

PAGE 1 OF 2
SURVEY NOT COMPLETE
WITHOUT BOTH PAGES AND
THE FIELDNOTES DESCRIPTION

ACCORDING TO THE FEMA FLOOD
INSURANCE RATE MAP #48149C0300C,
EFFECTIVE OCTOBER 17, 2006, THIS
TRACT APPEARS TO LIE IN ZONE "X".
AREAS DETERMINED TO BE OUTSIDE THE
0.2% ANNUAL CHANCE FLOODPLAIN.

THIS SURVEY SUBSTANTIALLY COMPLIES WITH THE CURRENT TEXAS
SOCIETY OF PROFESSIONAL SURVEYORS STANDARDS AND
SPECIFICATIONS FOR A CATEGORY 1A, CONDITION 2 SURVEY.
SURVEY NOT COMPLETE WITHOUT BOTH PLAT AND FIELDNOTES
DESCRIPTION. THIS IS NOT A VALID LEGAL DOCUMENT WITHOUT
ORIGINAL SEAL AND SIGNATURE. DO NOT REVISE, DELETE, REDUCE,
COPY, FAX, ALTER OR REPRODUCE THIS DOCUMENT IN ANY WAY.
ONLY RECORD IF ORIGINAL SEAL AND SIGNATURE ARE INCLUDED.
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WILLIAM P. BERNSSEN
REGISTERED PROFESSIONAL LAND SURVEYOR
STATE OF TEXAS #5506
SURVEYED DECEMBER 5, 2006
REFERENCE TASK #2005072001
110 FAYETTE STREET, FAYETTEVILLE, TEXAS 78940

LEGEND	
○	CALCULATED POINT
⊙	FOUND 3/4" IRON PIPE
⊙	FOUND BUILDING CORNER
⊙	SET 5/8" IRON ROD WITH ORANGE PLASTIC CAP STAMPED "ABSOLUTE GEOMATICS"
FCDR	FAYETTE COUNTY DEED RECORDS
FCOPR	FAYETTE COUNTY OFFICIAL PUBLIC RECORDS
(ABC123)	RECORD INFORMATION
XXX VOL/PAGE	RECORD INFORMATION *SEE RECORD NOTES*

ABSOLUTE GEOMATICS

P.O. BOX 1139
LA GRANGE, TX 78945
TEL (979)988-3533
FAX (979)988-3761
(888)MAP-THIS

"SURVEYING THE GREAT
STATE OF TEXAS"

SURVEY PLAT TO ACCOMPANY FIELDNOTES DESCRIPTION OF A
0.3852 ACRE TRACT OF LAND SITUATED IN THE TOWN OF
FAYETTEVILLE, IN FAYETTE COUNTY, TEXAS. THE SAID TRACT
BEING ALL OF LOT 21 AND A PORTION OF LOT 22, BLOCK 2
OF THE SAID TOWN OF FAYETTEVILLE, ACCORDING TO THE
PLAT THEREOF (240/12) RECORDED IN THE FAYETTE COUNTY
DEED RECORDS; BEING A PORTION OF ABSTRACT 98,
ALEXANDER THOMPSON, ORIGINAL GRANTEE; AND BEING ALL
OF THAT CERTAIN TRACT OF LAND CONVEYED TO BARBARA
LORAYNE BLOOM BY AN INSTRUMENT (1035/118) RECORDED
IN THE FAYETTE COUNTY OFFICIAL PUBLIC RECORDS





0.3852 Acres
 December 6, 2006

Doc. #2006120602
 Task #2006112801

FIELDNOTES DESCRIPTION

Fieldnotes description to accompany survey plat of a 0.3852 acre tract of land situated in the Town of Fayetteville, in Fayette County, Texas. The said tract being all of Lot 21, and a portion of Lot 22, Block 2 of the said Town of Fayetteville, according to the plat thereof (240/12) recorded in the Fayette County Deed Records (FCDR); being a portion of Abstract 98, Alexander Thompson original grantee; being all of that certain tract of land conveyed to Barbara Lorayne Bloom by an instrument (1035/116) recorded in the Fayette County Official Public Records (FCOPR); and being more particularly described by metes and bounds as follows:

BEGINNING at an iron rod set ("iron rod set" denotes a 5/8 inch iron rod set with an orange plastic cap stamped "ABSOLUTE GEOMATICS") at the intersection of the southeast right-of-way line of Fayette Street (50' R.O.W.) with the southwest line of Church Street (50' R.O.W.) for the north corner of Block 2, same being the north corner of the herein described tract;

Thence, S47°00'00"E, 111.86 feet with the southwest line of Church Street, same being the northeast line of Lots 21 and 22, to an iron rod set for the north corner of that certain 0.273 acre tract of land conveyed to Baca's Saloon and Confectionery, L.L.C. by an instrument (1078/568 FCOPR, see 71/424 FCDR for original description), same being the east corner of the herein described tract, whence a point for the south corner of Block 2 bears S47°00'00"E, continuing with the southwest line of Church Street, at a distance of 84.14 feet pass a 3/4 inch iron pipe found for the east corner of that certain tract of land conveyed to John Piscak by an instrument (29/472 FCDR), same being the north corner of that certain tract of land conveyed to Ignatz Reckjun by an instrument (32/171 FCDR), and continuing for a total distance of 188.06 feet to a point for the east corner of Block 2, and S43°00'00"W, with the northwest line of Main Street, at a distance of 210.00 feet pass a 3/4 inch iron pipe found for reference, and continuing for a total distance of 300.00 feet;

Thence, S43°00'00"W, 150.00, feet leaving the southwest line of Church Street, across Lot 22, with the common line between the herein described tract and the said Baca's Saloon tract, to an iron rod set on the common line between Lots 22 and 11 for the east corner of that certain 2200 sq. ft. tract of land conveyed to Patricia S. Johnson by an instrument (1052/808 FCOPR), same being the south corner of the herein described tract, whence a 1 inch iron pipe found for reference bears N24°37'16"W, 1.50 feet;

Thence, N47°00'00"W, 111.86 feet, leaving the northwest line of the said Baca's Saloon tract, with the common line between Lots 11 and 22, and Lots 12 and 21, same being the common line between the herein described tract and the following four tracts: the said Johnson tract, that certain 6295.9375 sq. ft. tract of land conveyed to Jerome P. Chovanec, et ux Shirley by an instrument (486/994 FCDR), that certain 7969 sq. ft. tract of land conveyed to Eddie E. and Rosie Chovanec by an instrument (198/592 FCDR), and that certain 5400 sq. ft. tract of land conveyed to Eddie E. and Rosie Chovanec by an instrument (294/521 FCDR); to an iron rod set on the southeast line of Fayette Street for the common northwesterly corner of Lots 12 and 21, same being the north corner of the said Eddie Chovanec tract (294/521), and the west corner of the herein described tract, whence the said point for the south corner of Block 2 bears S43°00'00"W, 150.00 feet with the southeast line of Fayette Street to a building corner found for the west corner of Block 2, and S47°00'00"E (Basis of Bearing), with the northeast line of Live Oak Street, same being the face of the existing buildings, at a distance of 88.89 feet pass a point in the middle of the wall between the said Chovanec and Johnson tracts, at a distance of 151.02 feet pass a building corner found for the south corner of that certain tract of land conveyed to Mary Baca by an instrument (164/94 FCDR, also contains a party wall agreement), at a distance of 299.21 feet pass a building corner found for reference, and continuing for a total distance of 299.93 feet;

Thence, N43°00'00"E, 150.00 feet with the southeast line of Fayette Street, same being the northwest line of Lot 21, to the **POINT OF BEGINNING**. The said tract of land, surveyed the 5th day of December, 2006, by William P. Bernsen, RPLS #5506, contains within these metes and bounds, 0.3852 acres of land.

This survey substantially complies with the current Texas Society of Professional Surveyors standards and specifications for a Category 1A, Condition 3 survey. This is not a valid legal document without original seal and signature. Do not revise, delete, reduce, copy, fax, alter or reproduce this document in any way. Only record if original seal and signature are included. Survey not complete without plat and fieldnotes description.
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William P. Bernsen

William P. Bernsen
 Registered Professional Land Surveyor
 State of Texas #5506

EXHIBIT A

Filed by & Hand to:
 Clear Title Company

\$32.00 pld.

FILED

2:30pm
DEC 13 2006

Carolyn Kubos Roberts
 CAROLYN KUBOS ROBERTS
 CO. CLERK, FAYETTE CO., TEXAS



DEC 13 2006

Carolyn Kubos Roberts
 CAROLYN KUBOS ROBERTS
 COUNTY CLERK, FAYETTE COUNTY, TEXAS

STATE OF TEXAS
 COUNTY OF FAYETTE
 I hereby certify that this instrument was FILED on the date and at the time stamped herein by me, and was duly RECORDED in the Volume and Page of the Indexed RECORDS of Fayette County, Texas as stamped herein by me on,



TEXAS ASSOCIATION OF REALTORS® 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 110 E. Fayette Street
Fayetteville, TX 78940

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?
8 1/2 months or ☐ never occupied the Property

Section 1. The Property has the items marked below: (Mark Yes (Y), No (N), or Unknown (U).)

This notice does not establish the items to be conveyed. The contract will determine which items will & will not convey.

Item	Y	N	U
Cable TV Wiring	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Carbon Monoxide Det.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ceiling Fans	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Cooktop	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Dishwasher	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Disposal	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Emergency Escape Ladder(s)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Exhaust Fans	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Fences	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Fire Detection Equip.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
French Drain	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Gas Fixtures	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Item	Y	N	U
Gas Lines (Nat/LP)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Hot Tub	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Intercom System	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Microwave	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Outdoor Grill	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Patio/Decking	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Plumbing System	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Pool	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Pool Equipment	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Pool Maint. Accessories	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Pool Heater	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Public Sewer System	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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

Item	Y	N	U	Additional Information
Central A/C	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/> electric <input type="checkbox"/> gas number of units: <u>2</u>
Evaporative Coolers	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	number of units: <u> </u>
Wall/Window AC Units	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	number of units: <u> </u>
Attic Fan(s)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	if yes, describe: <u> </u>
Central Heat	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/> electric <input type="checkbox"/> gas number of units: <u>1</u>
Other Heat	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	if yes, describe: <u> </u>
Oven	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	number of ovens: <u>1</u> <input checked="" type="checkbox"/> electric <input type="checkbox"/> gas <input type="checkbox"/> other: <u> </u>
Fireplace & Chimney	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> wood <input type="checkbox"/> gas logs <input type="checkbox"/> mock <input type="checkbox"/> other: <u> </u>
Carport	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> attached <input type="checkbox"/> not attached <u> </u>
Garage	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> attached <input type="checkbox"/> not attached <u> </u>
Garage Door Openers	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	number of units: <u> </u> number of remotes: <u> </u>
Satellite Dish & Controls	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> owned <input checked="" type="checkbox"/> leased from <u>Direct TV</u>
Security System	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> owned <input type="checkbox"/> leased from <u> </u>
Water Heater	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/> electric <input type="checkbox"/> gas <input type="checkbox"/> other: <u> </u> number of units: <u>1</u>
Water Softener	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> owned <input type="checkbox"/> leased from <u> </u>
Underground Lawn Sprinkler	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> automatic <input type="checkbox"/> manual areas covered: <u> </u>
Septic / On-Site Sewer Facility	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	if yes, attach Information About On-Site Sewer Facility (TAR-1407)

(TAR-1406) 7-2-07

Initialed by: Seller: bas , JAS and Buyer:

Page 1 of 5

Fayette Realty, Inc. P. O. Box 308 Fayetteville, TX 78940
Diane Tinsley

Phone: (979) 378 - 4100 Fax: (979) 378 - 4101
Produced with ZipForm™ by RE FormsNet, LLC 18025 Fifteen Mile Road, Clinton Township, Michigan 48035 www.zipform.com

Stevens

110 E. Fayette Street
Fayetteville, TX 78940

Concerning the Property at _____

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 TAR-1906 concerning lead-based paint hazards)

Roof Type: Composite shingle Age: 1 year (this is a 30-yr. roof) (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 checked="" type="checkbox"/>	Floors		<input checked="" type="checkbox"/>	Sidewalks		<input checked="" type="checkbox"/>
Ceilings		<input checked="" type="checkbox"/>	Foundation / Slab(s)		<input checked="" type="checkbox"/>	Walls / Fences		<input checked="" type="checkbox"/>
Doors		<input checked="" type="checkbox"/>	Interior Walls		<input checked="" type="checkbox"/>	Windows		<input checked="" type="checkbox"/>
Driveways		<input checked="" type="checkbox"/>	Lighting Fixtures		<input checked="" type="checkbox"/>	Other Structural Components		<input checked="" type="checkbox"/>
Electrical Systems		<input checked="" type="checkbox"/>	Plumbing Systems		<input checked="" type="checkbox"/>			
Exterior Walls		<input checked="" type="checkbox"/>	Roof		<input checked="" type="checkbox"/>			

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

Section 3. Are you (Seller) aware of any of the following conditions: (Mark Yes (Y) if you are aware and No (N) if you are not aware.)

Condition	Y	N	Condition	Y	N
Aluminum Wiring		<input checked="" type="checkbox"/>	Previous Roof Repairs #2		<input checked="" type="checkbox"/>
Asbestos Components		<input checked="" type="checkbox"/>	Other Structural Repairs		<input checked="" type="checkbox"/>
Diseased Trees: <input type="checkbox"/> oak wilt <input type="checkbox"/> _____		<input checked="" type="checkbox"/>	Radon Gas		<input checked="" type="checkbox"/>
Endangered Species/Habitat on Property		<input checked="" type="checkbox"/>	Settling #3		<input checked="" type="checkbox"/>
Fault Lines		<input checked="" type="checkbox"/>	Soil Movement		<input checked="" type="checkbox"/>
Hazardous or Toxic Waste		<input checked="" type="checkbox"/>	Subsurface Structure or Pits		<input checked="" type="checkbox"/>
Improper Drainage		<input checked="" type="checkbox"/>	Underground Storage Tanks		<input checked="" type="checkbox"/>
Intermittent or Weather Springs		<input checked="" type="checkbox"/>	Unplatted Easements		<input checked="" type="checkbox"/>
Landfill		<input checked="" type="checkbox"/>	Unrecorded Easements		<input checked="" type="checkbox"/>
Lead-Based Paint or Lead-Based Pt. Hazards unknown		<input checked="" type="checkbox"/>	Urea-formaldehyde Insulation		<input checked="" type="checkbox"/>
Encroachments onto the Property		<input checked="" type="checkbox"/>	Water Penetration		<input checked="" type="checkbox"/>
Improvements encroaching on others' property		<input checked="" type="checkbox"/>	Wetlands on Property		<input checked="" type="checkbox"/>
Located in 100-year Floodplain		<input checked="" type="checkbox"/>	Wood Rot		<input checked="" type="checkbox"/>
Present Flood Insurance Coverage (If yes, attach TAR-1414)		<input checked="" type="checkbox"/>	Active infestation of termites or other wood-destroying insects (WDI)		<input checked="" type="checkbox"/>
Previous Flooding into the Structures		<input checked="" type="checkbox"/>	Previous treatment for termites or WDI		<input checked="" type="checkbox"/>
Previous Flooding onto the Property		<input checked="" type="checkbox"/>	Previous termite or WDI damage repaired #4		<input checked="" type="checkbox"/>
Previous Fires		<input checked="" type="checkbox"/>	Termite or WDI damage needing repair		<input checked="" type="checkbox"/>
Previous Foundation Repairs #1		<input checked="" type="checkbox"/>	Previous Use of Premises for Manufacture of Methamphetamine		<input checked="" type="checkbox"/>

(TAR-1406) 7-2-07

Initialed by: Seller: PS and Buyer: AS

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Page 2 of 5
Stevens

Concerning the Property at _____

If the answer to any of the items in Section 3 is yes, explain (attach additional sheets if necessary): #1 - house was leveled & some beams replaced in 2007; #2 - roof & decking replaced in 2006; #3 - house was leveled due to floor (levelness of) issues; #4 - Previous termite damage in 1st floor (back) bedroom, in ceiling. Ceiling was replaced w/ bead board, also wall was sheetrocked due to termite damage
Section 4. Are you (Seller) aware of any item, equipment, or system in or on the Property that is in need of repair, which has not been previously disclosed in this notice? ☐ yes ☒ no If yes, explain (attach additional sheets if necessary): _____

Section 5. Are you (Seller) aware of any of the following (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 or not in compliance with building codes in effect at the time.
- ☐ ☒ Homeowners' associations or maintenance fees or assessments. If yes, complete the following:
Name of association: _____
Manager's name: _____ Phone: _____
Fees or assessments are: \$ _____ per _____ and are: ☐ mandatory ☐ voluntary
Any unpaid fees or assessment for the Property? ☐ yes (\$ _____) ☐ no
If the Property is in more than one association, provide information about the other associations below or attach information to this notice.
- ☐ ☒ Any common area (facilities such as pools, tennis courts, walkways, or other) co-owned in undivided interest with others. If yes, complete the following:
Any optional user fees for common facilities charged? ☐ yes ☐ no If yes, describe: _____
- ☐ ☒ Any notices of violations of deed restrictions or governmental ordinances affecting the condition or use of the Property.
- ☐ ☒ Any lawsuits or other legal proceedings directly or indirectly affecting the Property.
- ☐ ☒ 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).

If the answer to any of the items in Section 5 is yes, explain (attach additional sheets if necessary): _____

Concerning the Property at 110 E. Fayette Street
Fayetteville, TX 78940

Section 6. Seller ☐ has ☐ has not attached a survey of the Property.

Section 7. 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 8. Check any tax exemption(s) which you (Seller) currently claim for the Property:


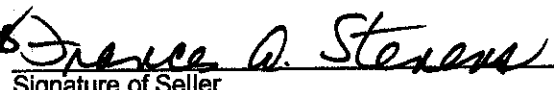
- | | | |
|--|---|---|
| <input type="checkbox"/> Homestead | <input type="checkbox"/> Senior Citizen | <input type="checkbox"/> Disabled |
| <input type="checkbox"/> Wildlife Management | <input type="checkbox"/> Agricultural | <input type="checkbox"/> Disabled Veteran |
| <input type="checkbox"/> Other: _____ | | <input type="checkbox"/> Unknown |

Section 9. 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 10. 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.*

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.

	<u>2-19-08</u>		<u>02/19/08</u>
Signature of Seller	Date	Signature of Seller	Date
Printed Name: <u>Billy C. Stevens</u>		Printed Name: <u>Frances A. Stevens</u>	

Concerning the Property at 110 E. Fayette Street
Fayetteville, TX 78940

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 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 you are basing your offers on square footage, measurements, or boundaries, you should have those items independently measured to verify any reported information.
- (4) The following providers currently provide service to the property:

Electric: Bluebonnet Sewer: City of Fayetteville
Water: City of Fayetteville Cable: NA
Trash: NA Natural Gas: NA
Local Phone: NA Propane: Fayetteville Propane

- (5) 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 and acknowledges the property complies with the smoke detector requirements of Chapter 766, Health and Safety Code, or, if the property does not comply with the smoke detector requirements of Chapter 766, the buyer waives the buyer's rights to have smoke detectors installed in compliance with Chapter 766.

Signature of Buyer _____	Date _____	Signature of Buyer _____	Date _____
Printed Name: _____		Printed Name: _____	



APPROVED BY THE TEXAS REAL ESTATE COMMISSION

**ADDENDUM FOR SELLER'S DISCLOSURE OF INFORMATION
ON LEAD-BASED PAINT AND LEAD-BASED PAINT HAZARDS
AS REQUIRED BY FEDERAL LAW**

02-09-2004

CONCERNING THE PROPERTY AT 110 E. Fayette Street Fayetteville
(Street Address and City)

A. LEAD WARNING STATEMENT: "Every purchaser of any interest in residential real property on which a residential dwelling was built prior to 1978 is notified that such property may present exposure to lead from lead-based paint that may place young children at risk of developing lead poisoning. Lead poisoning in young children may produce permanent neurological damage, including learning disabilities, reduced intelligence quotient, behavioral problems, and impaired memory. Lead poisoning also poses a particular risk to pregnant women. The seller of any interest in residential real property is required to provide the buyer with any information on lead-based paint hazards from risk assessments or inspections in the seller's possession and notify the buyer of any known lead-based paint hazards. A risk assessment or inspection for possible lead-paint hazards is recommended prior to purchase."

NOTICE: Inspector must be properly certified as required by federal law.

B. SELLER'S DISCLOSURE:

1. PRESENCE OF LEAD-BASED PAINT AND/OR LEAD-BASED PAINT HAZARDS (check one box only):

☒ (a) Known lead-based paint and/or lead-based paint hazards are present in the Property (explain): possibility exists since construction prior to 1978

☐ (b) Seller has no actual knowledge of lead-based paint and/or lead-based paint hazards in the Property.

2. RECORDS AND REPORTS AVAILABLE TO SELLER (check one box only):

☐ (a) Seller has provided the purchaser with all available records and reports pertaining to lead-based paint and/or lead-based paint hazards in the Property (list documents): _____

☒ (b) Seller has no reports or records pertaining to lead-based paint and/or lead-based paint hazards in the Property.

C. BUYER'S RIGHTS (check one box only):

☐ 1. Buyer waives the opportunity to conduct a risk assessment or inspection of the Property for the presence of lead-based paint or lead-based paint hazards.

☒ 2. Within ten days after the effective date of this contract, Buyer may have the Property inspected by inspectors selected by Buyer. If lead-based paint or lead-based paint hazards are present, Buyer may terminate this contract by giving Seller written notice within 14 days after the effective date of this contract, and the earnest money will be refunded to Buyer.

D. BUYER'S ACKNOWLEDGMENT (check applicable boxes):

☐ 1. Buyer has received copies of all information listed above.

☒ 2. Buyer has received the pamphlet *Protect Your Family from Lead in Your Home*.

E. BROKERS' ACKNOWLEDGMENT: Brokers have informed Seller of Seller's obligations under 42 U.S.C. 4852d to:

(a) provide Buyer with the federally approved pamphlet on lead poisoning prevention; (b) complete this addendum; (c) disclose any known lead-based paint and/or lead-based paint hazards in the Property; (d) deliver all records and reports to Buyer pertaining to lead-based paint and/or lead-based paint hazards in the Property; (e) provide Buyer a period of up to 10 days to have the Property inspected; and (f) retain a completed copy of this addendum for at least 3 years following the sale. Brokers are aware of their responsibility to ensure compliance.

F. CERTIFICATION OF ACCURACY: The following persons have reviewed the information above and certify, to the best of their knowledge, that the information they have provided is true and accurate.

Buyer	Date	<u>Billy O. Stevens</u>	Date	<u>2-19-08</u>
Buyer	Date	<u>Frances A. Stevens</u>	Date	<u>02/19/08</u>
Other Broker	Date	<u>Diane Tinsley</u>	Date	<u>2/19/08</u>
		Fayette Realty, Inc.		

The form of this addendum has been approved by the Texas Real Estate Commission for use only with similarly approved or promulgated forms of contracts. Such approval relates to this contract form only. TREC forms are intended for use only by trained real estate licensees. No representation is made as to the legal validity or adequacy of any provision in any specific transactions. It is not suitable for complex transactions. Texas Real Estate Commission, P.O. Box 12188, Austin, TX 78711-2188, 1-800-250-8732 or (512) 459-6544 (<http://www.trec.state.tx.us>)

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(TAR-1906) 2-9-2004

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Stevens

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

Information About Brokerage Services

Before working with a real estate broker, you should know that the duties of a broker depend on whom the broker represents. If you are a prospective seller or landlord (owner) or a prospective buyer or tenant (buyer), you should know that the broker who lists the property for sale or lease is the owner's agent. A broker who acts as a subagent represents the owner in cooperation with the listing broker. A broker who acts as a buyer's agent represents the buyer. A broker may act as an intermediary between the parties if the parties consent in writing. A broker can assist you in locating a property, preparing a contract or lease, or obtaining financing without representing you. A broker is obligated by law to treat you honestly.

IF THE BROKER REPRESENTS THE OWNER:

The broker becomes the owner's agent by entering into an agreement with the owner, usually through a written listing agreement, or by agreeing to act as a subagent by accepting an offer of subagency from the listing broker. A subagent may work in a different real estate office. A listing broker or subagent can assist the buyer but does not represent the buyer and must place the interests of the owner first. The buyer should not tell the owner's agent anything the buyer would not want the owner to know because an owner's agent must disclose to the owner any material information known to the agent.

IF THE BROKER REPRESENTS THE BUYER:

The broker becomes the buyer's agent by entering into an agreement to represent the buyer, usually through a written buyer representation agreement. A buyer's agent can assist the owner but does not represent the owner and must place the interests of the buyer first. The owner should not tell a buyer's agent anything the owner would not want the buyer to know because a buyer's agent must disclose to the buyer any material information known to the agent.

IF THE BROKER ACTS AS AN INTERMEDIARY:

A broker may act as an intermediary between the parties if the broker complies with The Texas Real Estate License

Act. The broker must obtain the written consent of each party to the transaction to act as an intermediary. The written consent must state who will pay the broker and, in conspicuous bold or underlined print, set forth the broker's obligations as an intermediary. The broker is required to treat each party honestly and fairly and to comply with The Texas Real Estate License Act. A broker who acts as an intermediary in a transaction:

- (1) shall treat all parties honestly;
- (2) may not disclose that the owner will accept a price less than the asking price unless authorized in writing to do so by the owner;
- (3) may not disclose that the buyer will pay a price greater than the price submitted in a written offer unless authorized in writing to do so by the buyer; and
- (4) may not disclose any confidential information or any information that a party specifically instructs the broker in writing not to disclose unless authorized in writing to disclose the information or required to do so by The Texas Real Estate License Act or a court order or if the information materially relates to the condition of the property.

With the parties' consent, a broker acting as an intermediary between the parties may appoint a person who is licensed under The Texas Real Estate License Act and associated with the broker to communicate with and carry out instructions of one party and another person who is licensed under that Act and associated with the broker to communicate with and carry out instructions of the other party.

If you choose to have a broker represent you, you should enter into a written agreement with the broker that clearly establishes the broker's obligations and your obligations. The agreement should state how and by whom the broker will be paid. You have the right to choose the type of representation, if any, you wish to receive. Your payment of a fee to a broker does not necessarily establish that the broker represents you. If you have any questions regarding the duties and responsibilities of the broker, you should resolve those questions before proceeding.

Real estate licensee asks that you acknowledge receipt of this information about brokerage services for the licensee's records.

Buyer, Seller, Landlord or Tenant

Date

Texas Real Estate Brokers and Salespersons are licensed and regulated by the Texas Real Estate Commission (TREC). If you have a question or complaint regarding a real estate licensee, you should contact TREC at P.O. Box 12188, Austin, Texas 78711-2188 or 512-485-3660.



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Phone:

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