

For Sale

4452 BOGGY CREEK RD, BRENHAM



WELCOME TO



WASHINGTON COUNTY

Welcome to the picturesque, rolling hills of Washington County! This gorgeous 2-acre property dotted with hardwoods and a variety of fruit trees includes a charming 2/1 open living space home with a detached 2-car garage with 1/2 bath, storage building, chicken coop, greenhouse, and RV cover with electric hookups. Recent updates include a new roof, siding, foundation leveling, kitchen appliances, countertops, landscaping, and well pump with water filtration system. Enjoy peaceful, country living coupled with stunning, hilltop views of colorful wildflowers in the springtime. Fabulous location just 6 miles to all the attractions and conveniences of Brenham, 20 miles to recreational activities at Lake Somerville, and only 35 miles to College Station.

Gabri R. Means

979.277.8687

Market Realty, Inc.



- Boundary
- 100 Year Floodplain
- 500 Year Floodplain
- Floodway
- Special
- Unmapped/ Not Included
- Crude Oil
- Natural Gas
- Other

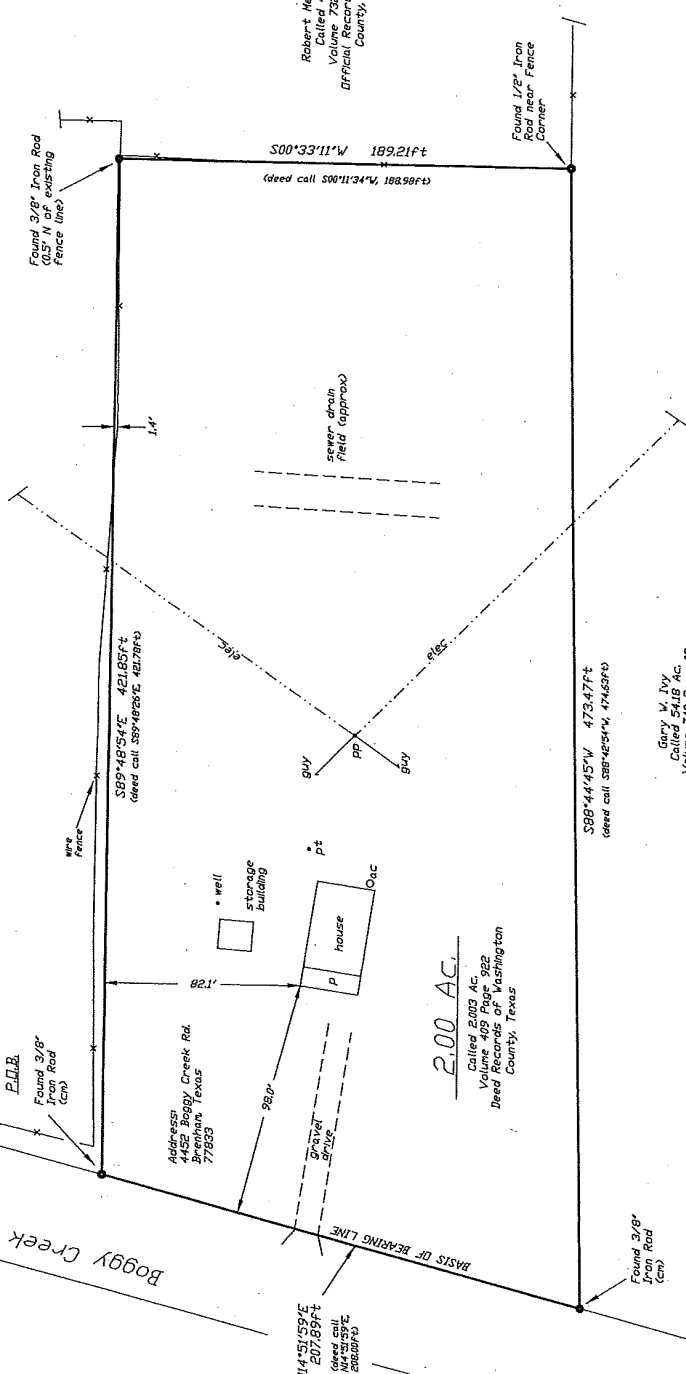
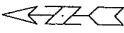
pp = power (electric) pole
 ac = air conditioner unit
 pt = propane tank
 cm = corner monument

The tract shown herein does not lie within the flood hazard zone as shown on the Flood Hazard Boundary Map for Washington County, Texas, Community Panel No. 481188 006A, effective date May 26, 1977.

John Cole Survey
 Abstract No. 32
 Washington County, Texas

Ralph Alexander
 Called 2,213 Ac.
 Volume 843 Page 557
 Official Records of Washington
 County, Texas

Scale 1" = 50'



Robert Heier, et ux
 Called 4981 Ac.
 Volume 736 Page 825
 Official Records of Washington
 County, Texas

MORTGAGEE WELLS FARGO HOME MORTGAGE
 MORTGAGOR: ROBERT MEYER

Robert Meyer

D.A. Blakey & Associates
 Land Surveying
 RPLS 4052

4650 Wilhelm Lane,
 Burton, Texas 77835

W.D.#20552

(979) 889-9900

2.00 AC.
 Called 2,003 Ac.
 Volume 409 Page 922
 Deed Records of Washington
 County, Texas

S88°44'45"W 473.47ft
 (deed call S88°45'14"W, 474.65ft)

Gary V. Ivy
 Called 5418 Ac.
 Volume 740 Page 03
 Official Records of Washington
 County, Texas

I, David A. Blakey, Registered Professional Land Surveyor, do hereby certify that the plat shown hereon accurately represents the results of an on the ground survey made by me on November 13, 2000 and all corners are as shown. There are no conflicts or protrusions apparent on the ground except as shown. This survey was made in connection with the transaction described in G.F. No. 00-169 of Stone Abstract Company, Brenham, Texas. Use of this survey for any other purpose or by other parties shall be at their own risk and the undersigned surveyor is not responsible for any loss resulting therefrom.

David A. Blakey
 David A. Blakey
 Registered Professional Land Surveyor No. 4052

D. A. Blakey & Associates

Land Surveying
4650 Wilhelm Lane
Burton, Texas 77835-5794

Telephone/Fax 979-289-3900

ROBERT MEYER
2.00 ACRE TRACT

ALL THAT TRACT OR PARCEL OF LAND containing 2.00 acres, situated in Washington County, Texas, being out of the John Cole Survey, Abstract No. 32, and being the same tract called 2.003 acres described in a deed from Doris E. Meyer to Robert Meyer dated February 24, 1981 and recorded in Volume 409, Page 922 of the Deed Records of Washington County, Texas, said 2.00 acre tract being more particularly described as follows:

BEGINNING at a found 3/8 inch iron rod, in the Southeast margin of Boggy Creek Road (county road), marking the Southwest corner of the Ralph Alexander called 2.213 acre tract (Volume 843, Page 557, Official Records of Washington County, Texas), the Northwest corner of the original called 2.003 acre tract, and the Northwest corner of the herein described tract;

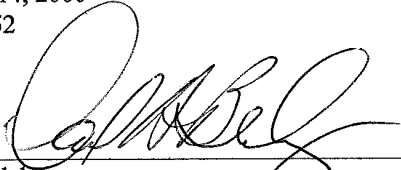
THENCE departing said road margin, with the South line of the Alexander tract, being the North line of the herein described tract, S 89deg 48min 54sec E, 421.85 ft. (deed call S 89deg 48min 26sec E, 421.78 ft.) to a found 3/8 inch iron rod (approximately 0.5 ft. North of an existing wire fence), marking a lower Westerly corner of the Robert Meier, et ux called 49.81 acre tract (Volume 732, Page 826, Official Records of Washington County, Texas), the Northeast corner of the original called 2.003 acre tract, and the Northeast corner of the herein described tract;

THENCE departing the South line of the Alexander tract, with a West line of the Meier tract, S 00deg 33min 11sec W, 189.21 ft. (deed call S 00deg 11min 34sec W, 188.98 ft.) to a found 1/2 inch iron rod near fence corner, in the North line of the Gary W. Ivy called 54.18 acre tract (Volume 740, Page 03, Official Records of Washington County, Texas), marking the Southwest corner of the Meier tract and Southeast corner of the herein described 2.00 acre tract;

THENCE with a North line of the Ivy tract, S 88deg 44min 45sec W, 473.47 ft. (deed call S 88deg 42min 54sec W, 474.63 ft.) to a found 3/8 inch iron rod, in the Southeast margin of Boggy Creek Road, marking the Northwest corner of the Ivy tract and Southwest corner of the herein described tract;

THENCE with said road margin, N 14deg 51min 59sec E, 207.89 ft. (deed call N 14deg 51min 59sec E, 208.00 ft.) (this line being the BASIS OF BEARING LINE for this survey) to the PLACE OF BEGINNING and containing 2.00 acres of land.

November 14, 2000
W.O.#20552



David A. Blakey
Registered Professional Land Surveyor No. 4052



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.**

**4452 Boggy Creek Road
Brenham, TX 77833**

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
Cable TV Wiring			U
Carbon Monoxide Det.		N	
Ceiling Fans	Y		
Cooktop	Y		
Dishwasher	Y		
Disposal		N	
Emergency Escape Ladder(s)		N	
Exhaust Fans	Y		
Fences	Y		
Fire Detection Equip.	Y		
French Drain	Y		U
Gas Fixtures	Y		
Natural Gas Lines		N	

Item	Y	N	U
Liquid Propane Gas:	Y		
-LP Community (Captive)			U
-LP on Property			U
Hot Tub		N	
Intercom System		N	
Microwave	Y		
Outdoor Grill		N	
Patio/Decking		N	
Plumbing System		N	
Pool		N	
Pool Equipment		N	
Pool Maint. Accessories		N	
Pool Heater		N	

Item	Y	N	U
Pump: sump grinder			
Rain Gutters		N	
Range/Stove	Y		
Roof/Attic Vents	Y		
Sauna		N	
Smoke Detector	Y		
Smoke Detector - Hearing Impaired		N	
Spa		N	
Trash Compactor		N	
TV Antenna		N	
Washer/Dryer Hookup	Y		
Window Screens	Y		
Public Sewer System		N	

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

(TXR-1406) 07-08-22

Initialed by: Buyer: _____ and Seller:

Page 1 of 6

Concerning the Property at _____

Underground Lawn Sprinkler	<input checked="" type="checkbox"/> N	<input type="checkbox"/> automatic <input type="checkbox"/> manual	areas covered: _____
Septic / On-Site Sewer Facility	<input checked="" type="checkbox"/> X	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 Age: 4 1/2 years (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): Garage Door opener does work but not looprent. you have to hold the button down for it to close

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		N	Floors		N	Sidewalks		N
Ceilings		N	Foundation / Slab(s)		N	Walls / Fences		N
Doors		N	Interior Walls		N	Windows		N
Driveways		N	Lighting Fixtures		N	Other Structural Components		N
Electrical Systems		N	Plumbing Systems		N			
Exterior Walls		N	Roof		N			

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		N	Radon Gas		N
Asbestos Components		N	Settling		N
Diseased Trees: <u>oak wilt</u>		N	Soil Movement		N
Endangered Species/Habitat on Property		N	Subsurface Structure or Pits		N
Fault Lines		N	Underground Storage Tanks		N
Hazardous or Toxic Waste		N	Unplatted Easements		N
Improper Drainage		N	Unrecorded Easements		N
Intermittent or Weather Springs		N	Urea-formaldehyde Insulation		N
Landfill		N	Water Damage Not Due to a Flood Event		N
Lead-Based Paint or Lead-Based Pt. Hazards		N	Wetlands on Property		N
Encroachments onto the Property		N	Wood Rot		N
Improvements encroaching on others' property		N	Active infestation of termites or other wood destroying insects (WDI)		N
Located in Historic District		N	Previous treatment for termites or WDI		N
Historic Property Designation		N	Previous termite or WDI damage repaired		N
Previous Foundation Repairs	Y	N	Previous Fires		N
Previous Roof Repairs		N	Termite or WDI damage needing repair		N
Previous Other Structural Repairs		N	Single Blockable Main Drain in Pool/Hot Tub/Spa*		N
Previous Use of Premises for Manufacture of Methamphetamine		N			

(TXR-1406) 07-08-22

Initialed by: Buyer: _____ and Seller:  

Concerning the Property at _____

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):

not 100 percent sensor on garage door works, but finger on it to close the door. Rotted piece of wood around the entry to garage door.

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.)

- | | | |
|-----------|-----------|---|
| <u>Y</u> | <u>N</u> | |
| <u> </u> | <u> </u> | Present flood insurance coverage. |
| <u> </u> | <u> </u> | Previous flooding due to a failure or breach of a reservoir or a controlled or emergency release of water from a reservoir. |
| <u> </u> | <u> </u> | Previous flooding due to a natural flood event. |
| <u> </u> | <u> </u> | Previous water penetration into a structure on the Property due to a natural flood. |
| <u> </u> | <u> </u> | Located <u> </u> wholly <u> </u> partly in a 100-year floodplain (Special Flood Hazard Area-Zone A, V, A99, AE, AO, AH, VE, or AR). |
| <u> </u> | <u> </u> | Located <u> </u> wholly <u> </u> partly in a 500-year floodplain (Moderate Flood Hazard Area-Zone X (shaded)). |
| <u> </u> | <u> </u> | Located <u> </u> wholly <u> </u> partly in a floodway. |
| <u> </u> | <u> </u> | Located <u> </u> wholly <u> </u> partly in a flood pool. |
| <u> </u> | <u> </u> | Located <u> </u> wholly <u> </u> partly in a reservoir. |

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

***If Buyer is concerned about these matters, Buyer may consult Information About Flood Hazards (TXR 1414).**

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) 07-08-22

Initialed by: Buyer: _____, _____ and Seller:  

Page 3 of 6

Concerning the Property at _____

Section 9. 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 10. 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 11. Have you (Seller) ever filed a claim for damage, other than flood damage, to the Property with any insurance provider? yes no

Section 12. 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 13. 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: Paula Pilsner Date: 1/15/24 Signature of Seller: FRANK PILSNER Date: 1-15-24

Printed Name: Paula Pilsner / 1/15/24 Printed Name: FRANK PILSNER

(TXR-1406) 07-08-22 Initialed by: Buyer: _____ and Seller: _____ Page 5 of 6

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. 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: Bluebonnet Electric
 Sewer: _____
 Water: _____
 Cable: _____
 Trash: BVR
 Natural Gas: _____
 Phone Company: _____
 Propane: Fayetteville Propane
 Internet: Zochnet

phone #: 1800-842-7708
 phone #: _____
 phone #: _____
 phone #: _____
 phone #: 979-836-7044
 phone #: _____
 phone #: _____
 phone #: 979-836-7044
 phone #: 1877-866-7770

(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.

Paula Pilsner /15/24 Travis Pilsner 1-15-24
 Signature of Buyer Date Signature of Buyer Date
 Printed Name: Paula Pilsner /15/24 Printed Name: TRAVIS Pilsner

(TXR-1406) 07-08-22 Initialed by: Buyer: _____ and Seller: [Initials] Page 6 of 6



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.
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4452 Boggy Creek Road
Brenham, TX 77833

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: _____ Unknown
- (3) Approximate Location of Drain Field or Distribution System: Further to the back of property before fence posts. Unknown
- (4) Installer: _____ Unknown
- (5) Approximate Age: _____ 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: _____
Phone: _____ 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? Not Sure
- (3) Is Seller aware of any defect or malfunction in the on-site sewer facility? Yes No
If yes, explain: _____
- (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 _____
- (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.**

(TXR-1407) 1-7-04

Initialed for Identification by Buyer _____, _____ and Seller JP MP

Page 1 of 2

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.



Signature of Seller
Travis Pilsner

1-15-24

Date



Signature of Seller
Paula Pilsner

1/15/24

Date

Receipt acknowledged by:

Signature of Buyer

Date

Signature of Buyer

Date



Information About Brokerage Services

Texas law requires all real estate license holders to give the following information about brokerage services to prospective buyers, tenants, sellers and landlords.

11-2-2015



TYPES OF REAL ESTATE LICENSE HOLDERS:

- A **BROKER** is responsible for all brokerage activities, including acts performed by sales agents sponsored by the broker.
- A **SALES AGENT** must be sponsored by a broker and works with clients on behalf of the broker.

A BROKER'S MINIMUM DUTIES REQUIRED BY LAW (A client is the person or party that the broker represents):

- Put the interests of the client above all others, including the broker's own interests;
- Inform the client of any material information about the property or transaction received by the broker;
- Answer the client's questions and present any offer to or counter-offer from the client; and
- Treat all parties to a real estate transaction honestly and fairly.

A LICENSE HOLDER CAN REPRESENT A PARTY IN A REAL ESTATE TRANSACTION:

AS AGENT FOR OWNER (SELLER/LANDLORD): The broker becomes the property owner's agent through an agreement with the owner, usually in a written listing to sell or property management agreement. An owner's agent must perform the broker's minimum duties above and must inform the owner of any material information about the property or transaction known by the agent, including information disclosed to the agent or subagent by the buyer or buyer's agent.

AS AGENT FOR BUYER/TENANT: The broker becomes the buyer/tenant's agent by agreeing to represent the buyer, usually through a written representation agreement. A buyer's agent must perform the broker's minimum duties above and must inform the buyer of any material information about the property or transaction known by the agent, including information disclosed to the agent by the seller or seller's agent.

AS AGENT FOR BOTH - INTERMEDIARY: To act as an intermediary between the parties the broker must first obtain the written agreement of *each party* to the transaction. The written agreement must state who will pay the broker and, in conspicuous bold or underlined print, set forth the broker's obligations as an intermediary. A broker who acts as an intermediary:

- Must treat all parties to the transaction impartially and fairly;
- May, with the parties' written consent, appoint a different license holder associated with the broker to each party (owner and buyer) to communicate with, provide opinions and advice to, and carry out the instructions of each party to the transaction.
- Must not, unless specifically authorized in writing to do so by the party, disclose:
 - o that the owner will accept a price less than the written asking price;
 - o that the buyer/tenant will pay a price greater than the price submitted in a written offer; and
 - o any confidential information or any other information that a party specifically instructs the broker in writing not to disclose, unless required to do so by law.

AS SUBAGENT: A license holder acts as a subagent when aiding a buyer in a transaction without an agreement to represent the buyer. A subagent can assist the buyer but does not represent the buyer and must place the interests of the owner first.

TO AVOID DISPUTES, ALL AGREEMENTS BETWEEN YOU AND A BROKER SHOULD BE IN WRITING AND CLEARLY ESTABLISH:

- The broker's duties and responsibilities to you, and your obligations under the representation agreement.
- Who will pay the broker for services provided to you, when payment will be made and how the payment will be calculated.

LICENSE HOLDER CONTACT INFORMATION: This notice is being provided for information purposes. It does not create an obligation for you to use the broker's services. Please acknowledge receipt of this notice below and retain a copy for your records.

Market Realty, Inc. Licensed Broker /Broker Firm Name or Primary Assumed Business Name	462379 License No.	agents@marketrealty.com Email	979.836.9600 Phone
Susan Schulenberg Kiel Designated Broker of Firm	558624 License No.	burton@marketrealty.com Email	979.251.4078 Phone
Licensed Supervisor of Sales Agent/ Associate	License No.	Email	Phone
Gabri Ripple Means Sales Agent/Associate's Name	779479 License No.	gabrimmeans@gmail.com Email	979.277.8687 Phone

Buyer/Tenant/Seller/Landlord Initials

Date