------------------------------|
| <input checked="" type="checkbox"/> Cable TV Wiring       |   |   |                                     |
| <input checked="" type="checkbox"/> Carbon Monoxide Det.  |   |   |                                     |
| <input checked="" type="checkbox"/> Ceiling Fans          |   |   |                                     |
| <input checked="" type="checkbox"/> Cooktop               |   |   |                                     |
| <input checked="" type="checkbox"/> Dishwasher            |   |   |                                     |
| <input type="checkbox"/> Disposal                         |   |   | <input checked="" type="checkbox"/> |
| <input type="checkbox"/> Emergency Escape Ladder(s)       |   |   | <input checked="" type="checkbox"/> |
| <input checked="" type="checkbox"/> Exhaust Fans          |   |   |                                     |
| <input checked="" type="checkbox"/> Fences                |   |   |                                     |
| <input checked="" type="checkbox"/> Fire Detection Equip. |   |   |                                     |
| <input type="checkbox"/> French Drain                     |   |   | <input checked="" type="checkbox"/> |
| <input type="checkbox"/> Gas Fixtures                     |   |   | <input checked="" type="checkbox"/> |
| <input type="checkbox"/> Natural Gas Lines                |   |   | <input checked="" type="checkbox"/> |

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

| Item   | Y | N | U                                   |
|--|---|---|-------------------------------------|
| <input type="checkbox"/> Pump: sump grinder                |   |   | <input checked="" type="checkbox"/> |
| <input checked="" type="checkbox"/> Rain Gutters           |   |   |                                     |
| <input checked="" type="checkbox"/> Range/Stove            |   |   |                                     |
| <input checked="" type="checkbox"/> Roof/Attic Vents       |   |   |                                     |
| <input type="checkbox"/> Sauna                             |   |   | <input checked="" type="checkbox"/> |
| <input checked="" type="checkbox"/> Smoke Detector         |   |   |                                     |
| <input type="checkbox"/> Smoke Detector - Hearing Impaired |   |   | <input checked="" type="checkbox"/> |
| <input type="checkbox"/> Spa                               |   |   | <input checked="" type="checkbox"/> |
| <input type="checkbox"/> Trash Compactor                   |   |   | <input checked="" type="checkbox"/> |
| <input checked="" type="checkbox"/> TV Antenna             |   |   |                                     |
| <input checked="" type="checkbox"/> Washer/Dryer Hookup    |   |   |                                     |
| <input checked="" type="checkbox"/> Window Screens         |   |   |                                     |
| <input type="checkbox"/> Public Sewer System               |   |   | <input checked="" type="checkbox"/> |

| Item                         | Y                                   | N | U                                   | Additional Information   |
|------------------------------|-------------------------------------|---|-------------------------------------|--|
| Central A/C                  | <input checked="" type="checkbox"/> |   |                                     | <input checked="" type="checkbox"/> electric <input type="checkbox"/> gas number of units: <u>1</u>  |
| Evaporative Coolers          |                                     |   | <input checked="" type="checkbox"/> | number of units: _____   |
| Wall/Window AC Units         | <input checked="" type="checkbox"/> |   |                                     | number of units: <u>1 To HR; 2 To garage</u>   |
| Attic Fan(s)                 |                                     |   | <input checked="" type="checkbox"/> | if yes, describe: _____  |
| Central Heat                 | <input checked="" type="checkbox"/> |   |                                     | <input checked="" type="checkbox"/> electric <input type="checkbox"/> gas number of units: <u>1</u>  |
| Other Heat                   |                                     |   | <input checked="" type="checkbox"/> | if yes, describe: _____  |
| Oven                         | <input checked="" type="checkbox"/> |   |                                     | number of ovens: <u>1</u> <input checked="" type="checkbox"/> electric <input type="checkbox"/> gas <input type="checkbox"/> other: _____      |
| Fireplace & Chimney          | <input checked="" type="checkbox"/> |   |                                     | <input checked="" type="checkbox"/> wood <input type="checkbox"/> gas logs <input type="checkbox"/> mock <input type="checkbox"/> other: _____ |
| Carport                      | <input checked="" type="checkbox"/> |   |                                     | <input type="checkbox"/> attached <input checked="" type="checkbox"/> not attached   |
| Garage                       | <input checked="" type="checkbox"/> |   |                                     | <input type="checkbox"/> attached <input checked="" type="checkbox"/> not attached   |
| Garage Door Openers          | <input checked="" type="checkbox"/> |   |                                     | number of units: <u>2</u> number of remotes: <u>2</u>  |
| Satellite Dish & Controls    |                                     |   | <input checked="" type="checkbox"/> | owned <input type="checkbox"/> leased from: _____  |
| Security System              | <input checked="" type="checkbox"/> |   |                                     | <input checked="" type="checkbox"/> owned <input type="checkbox"/> leased from: _____  |
| Solar Panels                 |                                     |   | <input checked="" type="checkbox"/> | owned <input type="checkbox"/> leased from: _____  |
| Water Heater <u>TANKLESS</u> | <input checked="" type="checkbox"/> |   |                                     | electric <input type="checkbox"/> gas <input checked="" type="checkbox"/> other: _____ number of units: <u>1</u>                               |
| Water Softener               |                                     |   | <input checked="" type="checkbox"/> | owned <input type="checkbox"/> leased from: _____  |
| Other Leased Items(s)        |                                     |   | <input checked="" type="checkbox"/> | if yes, describe: <u>NA</u>  |

(TXR-1406) 09-01-19

Initialed by: Buyer: \_\_\_\_\_, \_\_\_\_\_ and Seller: [Signature], [Signature]

Page 1 of 6



Concerning the Property at \_\_\_\_\_

|                                 |                          |                          |                          |                          |  |        |                |
|---------------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--|--------|----------------|
| Underground Lawn Sprinkler      | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | automatic  | manual | areas covered: |
| Septic / On-Site Sewer Facility | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | if yes, attach Information About On-Site Sewer Facility (TXR-1407) |        |                |

Water supply provided by: city  well  MUD  co-op  unknown  other: AKA well pump 247

Was the Property built before 1978?  yes  no  unknown

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

Roof Type: green Age: est 11 yrs (approximate)

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

Are you (Seller) aware of any of the items listed in this Section 1 that are not in working condition, that have defects, or are need of repair?  yes  no If yes, describe (attach additional sheets if necessary): \_\_\_\_\_

**Section 2. Are you (Seller) aware of any defects or malfunctions in any of the following? (Mark Yes (Y) if you are aware and No (N) if you are not aware.)**

| Item               | Y                        | N                                   | 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"/> |                             |                          |                                     |
| Exterior Walls     | <input type="checkbox"/> | <input checked="" type="checkbox"/> | Roof                 | <input type="checkbox"/> | <input checked="" type="checkbox"/> |                             |                          |                                     |

If the answer to any of the items in Section 2 is yes, explain (attach additional sheets if necessary): NA

**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: <u>oak wilt</u>                             | <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"/> |   |                          |                                     |



Concerning the Property at \_\_\_\_\_

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

\*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): NA

**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.)

Y N

- Present flood insurance coverage (if yes, attach TXR 1414).
- Previous flooding due to a failure or breach of a reservoir or a controlled or emergency release of water from a reservoir.
- Previous flooding due to a natural flood event (if yes, attach TXR 1414).
- Previous water penetration into a structure on the Property due to a natural flood event (if yes, attach TXR 1414).
- Located \_\_\_ wholly \_\_\_ 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).
- Located \_\_\_ wholly \_\_\_ partly in a 500-year floodplain (Moderate Flood Hazard Area-Zone X (shaded)).
- Located \_\_\_ wholly \_\_\_ partly in a floodway (if yes, attach TXR 1414).
- Located \_\_\_ wholly \_\_\_ partly in a flood pool.
- Located \_\_\_ wholly \_\_\_ partly in a reservoir.

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

\*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.

Concerning the Property at \_\_\_\_\_

**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): NA

\*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): NA

**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.

Homeowners' associations or maintenance fees or assessments. If yes, complete the following:

Name of association: Cross Creek HOA

Manager's name: C. Chapman & Son Phone: Mark Terry Baker 979-992-2907

Fees or assessments are: \$ 345 per LOT and are:  mandatory  voluntary

Any unpaid fees or assessment for the Property?  yes (\$ NA)  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): \_\_\_\_\_

CCHA fees as stated above



Concerning the Property at \_\_\_\_\_

NA

**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 |
|-----------------|------|-------------------|--------------|
| 09.07.2018      | Home | Jonathan Dooly    | 36           |
|                 |      |                   |              |
|                 |      |                   |              |

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
- Wildlife Management
- Other: \_\_\_\_\_
- Senior Citizen
- Agricultural
- Disabled
- Disabled Veteran
- 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**

**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: [Signature] Date: 09/06/2019 Signature of Seller: [Signature] Date: 09/06/2019  
 Printed Name: Brian Gasto Printed Name: Jennifer Castro



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 <https://publicsite.dps.texas.gov/SexOffenderRegistry>. 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>SAN BERNARD ELECTRIC COOPERATIVE</u>       | phone #: <u>979-865-3171</u> |
| Sewer: <u>NA - SEPTIC</u>                               | phone #: <u>NA</u>           |
| Water: <u>NA - WELL</u>                                 | phone #: <u>NA</u>           |
| Cable: <u>NA - OTA</u>                                  | phone #: <u>NA</u>           |
| Trash: <u>NA</u>  | phone #: <u>NA</u>           |
| Natural Gas: <u>NA</u>                                  | phone #: <u>NA</u>           |
| Phone Company: <u>INDUSTRY TELEPHONE &amp; INTERNET</u> | phone #: <u>979-357-4638</u> |
| Propane: <u>TANK-OWNED; X 2</u>                         | phone #: <u>NA</u>           |
| Internet: <u>INDUSTRY TELEPHONE &amp; INTERNET</u>      | phone #: <u>979-357-4638</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.

|   |       |      |  |       |      |
|---|-------|------|--|-------|------|
|  | _____ | Date |  | _____ | Date |
| Signature of Buyer  |       |      | Signature of Buyer   |       |      |
| Printed Name: <u>BRIAN CASTO</u>  | _____ |      | Printed Name: _____  | _____ |      |





### UPDATE TO SELLER'S DISCLOSURE NOTICE

USE OF THIS FORM BY PERSONS WHO ARE NOT MEMBERS OF THE TEXAS ASSOCIATION OF REALTORS®, INC. IS NOT AUTHORIZED.  
©Texas Association of REALTORS®, Inc. 2010

**UPDATE TO THE SELLER'S DISCLOSURE NOTICE CONCERNING THE PROPERTY AT 1089 Briar Crest Dr., New Ulm, TX 78950-2200**

Seller is aware of the following new information regarding the condition of the Property. Section(s) 1 and 3 are changed to read (cite specific sections and copy the applicable language in the sections verbatim, making any necessary changes): **Section 1: The Property has the items marked below: LP on property; oven is part of range, (there is not a separate oven); roof type is metal;**

**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.):**

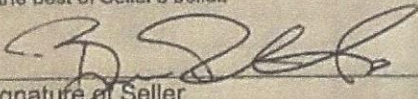
**Diseased Trees: Not aware of disease, however, several dead trees located on property.**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

This Update to the Seller's Disclosure Notice was completed by Seller as of the date signed. No person, including the broker(s), has instructed or influenced Seller to provide inaccurate information or to omit any material information. The brokers have relied on this information as true and correct and have no reason to believe it to be false or inaccurate.

Seller acknowledges that the statements in this form are true to the best of Seller's belief.

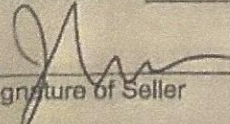
Buyer acknowledges receipt of this form.

 09/15/2021  
Signature of Seller Date

\_\_\_\_\_  
Signature of Buyer Date

Printed Name: Brian Casto

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

 09/15/2021  
Signature of Seller Date

\_\_\_\_\_  
Signature of Buyer Date

Printed Name: Jennifer Casto

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

(TXR 1418) 02-01-18

Page 1 of 1





# INFORMATION ABOUT ON-SITE SEWER FACILITY

USE OF THIS FORM BY PERSONS WHO ARE NOT MEMBERS OF THE TEXAS ASSOCIATION OF REALTORS®, INC. IS NOT AUTHORIZED.  
©Texas Association of REALTORS®, Inc., 2004

1089 Briar Crest Dr.  
New Ulm, TX 78950-2200

## CONCERNING THE PROPERTY AT

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

- (1) Type of Treatment System:  Septic Tank  Aerobic Treatment  Unknown
- (2) Type of Distribution System: UNK  Unknown
- (3) Approximate Location of Drain Field or Distribution System: \_\_\_\_\_  Unknown  
← South of house 450'  
← field lines & tanks in excellent condition per 9/2018 inspection & cleaning  
← via approved portable toilets
- (4) Installer: UNK  Unknown
- (5) Approximate Age: at 18  Unknown

### B. MAINTENANCE INFORMATION:

- (1) Is Seller aware of any maintenance contract in effect for the on-site sewer facility?  Yes  No  
If yes, name of maintenance contractor: NA  
Phone: NA contract expiration date: \_\_\_\_\_  
*Maintenance contracts must be in effect to operate aerobic treatment and certain non-standard on-site sewer facilities.)*
- (2) Approximate date any tanks were last pumped? 09/18/2018 - (2) 500 gal tanks cleaned
- (3) Is Seller aware of any defect or malfunction in the on-site sewer facility?  Yes  No  
If yes, explain: NA
- (4) Does Seller have manufacturer or warranty information available for review?  Yes  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  \_\_\_\_\_  
NA
- (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.**



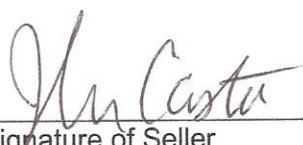
Information about On-Site Sewer Facility concerning \_\_\_\_\_

**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)<br/>without water-<br/>saving devices</u> | <u>Usage (gal/day)<br/>with water-<br/>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.

  
\_\_\_\_\_  
Signature of Seller  
**Brian Casto**  
Date 09/06/2021

  
\_\_\_\_\_  
Signature of Seller  
**Jennifer Casto**  
Date 09/06/2021

Receipt acknowledged by:

\_\_\_\_\_  
Signature of Buyer  
Date

\_\_\_\_\_  
Signature of Buyer  
Date





APPROVED BY THE TEXAS REAL ESTATE COMMISSION (TREC)  
FOR VOLUNTARY USE

10-10-11

### NON-REALTY ITEMS ADDENDUM

TO CONTRACT CONCERNING THE PROPERTY AT

1089 Briar Crest Dr., New Ulm, TX 78950-2200  
(Address of Property)

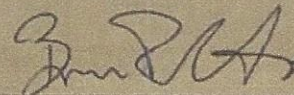
A. For an additional sum of \$ 0.00 and other and good valuable consideration, Seller shall convey to Buyer at closing the following personal property (specify each item carefully, include description, model numbers, serial numbers, location, and other information):

- Whirlpool Side-by-Side refrigerator Model #WRS586FIEM04 Serial #HR91756939
- G/E Dishwasher Model #PDW8680N00SS Serial #RL814264B
- Whirlpool Washer Model #WTW4816FW2 Serial #C80123676
- Whirlpool Dryer Model #WED4815EW1 Serial #M74771816
- G/E Flat Surface Electric Range
- Sunbeam Microwave
- Denon Surround Sound System
- Samsung TV (Living Room), Samsung TV (Primary Bedroom), Vizio TV (Bedroom #3),
- Samsung TV (Bedroom #4)
- Scotsman Ice Machine located in the well house

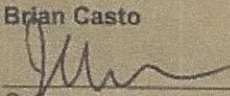
B. Seller represents and warrants that Seller owns the personal property described in Paragraph A free and clear of all encumbrances.

C. Seller does not warrant or guarantee the condition or future performance of the personal property conveyed by this document.

\_\_\_\_\_  
Buyer

  
\_\_\_\_\_  
Seller  
Brian Casto

\_\_\_\_\_  
Buyer

  
\_\_\_\_\_  
Seller  
Jennifer Casto

This form has been approved by the Texas Real Estate Commission for voluntary use by its licensees. Copies of TREC rules governing real estate brokers, salesperson and real estate inspectors are available at nominal cost from TREC, Texas Real Estate Commission, P.O. Box 12188, Austin, TX 78711-2188, 512-936-3000 (<http://www.trec.texas.gov>)

(TXR-1924) 10-10-11

TREC NO. OP-M





NON-REALTY ITEMS ADDENDUM

TO CONTRACT CONCERNING THE PROPERTY AT

1089 Briar Crest Dr., New Ulm, TX 78950-2200

(Address of Property)

A. For an additional sum of \$ NEGOTIABLE and other and good valuable consideration, Seller shall convey to Buyer at closing the following personal property (specify each item carefully, include description, model numbers, serial numbers, location, and other information):

- KEARNY TRAILER 20FT/10K VIN 5LCLB2025H1D45099; LOCATED BY SHOP
- KAWASAKI MULE 3010 TRANS 4X4 W EST 724 HES; LOCATED IN GARAGE; SPARE PARTS IN SHOP
- GRAVELY 2T-HD 60 W 24HP KAWASAKI W EST 210 HES +; LOCATED IN SHOP
- MAHINDRA 505 D1 TRACTOR / FRONT END LOADER W 843 HES; SER NO DC 373; LOCATED IN SHOP
- KING KUTTER SHERIDAN; LOCATED IN SHOP
- ATV BROADCAST SPREADER; LOCATED IN SHOP
- PALLET FORKS FOR FRONT END LOADER; LOCATED IN SHOP.
- BOX BLADE; LOCATED OUTSIDE OF SHOP IN CONCRETE PAD
- HAY SPEAR; LOCATED IN HAY STORAGE BUILDING

- B. Seller represents and warrants that Seller owns the personal property described in Paragraph A free and clear of all encumbrances.
C. Seller does not warrant or guarantee the condition or future performance of the personal property conveyed by this document.

Buyer

Seller

Brian Casto

Buyer

Seller

Jennifer Casto

This form has been approved by the Texas Real Estate Commission for voluntary use by its licensees. Copies of TREC rules governing real estate brokers, salesperson and real estate inspectors are available at nominal cost from TREC. Texas Real Estate Commission, P.O. Box 12188, Austin, TX 78711-2188, 512-936-3000 (http://www.trec.texas.gov)



Exclusions (pg. 2/11) of contract; pix as needed for reference:

1089 BriarCrest Dr.  
NEW ULM, TX 78950

- Personal framed pic on living room wall
  - Fireplace candle holder, 5 place/ metal in living room
  - Framed "Come & Take It" picture on mantel
  - Framed Texas map on living room wall
  - Internet modem/router & telephone handsets
  - Fleur de Lis on mantel
  - Spices/food in pantry & fridge
  - Red leather chairs x 2 living room ; with 2 throw pillows
  - Framed pic of longhorn in dining room
  - Metal art hanger & prints x3 in dining room
  - Framed cross stitch end of hallway by bathroom
  - Floor fan in bedroom
  - Alarm clocks x3 in bedrooms
  - Paris lamp & shade in bedroom
  - Small personal shelf safe in master closet and contents of
  - Clothes/shoes in closets
  - Accent chairs x 2 in master bedroom
  - Toiletries in bathrooms
  - Dynatrap x2 by front porch & outdoor kitchen
  - Wood art pic of beach by side door of house
  - Rubber boots x 2 on covered porch
  - Green PVC Adirondack chairs x5 on patio
  - Diamond C logo on outdoor patio fireplace
  - Fishing pole & painted fish in garage
  - Contents of garage closets/ rooms/workbench/walls, contents of big safe. Ladders, blower, tools, Electrical cords,
    - Big safe & table/chairs in garage room convey, ping pong table convey, grey step ladder on wheels convey
  - Shiplap/lumber on top of garage rooms
  - Kayak on top of garage rooms
  - Diamond C metal logo on front of garage
  - Stained glass flower in master bath
  - Tools in greenhouse, tools/contents of shop & garage
    - Workbench, fencing, material, PVC pipes & PVC fittings convey
  - Kearney 20 foot trailer by shop
  - Gravely ZT-HD60 mower in shop
  - Mahindra 5005DI Tractor in shop
  - ATV Broadcast spreader in shop
  - Pallet Forks in shop
  - Box Blade Outside of shop
  - Hay Spear in hay storage area
  - Kawasaki Mule 3010 Trans 4x4 in garage
-