



TEXAS ASSOCIATION OF REALTORS®

**NOTICE OF INFORMATION FROM OTHER SOURCES**

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To: BUYER:  
BUYER:

From: ALLISON "AJ" HARWOOD (Broker)

Property Address: 800 ALLISON LANE, SAN MARCOS, TX 78666

Date: May 26, 2016

(1) Broker obtained the attached information, identified as SELLERS DISCLOSURE PACKAGE  
INCLUDING TAR FORMS: 2501, 1406, 1407, 1506, 1917, 1414, 2507, 2508, 1928,  
2504, 2506, 2505, 2509, 2513, CONLEY/ISAAC LETTER & NOTICE REGARDING OAK  
from WILT IN CENTRAL TEXAS FROM SELLER. NOTICE AND GENERAL INFORMATION  
FORMS FROM TEXAS ASSOCIATION OF REALTORS.

(2) Broker has relied on the attached information and does not know and has no reason to know that  
the information is false or inaccurate except: NONE.

(3) **Broker does not warrant or guarantee the accuracy of the attached information. Do not  
rely on the attached information without verifying its accuracy.**

ALLISON "AJ" HARWOOD  
Broker

By:   
ALLISON "AJ" HARWOOD

Receipt of this notice is acknowledged by:

Signature \_\_\_\_\_ Date \_\_\_\_\_  
BUYER:

Signature \_\_\_\_\_ Date \_\_\_\_\_  
BUYER:



# Information About Brokerage Services

11-2-2015

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

## 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:
  - that the owner will accept a price less than the written asking price;
  - that the buyer/tenant will pay a price greater than the price submitted in a written offer; and
  - 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.

Licensed Broker/Broker Firm Name or Primary Assumed Business Name	License No.	Email	Phone
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Designated Broker of Firm	License No.	Email	Phone
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Licensed Supervisor of Sales Agent/ Associate	License No.	Email	Phone
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Sales Agent/Associate's Name	License No.	Email	Phone
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Buyer/Tenant/Seller/Landlord Initials

Date

Regulated by the Texas Real Estate Commission

Information available at [www.trec.texas.gov](http://www.trec.texas.gov)

TAR 2501

IABS 1-0

**RESUBDIVISION OF LOT 6  
ESTABLISHING LOT 6A AND LOT 6B  
REVISION OF LOTS 5 AND 6,  
TRAIL'S END SUBDIVISION  
A SUBDIVISION IN  
HAYS COUNTY, TEXAS**

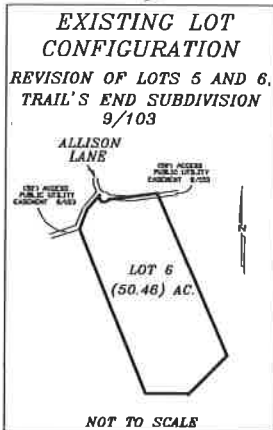
**NOTES:**

- 1) THIS SUBDIVISION LIES IN THE EXTRA TERRITORIAL JURISDICTION OF THE CITY OF WINBERLEY, TEXAS.
- 2) ACCORDING TO THE NATIONAL FLOOD INSURANCE RATE MAP, COMMUNITY PANEL NO. 4829030365F, DATED SEP. 2, 2005, PORTIONS OF THESE LOTS ARE IN ZONE A WHERE BASE FLOOD ELEVATIONS HAVE NOT BEEN ESTABLISHED.
- 3) THIS SUBDIVISION IS WITHIN THE BOUNDARIES OF THE EDWARDS AQUIFER RECHARGE ZONE.
- 4) THIS SUBDIVISION IS WITHIN THE BOUNDARIES OF THE SAN MARCOS INDEPENDENT SCHOOL DISTRICT.
- 5) THE FOLLOWING PUBLIC UTILITY EASEMENTS ARE HEREBY GRANTED:  
A) 20' ALONG ALL ROAD EASEMENTS AND/OR RIGHT OF WAYS  
B) 10' ALONG ALL OTHER LOT LINES.
- 6) LOT 6A IS CURRENTLY BEING SERVED WITH WATER, ELECTRIC, CABLE, TELEPHONE AND AN ON-SITE SEWAGE FACILITY.
- 7) THIS SUBDIVISION IS WITHIN THE BOUNDARIES OF THE WINBERLEY, HAYS COUNTY ESD #2.
- 8) NO OBJECT, INCLUDING BUILDINGS, STRUCTURES, FENCING OR LANDSCAPING WHICH WOULD INTERFERE WITH NATURAL FLOW OF STORMWATER OR CHANGE FIRM FLOOD ELEVATION SHALL BE PLACED OR ERECTED WITHIN THE DRAINAGE EASEMENT SHOWN HEREON.
- 9) THIS SUBDIVISION IS SUBJECT TO ALL GENERAL NOTES AND RESTRICTIONS APPEARING ON THE PLAT TITLED THE REVISION OF LOTS 5 AND 6, TRAIL'S END RANCH, RECORDED IN VOLUME 9, PAGE 103, OF THE PLAT RECORDS OF HAYS COUNTY, TEXAS.
- 10) THERE SHALL BE NO FURTHER SUBDIVISION OF LOTS 6A AND 6B.
- 11) THIS SUBDIVISION IS SUBJECT TO THE RESTRICTIONS FOR THE REVISION OF LOTS 5 AND 6, TRAIL'S END RANCH AS RECORDED IN VOLUME 1439, PAGE 45, OFFICIAL PUBLIC RECORDS OF HAYS COUNTY, TEXAS.
- 12) THESE LOTS ARE SUBJECT TO A 50' BUILDING SETBACK ALONG ALL LOT LINES AND A 10' UTILITY EASEMENT ALONG ALL SIDE AND ADJOINING ROAD LOT LINES AS RECORDED IN VOLUME 9, PAGE 45, OFFICIAL PUBLIC RECORDS OF HAYS COUNTY, TEXAS.
- 13) THIS AREA IS NOT IN THE DRAINAGE EASEMENT. THE RECORD INFORMATION FOR THE BOUNDARIES ARE NOT TIED TO ANY BOUNDARY POINTS FOR REFERENCE. THIS DRAINAGE BOUNDARY LINE WAS SCALED ONTO THIS PLAT FROM VOLUME 9, PAGE 103, PLAT RECORDS OF HAYS COUNTY, TEXAS AND IS SHOWN IN AN APPROXIMATE LOCATION.
- 14) THIS SUBDIVISION IS EXEMPT FROM THE REQUIREMENT TO DEMONSTRATE WATER AVAILABILITY. FURTHER RE-SUBDIVISION IS PROHIBITED FOR A PERIOD OF 3 YEARS FOLLOWING THE FILING OF THIS PLAT.
- 15) MINIMUM FINISHED FLOOR ELEVATIONS AND THE DRAINAGE EASEMENT SHOWN HEREON WERE ESTABLISHED IN VOLUME 9, PAGE 103, PLAT RECORDS OF HAYS COUNTY, TEXAS, AS BEING 2 FEET ABOVE THE 100 YEAR WSEL AS STATED IN VOLUME 9, PAGE 103, PLAT RECORDS OF HAYS COUNTY, TEXAS.
- 16) THE OWNERS OF LOTS 6A AND 6B OBTAINING ACCESS THROUGH THIS SHARED ACCESS EASEMENT SHALL BE SOLELY RESPONSIBLE FOR ALL MAINTENANCE OF THE EASEMENT INCLUDING MAINTAINING ANY DRAINAGE STRUCTURES ASSOCIATED WITH THE DRIVEWAY. THE DRIVEWAY MUST BE MAINTAINED AT ALL TIMES IN A CONDITION THAT WILL PERMIT UNHINDERED VEHICULAR ACCESS BY EMERGENCY VEHICLES.
- 17) THE 20-FOOT SHARED ACCESS EASEMENT SHALL BE CONSTRUCTED TO REMAIN OPEN UNDER DESIGN STORM CONDITIONS (i.e. ABOVE 100 YEAR STORM ELEVATION) AND SUCH CONSTRUCTION SHALL NOT RESULT IN A CHANGE IN THE 100 YEAR FLOOD FIRM ELEVATION.
- 18) AN APPROVED DEVELOPMENT PERMIT IS REQUIRED PRIOR TO BEGINNING CONSTRUCTION WITHIN THE FLOODPLAIN/FLOODWAY AREA SHOWN AND REFERENCED ON THIS PLAT. THE APPLICATION FOR SUCH PERMIT SHALL INCLUDE HYDROLOGIC AND HYDRAULIC ANALYSES SHOWING THAT THE PROPOSED CONSTRUCTION WILL NOT RESULT IN ANY INCREASE IN BASE FLOOD ELEVATION DURING BASE FLOOD OCCURRENCE.

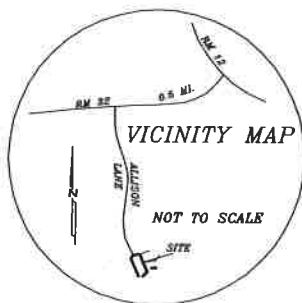
**LOT 16**  
**ALLISON LANE**  
(80') ROW 8/153  
PRIVATE ROAD

**SETH WORLEY**  
**LOT 10**  
(28.26) AC.  
2001/001  
611 ALLEN ST.  
SAN MARCOS, TEXAS 78666

**DOUGLAS D. IVEY**  
**LOT 3**  
(47.72) AC.  
1673/240  
751 ALLISON LN.  
SAN MARCOS, TEXAS 78666



CURVE	DELTA ANGLE	RADIUS	ARC	CHORD	CHORD BEARING
CL	171°53'44"	60.00'	180.01'	119.70'	S 62°21'46" E
	(171°52'47")	(60.00')	(179.99')	(119.70')	ON 62°00'45" W



LINE	BEARING	DISTANCE
LI	N 84°26'45" W	14.75'
ON	S 5°44'24" W	(14.70')

**JEREMY L. SMITH**  
**LOT 7**  
(48.67) AC.  
2125/577  
770 ALLISON LN.  
SAN MARCOS, TEXAS 78666

**DON R. WILLIAMS**  
**SECOND TRACT**  
(918.3) AC.  
175/52  
3700 HUGO RD  
SAN MARCOS, TEXAS 78666

**LOT 6A**  
25.23 ACRES  
MINIMUM FINISHED FLOOR ELEVATION 2 FEET ABOVE 100 YEAR WSEL

**LOT 6B**  
25.20 ACRES

**JAY WEBER**  
**LOT 5**  
(38.50) AC.  
1658/293  
1902 MULLIGAN  
ROUND ROCK, TEXAS 78664

**SMITH REVOCABLE TRUST**  
**LOT 170**  
(5.42) AC.  
2828/501  
8315 OZAEK DR.  
SAN MARCOS, TEXAS 78666

**SAMUEL BRYANT**  
**LOT 103**  
(48.83) AC.  
2828/501  
206 TETON CIR  
SAN MARCOS, TEXAS 78666

**STEPHEN SHINER**  
**LOT 104**  
(7.29) AC.  
2914/150  
210 TETON CIR.  
SAN MARCOS, TEXAS 78666

**OWNER/DEVELOPER**  
PAUL WHITELOCK  
DONNA WHITELOCK  
800 ALLISON LANE  
SAN MARCOS, TEXAS 78666

**SURVEYOR**  
DANIEL R. (ROCKY) EDWARDS  
HAYS COUNTY LAND SURVEYING  
P.O. BOX 991  
WINBERLEY, TEXAS 78676  
512-847-3827

SCALE 1" = 200'  
MARCH, 2013

**LEGEND**

- RECORD INFORMATION
- 1/2" IRON ROD FOUND
- 1/2" IRON ROD W/ CAP SET
- ▽ AS NOTED

TOTAL NO. LOTS	2
TOTAL AREA LOTS	50.43 ACRES
PROPOSED LAND USE	RESIDENTIAL
AVERAGE LOT AREA	25.215 ACRES
NO. LOTS BETWEEN 2 AC. AND 5 AC.	0
NO. LOTS LARGER THAN 5 AC. AND SMALLER THAN 10 AC.	0
ELECTRIC SERVICE	P. E. C.
TELEPHONE SERVICE	VERIZON
WATER SUPPLY	INDIVIDUAL WATER WELL
WASTEWATER	INDIVIDUAL ON-SITE SEWAGE FACILITIES



# 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 800 ALLISON LANE  
SAN MARCOS, TX 78666

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?  
☐ \_\_\_\_\_ 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	X		
Carbon Monoxide Det.		X	
Ceiling Fans	X		
Cooktop	X		
Dishwasher	X		
Disposal	X		
Emergency Escape Ladder(s)		X	
Exhaust Fans	X		
Fences	X		
Fire Detection Equip.		X	
French Drain		X	
Gas Fixtures		X	
Natural Gas Lines		X	

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

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

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

(TAR-1406) 01-01-16

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

RE/MAX Real Properties, 160 South River Wimberley, TX 78676  
Allison AJ Harwood

Phone: 512.848.6642 Fax: 512.857.8588  
Produced with zipForm® by zipLogix 18070 Fifteen Mile Road, Fraser, Michigan 48038 www.zipLogix.com

Page 1 of 5  
800 ALLISON LANE

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: metal Age: 16 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
Basement		X
Ceilings		X
Doors		X
Driveways		X
Electrical Systems		X
Exterior Walls		X

Item	Y	N
Floors		X
Foundation / Slab(s)		X
Interior Walls		X
Lighting Fixtures		X
Plumbing Systems		X
Roof		X

Item	Y	N
Sidewalks		X
Walls / Fences		X
Windows		X
Other Structural Components		X

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
Aluminum Wiring		X
Asbestos Components		X
Diseased Trees: <input type="checkbox"/> oak wilt <input type="checkbox"/> _____		X
Endangered Species/Habitat on Property		X
Fault Lines		X
Hazardous or Toxic Waste		X
Improper Drainage		X
Intermittent or Weather Springs		X
Landfill		X
Lead-Based Paint or Lead-Based Pt. Hazards		X
Encroachments onto the Property		X
Improvements encroaching on others' property		X
Located in 100-year Floodplain <u>*1</u>		X
Located in Floodway <u>*2</u>		X
Present Flood Ins. Coverage (If yes, attach TAR-1414)		X
Previous Flooding into the Structures		X
Previous Flooding onto the Property <u>creek</u>		X
Located in Historic District		X
Historic Property Designation		X
Previous Use of Premises for Manufacture of Methamphetamine		X

Condition	Y	N
Previous Foundation Repairs		X
Previous Roof Repairs		X
Other Structural Repairs		X
Radon Gas		X
Settling		X
Soil Movement		X
Subsurface Structure or Pits		X
Underground Storage Tanks		X
Unplatted Easements		X
Unrecorded Easements		X
Urea-formaldehyde Insulation		X
Water Penetration		X
Wetlands on Property		X
Wood Rot		X
Active infestation of termites or other wood destroying insects (WDI)		X
Previous treatment for termites or WDI		X
Previous termite or WDI damage repaired		X
Previous Fires		X
Termite or WDI damage needing repair		X
Single Blockable Main Drain in Pool/Hot Tub/Spa*		X

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

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

\*1, \*2 see attached survey

\*A single blockable main drain may cause a suction entrapment hazard for an individual.

**Section 4. Are you (Seller) aware of any item, equipment, or system in or on the Property that is in need of repair, which has not been previously disclosed in this notice?** ☐ yes ☒ no If yes, explain (attach additional sheets if necessary): \_\_\_\_\_

**Section 5. Are you (Seller) aware of any of the following (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: TRAIL END RANCH HOA  
Manager's name: Lynne Earle Phone: 512-396-9596  
Fees or assessments are: \$ 800 per lot/year and are: ☒ mandatory ☐ voluntary  
Any unpaid fees or assessment for the Property? ☐ yes (\$ \_\_\_\_\_) ☒ no  
If the Property is in more than one association, provide information about the other associations below 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.

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

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

**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:**

- ☒ Homestead ☐ Senior Citizen ☐ Disabled  
☐ Wildlife Management ☒ Agricultural ☐ Disabled Veteran  
☐ Other: \_\_\_\_\_ ☐ Unknown

**Section 9. Have you (Seller) ever filed a claim for damage to the Property with any insurance provider?** ☐ yes ☒ no

**Section 10. 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 11. 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.*

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

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

Date

  
Signature of Seller

Date

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

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

**ADDITIONAL NOTICES TO BUYER:**

- (1) The Texas Department of Public Safety maintains a database that the public may search, at no cost, to determine if registered sex offenders are located in certain zip code areas. To search the database, visit [www.txdps.state.tx.us](http://www.txdps.state.tx.us) . For information concerning past criminal activity in certain areas or neighborhoods, contact the local police department.
- (2) If the property is located in a coastal area that is seaward of the Gulf Intracoastal Waterway or within 1,000 feet of the mean high tide bordering the Gulf of Mexico, the property may be subject to the Open Beaches Act or the Dune Protection Act (Chapter 61 or 63, Natural Resources Code, respectively) and a beachfront construction certificate or dune protection permit may be required for repairs or improvements. Contact the local government with ordinance authority over construction adjacent to public beaches for more information.
- (3) If 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: PEC  
Sewer: private septic  
Water: private well  
Cable: DISH TV  
Trash: IESI  
Natural Gas: N/A  
Phone Company: Centurytel  
Propane: N/A

phone #: \_\_\_\_\_  
phone #: \_\_\_\_\_  
phone #: \_\_\_\_\_  
phone #: \_\_\_\_\_  
phone #: \_\_\_\_\_  
phone #: \_\_\_\_\_  
phone #: \_\_\_\_\_

- (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.

Signature of Buyer

Date

Signature of Buyer

Date

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

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





# TEXAS ASSOCIATION OF REALTORS®

## INFORMATION ABOUT ON-SITE SEWER FACILITY

USE OF THIS FORM BY PERSONS WHO ARE NOT MEMBERS OF THE TEXAS ASSOCIATION OF REALTORS® IS NOT AUTHORIZED.  
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### CONCERNING THE PROPERTY AT

800 ALLISON LANE  
SAN MARCOS, TX 78666

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

- (1) Type of Treatment System: ☐ Septic Tank ☒ Aerobic Treatment ☐ Unknown  
☐ \_\_\_\_\_
- (2) Type of Distribution System: Sprayhead ☐ Unknown
- (3) Approximate Location of Drain Field or Distribution System: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
- (4) Installer: See attached documents ☐ Unknown
- (5) Approximate Age: 16 yrs. ☐ 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? April 2014
- (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 ☒ see attached
- (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.

(TAR-1407) 1-7-04

Initialed for Identification by Buyer \_\_\_\_\_, \_\_\_\_\_ and Seller 

Page 1 of 2

RE/MAX Real Properties, 160 South River Wimberley, TX 78676  
Phone: 512.848.6612

Fax: 512.857.8588 Allison AJ Harwood

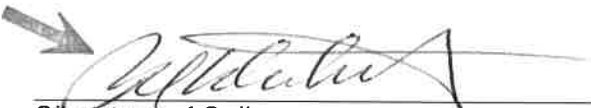
Produced with ZipForm® by zipLogix 18070 Fifteen Mile Road, Fraser, Michigan 48026 [www.zipLogix.com](http://www.zipLogix.com)

800 ALLISON

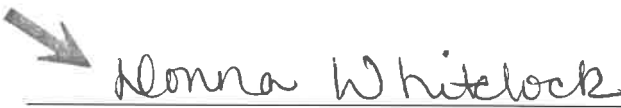
**D. INFORMATION FROM GOVERNMENTAL AGENCIES:** Pamphlets describing on-site sewer facilities are available from the Texas Agricultural Extension Service. Information in the following table was obtained from Texas Commission on Environmental Quality (TCEQ) on 10/24/2002. The table estimates daily wastewater 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)</u> <u>without water-</u> <u>saving devices</u>	<u>Usage (gal/day)</u> <u>with water-</u> <u>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  
PAUL WHITELOCK

\_\_\_\_\_  
Date

  
\_\_\_\_\_  
Signature of Seller  
DONNA WHITELOCK

\_\_\_\_\_  
Date

Receipt acknowledged by:

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

\_\_\_\_\_  
Date

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

\_\_\_\_\_  
Date

**AerobiTech Inc.**  
**111 Rivas Rd.**  
**San Marcos, TX 78666**

Date: 10/26/2015

Phone: (512) 667-4113  
Fax: (512) 805-6059  
www.SepticWebsite.com / AerobiTech@Gmail.com

**Permit #: 1999-1242**

**To: Paul Whitelock**  
**800 Allison Ln.**  
**San Marcos, TX 78666**

Contract Period
Start Date: 10/15/2015
End Date: 10/15/2016

Phone: (512) 627-7749      Subdivision:  
Site: 800 Allison Ln., San Marcos, TX 78666  
County: Hays  
Installer:  
Agency: Hays EHD  
Mfg/Brand: Hoot Systems Inc. / Hoot

AerobiTech Inc.  
3 visits per year - one every 4 months  
600 gallons per day  
Map Key:      ID: 253

1. System shall be inspected once every four (4) months.
2. Maintenance personnel shall visit the property within 48 hours in response to a complaint by the homeowner.
3. Homeowner is responsible for maintaining the chlorine level in the system.
4. Inspections will be done in a geographical route sequence.
5. Items to be inspected include: Aerators, diffusers, filters, pumps, disinfection device, chlorine supply, electrical circuits, distribution systems, drip emitters, alarms.
6. Effluent samples: 1 chlorine residual sample each visit, BOD sample annually for commercial systems.
7. A copy of the inspection report will be left on site. Another copy will be forwarded to the proper county authorities and a third copy will be kept in the homeowners folder at the main office. Any recommendations for service will be noted on the report.
8. This agreement DOES NOT COVER labor for customer ordered service calls.
9. This agreement DOES NOT COVER materials or parts which must be replaced due to misuse or abuse of the system. These include but are not limited to: Sewage flows exceeding the recommended daily hydraulic design. Disposal of Non-Biodegradable materials, such as chemicals, grease, or oil, sanitary napkins, tampons, disposable diapers.
10. This agreement DOES NOT COVER labor or parts for out of warranty items.
11. This agreement DOES NOT COVER tank pumping.
12. No work shall be done without prior consent of the owner.
13. In no event shall the maintenance company be liable for indirect, consequential, incidental or punitive damages, whether in contract tort or any other theory.
14. Maintenance company is granted an easement to the OSSF and enter the property at reasonable times.

Service Representative Signature:  Date: 10-26-15  
Jose Ortega/OS26532/MP0000103

Homeowner signature:  Date: 10-26-15

Email: \_\_\_\_\_ Phone: \_\_\_\_\_

**HAYS COUNTY ENVIRONMENTAL HEALTH DEPARTMENT**

**PERMIT TO CONSTRUCT**

**AN ON-SITE SEWERAGE FACILITY**

PROPERTY OWNER'S NAME: EVANS JAMES T.  
(Last) (First) (M.I.)

911 SITE ADDRESS: 800 Allison Lane San Marcos 78666  
(Number) (Street/Co. Road) (City) (Zip)

LEGAL DESCRIPTION:  
 Lot 6 Block        Subdivision Trails End Sec       

LAND AREA/ACREAGE: 50.46  
(Acreage) (Survey) (Vol/Pg)

TYPE OF STRUCTURE: Institutional        Residential 5bd/5ba 3123 sq.ft.

SITE EVALUATOR: Greg Johnson OS#       

AUTHORIZATION IS HEREBY GIVEN TO CONSTRUCT AN ON-SITE SEWAGE FACILITY ON THE ABOVE DESCRIBED PROPERTY WITH THE FOLLOWING SPECIFICATIONS:

CONVENTIONAL SYSTEM REQUIREMENTS:

Tank capacity        gallons. Pump tank capacity       .

Design Flow: 360 gpd

Drainfield: Must be one of the following and only checked squares can be used.

☐ Soil absorption excavation        sq. ft.

☐ Evapotranspiration beds:        # of beds x        sq. ft. =        sq. ft.

ALTERNATIVE SYSTEM REQUIREMENTS:

Designer's Name: Johnson Greg Reg. No.: 67587  
(Last) (First)

Date plans approved 1-26-00 by Tom Pope

Refer to the designer's plans for system specifications.

Plans Dated: 1-6-00 Revision Date:       

**Contact Health Department and designer for required inspections.**

A maintenance contract is required for the: treatment system X

disposal system X

SPECIAL REQUIREMENTS

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

NOTE: The on-site sewage facility construction must meet all TNRCC Regulations and Hays County's Rules for On-Site Sewage Facilities. If unforeseen and/or adverse conditions are encountered (including, but not limited to excessive rock, seepage, or high water table) stop construction and contact the Licensing Authority. A revised construction permit may be issued.

SIGNED: Tom Pope, R.S. Date: 1-26-2000 Permit: 9425  
 Expires: 12-8-00

**\*THIS PERMIT EXPIRES ONE (1) YEAR FROM APPLICATION DATE.**

**\*THIS PERMIT IS NON-TRANSFERABLE.**



Hays County Environmental Health  
1251 CIVIC CENTER LOOP  
SAN MARCOS, TEXAS 78666  
512/393-2150

TO WHOM IT MAY CONCERN:

PROPERTY LOCATION: 800 Allison Lane DATE 5-12-00

SUBDIVISION: Trails End

LOT: 6 BLOCK:            SECTION:           

The above referenced private sewage facility has been inspected by the Hays County Health Department for compliance with the Rules of Hays County and, based on information provided in the application, has been found to comply with the requirements of those Rules.

**NOTE:** This certification does not extend to the materials, workmanship or fabrication of the private sewage facility so as to express or imply to the owner or installer of the facility any warranty by or rights against Hays County or any of its agencies, as to the quality or durability the facility nor compliance with the owner's individual specifications and requirements but solely relates to the facility meeting the requirements of Hays County in effect as of this date.

**NOTE:** This approval simply grants permission to operate this facility; it does not guarantee its successful operation. Routine maintenance and proper functioning are the sole responsibility of the owner.

**NOTE:** This approval remains in effect until such time as there is evidence that this facility is not operating properly and may constitute a threat to the health of the people of Hays County.

The specified backfill should not be altered or covered in any way except for sodded grass or grass seeded cover to promote evaporation. All plumbing in the house should be kept in good repair to minimize flooding of the drainfield.

*Tom Pope*  
Signature of Sanitarian

Tom Pope R.S. 1977

Sanitarian Reg. #

**Hays County Environmental Health**

1251 CIVIC CENTER LOOP  
SAN MARCOS, TEXAS 78666  
512/393-2150

**LICENSE TO OPERATE AN ON-SITE SEWERAGE FACILITY**

This is to certify that this on-site sewerage facility:

PROPERTY OWNER: JAMES T. EVANS

Address: 800 Allison Lane  
San Marcos, TX. 78666

Permit No.: 9425  
Subdivision: Trails End

Land Area/Acreage: \_\_\_\_\_

Lot: 6 Block: \_\_\_\_\_ Sec: \_\_\_\_\_

☒ Residential - Living area: 3123 sq ft # of bedrooms 5

\_\_\_\_\_ Institutional - Type \_\_\_\_\_  
Building area \_\_\_\_\_ sq ft

\*Daily water usage by design: 50.46 gals.

meets the basic minimum regulatory requirements established by this department.

**LICENSE TO OPERATE** this facility is hereby granted to the owner. This license simply grants permission to operate this facility; it does not guarantee its successful operation. Routine maintenance and proper functioning are the sole responsibility of the owner.

**KEEP THIS LICENSE** with other house papers. You may need it when selling your house or if a malfunction occurs.

**THIS LICENSE REMAINS** in effect until such time as there is evidence that; this facility is not operating properly, is altered, an increase in the volume of or change in the nature of the wastewater being treated, a threat to the health of the people of Hays County, or any other reason which the Licensing Authority determines to be a reason to revoke or suspend.

**NOTE:** The specified backfill should not be altered or covered in anyway except for sodded grass or grass seeded cover to promote transpiration. All plumbing in the house should be kept in good repair to minimize flooding of the drainfield. During periods of heavy rainfall, the owner should minimize water usage to assure proper functioning of system. The septic tank needs to be pumped every 2 to 3 years to prevent solids build-up and clogging.

DATE OF CONSTRUCTION: 3-31-00

DATE OF CERTIFICATION: 5-12-00

Thomas Pope, R.S.  
SANITARIAN

Allen J. Walsh  
DIRECTOR

**AEROBIC TREATMENT PLANT**

DESIGNED FOR:

James T. Evans  
c/o Comal Septic Systems  
P.O. Box 91  
Fischer, TX 78623

RECEIVED  
JAN 19 2000

**SITE DESCRIPTION:**

Located in Trails Enc Ranch, Lot 6 at 800 Allison Lane, this system will serve a five bedroom residence (3123 sf.). Soils have a high clay content. An aerobic treatment plant with spray irrigation will serve these conditions.

**PROPOSED SYSTEM:**

A 3 inch SCH-40 pipe discharges from the residence to a Hoot H-500-AT, CP 500 g.p.d. aerobic treatment plant containing a 400 gal. pretreatment chamber and a 1010 gal. pump chamber. The effluent after processing, is treated by an in-line tablet chlorinator prior to gravity feeding into the pump chamber. *(Chlorinator has sufficient tablet capacity for four months.)* The pump chamber contains a 0.5 HP Blaster Model 12-EB filtered effluent pump. A bypass valve in the pump chamber will maintain manifold pressure at a maximum of 40 psi to prevent aerosols and relieve excess pressure and volume and also serve as a sampling point during routine maintenance. Distribution is through a 100 mesh filter, then through a series of low angle (12 deg. ) pop-up sprinkler heads, each spraying as per the attached schematic. Spray area will be maintained with vegetation.

**SYSTEM COMPONENTS:**

3" Sch-40 sewer line

Two way cleanout

HOOT 500 AT, CP 500 g.p.d. Aerobic Treatment Plant (TNRCC Approved)  
w/ tablet chlorinator

Pump: Blaster 0.5 HP Submersible Pump or equivalent.

K-Rain K-2 + Professional Series pop-up rotary sprinkler heads w/ purple non-potable water lids.

100 mesh in-line filter

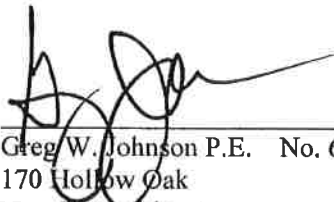
1" SCH-40 PVC discharge manifold.

Alarms: Audible & visual high water level alarm & air pump malfunction alarm

**INSPECTIONS:**

In addition to the inspections required by Hays County the system shall be inspected by the design engineer when the tanks, manifold lines, and sprinklers are installed and when the system is operational. An inspection report will be submitted to Hays County and an as-built drawing if necessary.

Designed in accordance with Chapter 285, Subchapter D, §285.30 & §285.40 pertaining to the Edwards Aquifer Recharge Zone, Texas Natural Resources Conservation Commission (Effective February 4, 1997).

 1/6/00  
Greg W. Johnson P.E. No. 67587 / S.E. 4042  
170 Hollow Oak  
New Braunfels, Texas 78132  
830/905-2778



## OSSF SOIL EVALUATION REPORT INFORMATION

Date: 1/6/2000

### Applicant Information:

Name: JAMES T. EVANS  
Address: 800 ALLISON LANE  
City: SAN MARCOS State: TEXAS  
Zip Code: 78667 Phone: (512)757-3656

### Site Evaluator Information:

Name: Greg W. Johnson, P.E., R.S., S.E. 4042  
Address: 170 Hollow Oak  
City: New Braunfels State: Texas  
Zip Code: 78132 Phone & Fax (830)905-2778

**Property Location:**

Lot 6 Unit  Blk  Subd. TRAILS END RANCH  
Street Address: 800 ALLISON LANE  
City: SAN MARCOS Zip Code: 78667  
Additional Info.:

## Installer Information:

Name: \_\_\_\_\_  
 Company: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 City: \_\_\_\_\_ State: \_\_\_\_\_  
 Zip Code: \_\_\_\_\_ Phone: \_\_\_\_\_

**Topography:** Slope within proposed disposal area: 2 %

Presence of 100 yr. Flood Zone:	YES	NO	<u>X</u>	
Existing or proposed water well in nearby area.	YES	<u>X</u>	NO	>100'
Presence of adjacent ponds, streams, water impoundments	YES		NO	<u>X</u>
Presence of upper water shed	YES		NO	<u>X</u>
Organized sewage service available to lot	YES		NO	<u>X</u>

### Design Calculations for Aerobic Treatment with Spray Irrigation:

## Commercial

Q = \_\_\_\_\_ GPD \_\_\_\_\_

Residential Water conserving fixtures to be utilized? Yes X No       

Number of Bedrooms the septic system is sized for: 5 Total sq. ft. living area 3123

$$Q \text{ gal/day} = (\text{Bedrooms} + 1) * 75 \text{ GPD} - (20\% \text{ reduction for water conserving fixtures})$$
$$Q = (\underline{5} + 1) * 75 - (\underline{20\%}) = \underline{360}$$

Trash Tank Size 400 Gal.

TNRCC Approved Aerobic Plant Size 500 G.P.D.

Application rate Ri= 0.064 gal./sf.

Req'd Application Area =  $Q/R_i = \frac{360}{0.064} = 5625$  sq. ft.

Application Area Utilized = 6271 sq. ft.

Pressure loss in 1" Sch-40 pipe= P.L.

$$P.L. = [1.2(4.57)/100] * 147 + [1.2(2.14)/100] * 30 + [1.2(0.60)/100] * 30 = 9.1' \quad \sim 3.1 \text{ psi}$$

Low Angle Nozzle Size: Use #3 Discharging at 3.1 Gpm @ 40 Psi & 30' Spray radius

Pump Requirement 12 Gpm @ 43 Psi (Redjacket 0.5 HP 18 G.P.M.. series or equivalent)

Dosing Cycle: \_\_\_\_\_ ON DEMAND or  X  TIMED TO DOSE IN PREDAWN HOURS

Pump Tank Size = 1010 Gal. 52 - ~~Gal/inch.~~

$$\text{Reserve Requirement} = \frac{360 \text{ Gal.}}{19.5 \text{ Gal/in.}} = 18.5 \text{ inches in tank}$$

On/Off Pump Tether Adjustment =  $\frac{360 \text{ Gal.}}{19.5 \text{ Gal/in.}} = 18.5 \text{ inches in tank}$

Sump Volume below pump suction 290 Gal. / 19.3 Gal/in. = 15 inches in tank

I HAVE PERFORMED A THOROUGH INVESTIGATION BEING A REGISTERED PROFESSIONAL ENGINEER AND SITE EVALUATOR IN ACCORDANCE WITH CHAPTER 285, SUBCHAPTER D, §285.30, & §285.40 (REGARDING RECHARGE FEATURES), TEXAS NATURAL RESOURCES CONSERVATION COMMISSION (EFFECTIVE FEBRUARY 4, 1997).

GREG W. JOHNSON, P.E. 67587 - S.E. 4042

DATE





# **ON-SITE SEWERAGE FACILITY SOIL EVALUATION REPORT INFORMATION**

Date Soil Survey Performed: 1/4/2000

Site Location: TRAILS END RANCH; 800 ALLISON LANE

Proposed Excavation Depth: N/A

**Requirements:**

At least two soil excavations must be performed on the site, at opposite ends of the proposed disposal area.

Locations of soil boring or dug pits must be shown on the site drawing.

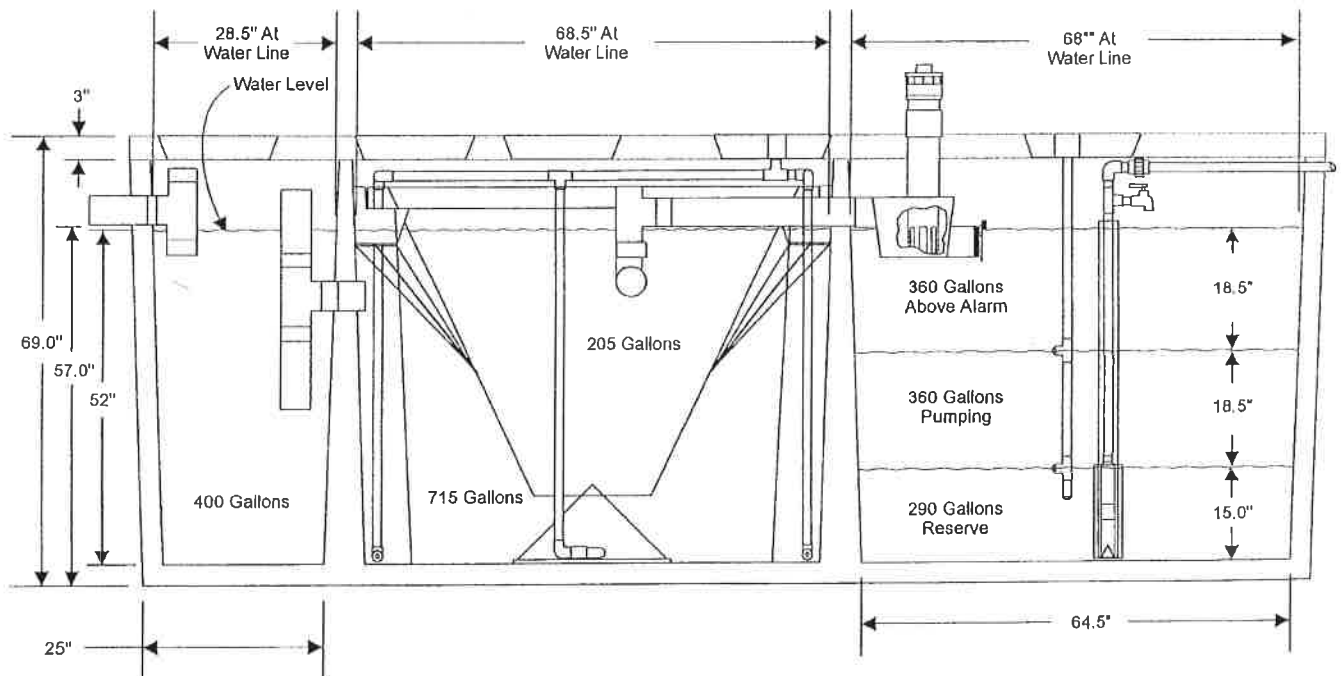
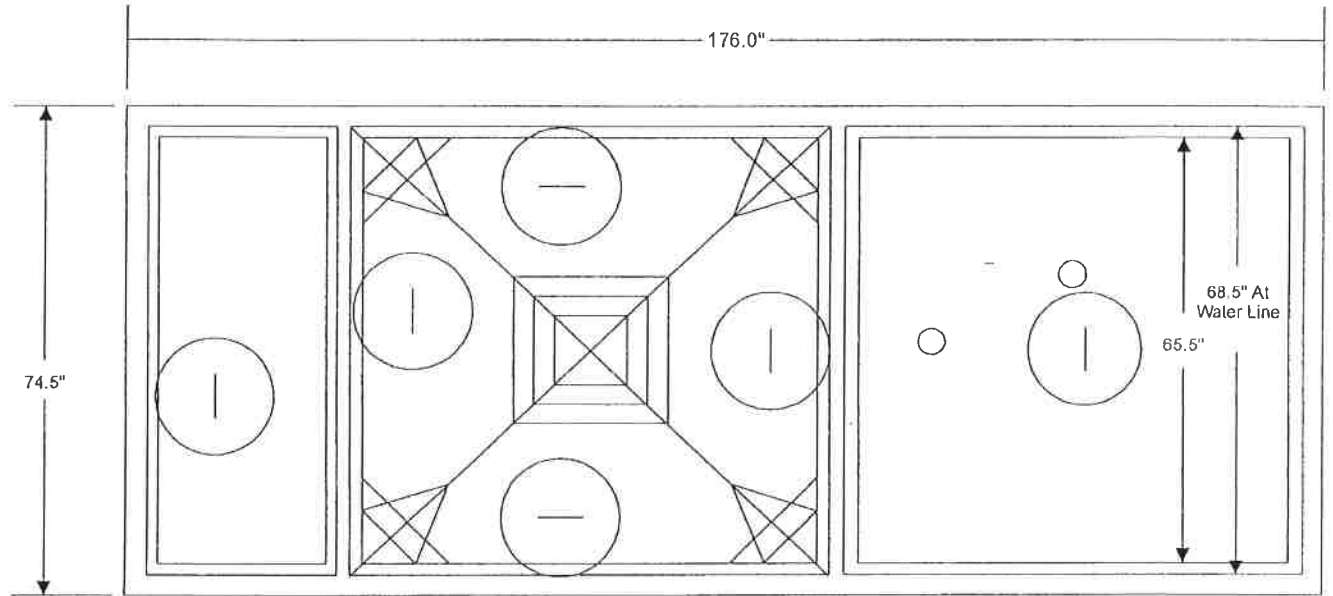
For subsurface disposal, soil evaluations must be performed to a depth of at least two feet below the proposed excavation depth. For surface disposal, the surface horizon must be evaluated.

Describe each soil horizon and identify any restrictive features on the form. Indicate depths where features appear.

SOIL BORING NUMBER <u>1</u> SURFACE EVALUATION <u>                    </u>						
Depth (Feet)	Texture Class	Soil Texture	Structure (For Class III- blocky, platy or massive)	Drainage (Mottles/ Water Table)	Restrictive Horizon	Observations
0	TYPE IV	CLAY	N/A	NONE OBSERVED	L.S. @ 14"	Brown Clay over weak weathered L.S.
1 TO 14"						
2						
3						
4						
5						

SOIL BORING NUMBER <u>2</u>						
Depth (Feet)	Texture Class	Soil Texture	Structure (For Class III- blocky, platy or massive)	Drainage (Mottles/ Water Table)	Restrictive Horizon	Observations
0	SAME	AS	ABOVE			
1						
2						
3						
4						
5						

# 500 GPD NIGHT PUMPING SYSTEM H-500 AT,CP



2.229' Avg. Length  
5.600' Avg. Width  
4.333' Depth

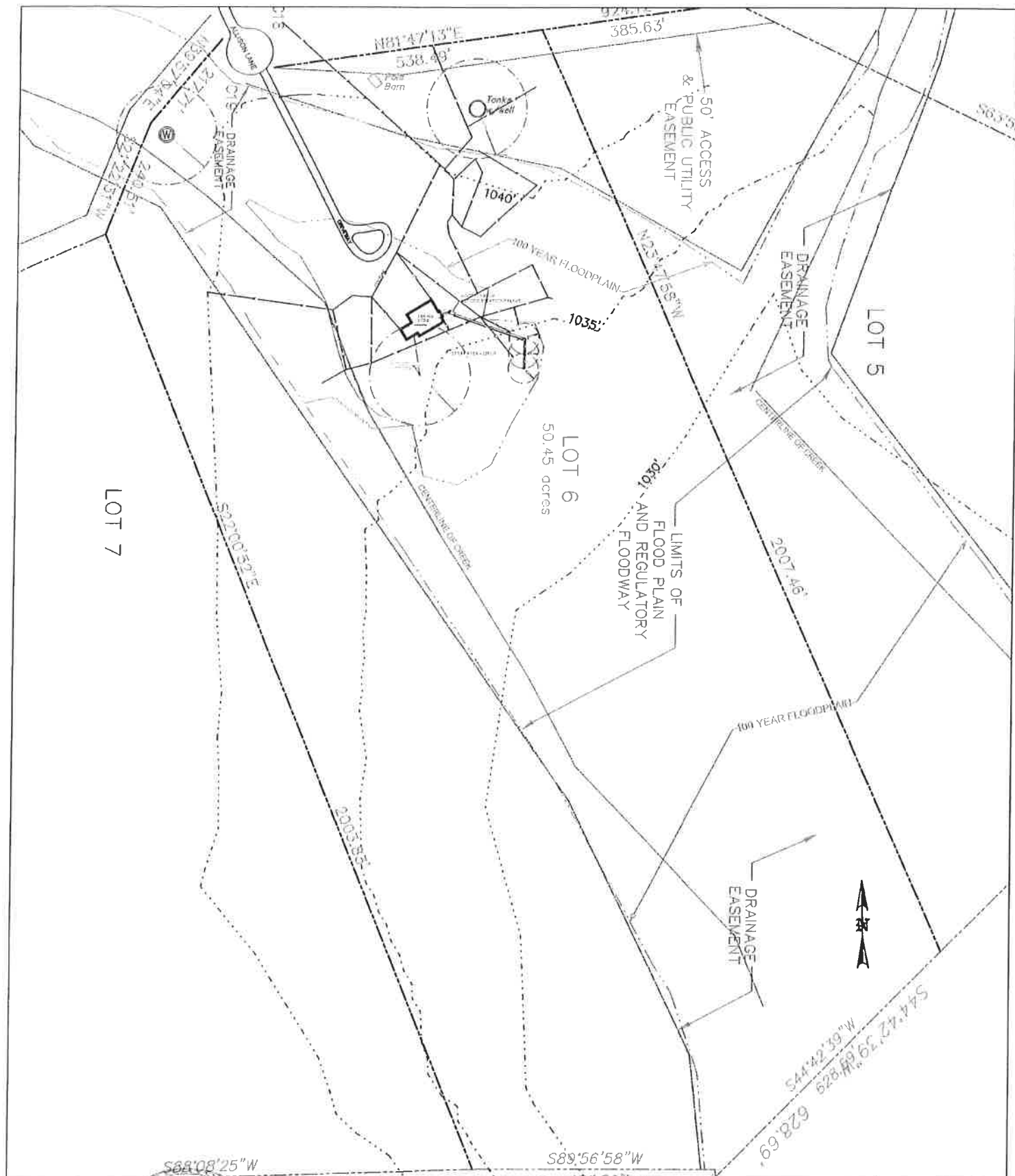
5.521' Avg. Length  
5.600' Avg. Width  
4.333' Depth

1010 Gallons  
290 Gallons Remaining In Tank

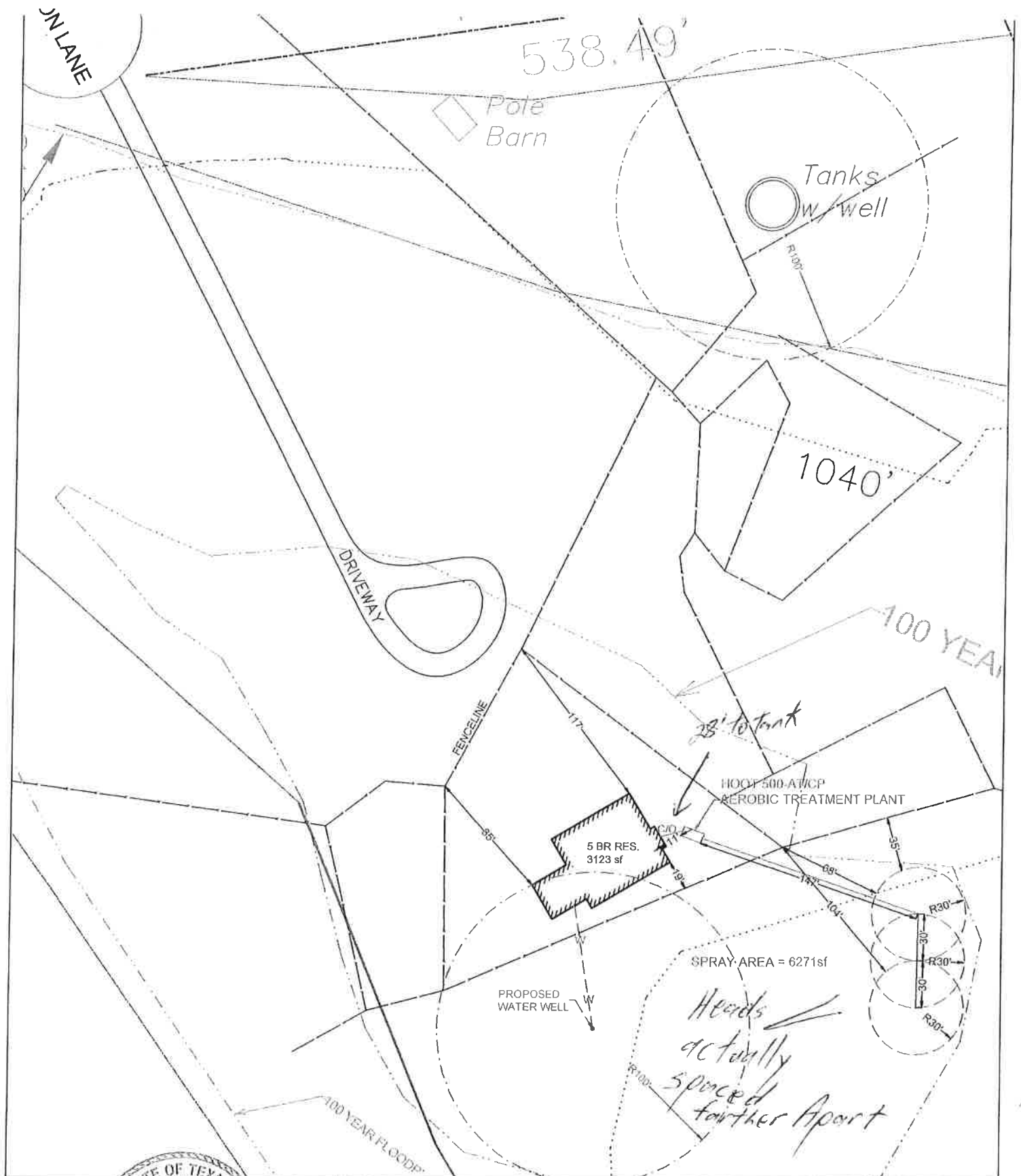
720 Gallons Holding Capacity

Rev. 03

6/08/99



OWNER JAMES T. EVANS				DRAWN BY: CAM	
STREET ADDRESS 800 ALLISON LANE					
SUBD. TRAILS END RANCH			UNIT	BLOCK	LOT 6
PREPARED BY: GREG W. JOHNSON, P.E.			SCALE 1" = 250'		DATE 1/14/2000



OWNER JAMES T. EVANS				DRAWN BY: CAM	
STREET ADDRESS 800 ALLISON LANE					
SUBD. TRAILS END RANCH			UNIT	BLOCK	LOT 6
PREPARED BY: GREG W. JOHNSON, P.E.			SCALE 1" = 80'		DATE 1/14/2000

**HAYS COUNTY ENVIRONMENTAL HEALTH**

1251 CIVIC CENTER LOOP  
SAN MARCOS, TEXAS 78666  
512/393-2150

**HAYS COUNTY CLASS "A" BUILDING/DEVELOPMENT PERMIT**

This Permit #FPA 1566, is issued on December 14, 19 99  
to JAMES T. EVANS and is not transferable.

This permit authorizes the following development: Construct 5bd/5ba 3123 sq.ft. single family residence.

This permit authorizes this development at the following property:  
SITE ADDRESS: 800 Allison Lane  
SUBDIVISION: Trails End  
LOT: 6 BLOCK: \_\_\_\_\_ SECTION: \_\_\_\_\_

The Developmental Application has been reviewed and it has been determined that the development will not be in the regulated 100 year Floodplain.

*\* Based on Flood Study by Boulet & Associates*

**WARNING:**

The Hays County Floodplain maps and other flood data used by the County in evaluating flood hazards to proposed developments are considered reasonable and accurate for regulatory purposes. On occasion greater floods can and will occur and flood heights may be increased by man-made or natural causes. We cannot guarantee that your property will not flood. Exempting you from the Flood Plain Management Regulations does not create any liability on the part of Hays County or any officer or employee of Hays County in the event that flooding and flood damage does occur.

James T. Evans  
Acknowledgment of Warning by Applicant

12-8-99  
Date

Shirley A. Pope  
County Official

12-14-99  
Date

FORM 2/99

**\*\*THIS PERMIT EXPIRES ONE (1) YEAR FROM DATE OF ISSUANCE.**



TEXAS ASSOCIATION OF REALTORS®  
**GENERAL INFORMATION AND NOTICE TO A BUYER**

USE OF THIS FORM BY PERSONS WHO ARE NOT MEMBERS OF THE TEXAS ASSOCIATION OF REALTORS® IS NOT AUTHORIZED.  
©Texas Association of REALTORS®, Inc. 2016

**Be an informed buyer. Make sure that the property you want to purchase meets your needs. The following information may assist you during your purchase.**

**ANNEXATION.** If the property you buy is outside the limits of a municipality, you should be aware that the property may later be annexed by a nearby municipality. You may find information on the boundaries of nearby municipalities by contacting the municipalities directly.

**APPRAISAL.** An appraisal is a valuation of the property. An appraiser renders an estimate of value as of a certain date under assumptions and conditions stated in the appraisal report. Typically, a buyer's lender requires an appraisal to verify that the loan is secured by property that is worth a certain amount. An appraisal is not the same as an inspection.

**BROKERS.** A real estate broker *represents* a party (buyer or seller) in a real estate transaction or may act as an intermediary between the parties. You may work with the broker or with one of the broker's agents. You will be provided a form titled "Information About Brokerage Services" (TAR 2501) which defines agency relationships. The agent may help you locate a property and is obligated to *negotiate* the transaction. The agent may assist you in gathering information and may coordinate many details in the transaction. Brokers and agents are not inspectors. They do not possess the expertise to conduct inspections and therefore do not make any representations, warranties, or guarantees about a property's condition. Agents are not attorneys. You are encouraged to seek the assistance of an attorney to help you understand any of the legal consequences and provisions of your contract or transaction.

**ENVIRONMENTAL CONCERNS.**

*General.* Over the years the market has identified environmental conditions that buyers should know may exist. Environmental hazards include, but are not limited to, conditions such as: asbestos, lead-based paint, mold, pesticides, radon gas, toxic waste, underground storage tanks, urea-formaldehyde insulation, and other pollutants. Wetlands or endangered species on the property may restrict the use of the property.

*Environmental Inspections.* If you are concerned that environmental hazards, wetlands, or endangered species may be present on the property you wish to buy, you should hire a qualified expert to inspect the property for such items. You may include a promulgated addendum (TAR 1917) in your contract that may address such matters.

*Lead-Based Paint.* If you buy a property that was built before 1978, federal law requires that you be provided with: (1) the pamphlet titled "Protect Your Family from Lead in Your Home" (TAR 2511); (2) the records and reports the seller has concerning lead-based paint or hazards; and (3) an opportunity to have the property inspected for lead-based paint or hazards.

*Mold.* It is not uncommon to find mold spores in a property. The concern about mold increases when there are large amounts of mold found in a property. The Texas Department of Insurance publishes a document titled "Protect Your Home from Mold" (TAR 2507) which discusses mold in more detail.

*Oak Wilt and Diseased Trees.* There are diseases such as oak wilt and other conditions that may affect trees and other plants. Oak wilt is a fungus that affects certain oak trees. If you are concerned about such matters, have the trees and other plants inspected by a professional of your choice.

*Noise.* Properties around the property you may buy are used for a variety of purposes. Some of the uses cause noise (for example, airports, railways, highways, restaurants, bars, schools, arenas and construction). You are encouraged to drive to review the area around any property in which you are interested at various times and days.

**EXPANSIVE SOILS.** Soil conditions vary greatly throughout Texas. Many soils will move; some more than others. This movement will, many times, affect the foundation of homes and buildings and may cause cracks to appear in walls or other parts of the building. Additionally, if you buy a property that is newly constructed, the concrete curing process may also cause the foundation of the building to move. Seasonal changes in the moisture in the soil may also cause foundations to move. Check with your inspector and other experts on preventive methods that you can follow to minimize the risk of such movement.

**FLOOD HAZARD, FLOODWAYS, AND FLOOD INSURANCE.** Many properties are in flood hazard areas. Lenders who make loans on properties located in special flood hazard areas typically require the owner to maintain flood insurance. Additionally, some properties may lie in the floodway. The Texas Association of REALTORS® publishes a form titled, "Information about Special Flood Hazard Areas" (TAR 1414), which discusses flood hazard areas and floodways in more detail. You are encouraged to buy flood insurance regardless of whether the property is in a high, moderate, or low risk flood area.

**HISTORIC OR CONSERVATION DISTRICTS.** Properties located in historic or conservation districts may have restrictions on use and architecture of the properties. Local governments may create historic or conservation districts for the preservation of certain architectural appeal. A property owner may or may not be aware if the property is located in such a district. If you are concerned whether the property you wish to buy is located in such a district, contact the local government for specific information.

**INSPECTION, REPAIRS, & WALK-THROUGH.**

*Inspections.* You are encouraged to have the property you want to buy inspected by licensed inspectors of your choice. You should have the inspections completed during any option period. You should accompany the inspectors during the inspections and ask the inspectors any questions. Brokers and agents do not possess any special skills, knowledge or expertise concerning inspections or repairs. If you request names of inspectors or repair professionals from your agent, you should note that the agent is not making any representation or warranty as to the ability or workmanship of the inspector or repair professionals.

*Repairs.* You and the seller should resolve, in writing, any obligation and any timing of the obligation to complete repairs you may request before the option period expires.

*Walk-Through.* Before you close the sale, you should walk through the property and verify that any repairs are complete. If the condition of the property does not satisfy the contractual provisions, notify your agent before you close.

**MANDATORY OWNERS' ASSOCIATIONS.** The property you buy may require you to be a member in one or more owners' associations. You may obtain subdivision information (the restrictions applying to the subdivision, the bylaws and rules of the owners' association, and a resale certificate). You may be required to pay for the subdivision information unless you negotiate otherwise in the contract. If membership in an owners' association is required, you will probably be obligated to pay periodic dues or assessments. Failure to pay such dues could result in a lien on and foreclosure of the property.

**MINERAL INTERESTS.** Determining who owns the mineral interests under a property (for example, rights to oil and gas interests) normally requires an expert to review the chain of title to the property. Many times the mineral interests may have been severed from the property and may be owned by persons other than the seller. Contract forms commonly used in Texas provide that the seller's interest, if any, in the mineral interests convey to the buyer as part of the property. However, a seller may wish to retain all or a part of the mineral interests. The Texas Association of REALTORS® publishes a form titled "Information about Mineral Clauses in Contract Forms": (TAR No. 2509) which discusses this issue in more detail.

**MULTIPLE LISTING SERVICE.** The Multiple Listing Service (MLS) is a database and cooperative tool between brokers. Agents who use the MLS must comply with the MLS's rules. The listing agent is required to timely report the current status of a listing, including when the property is sold or leased or is no longer available, as well as the sales price. Subscribers (other brokers, agents, appraisers, other real estate professionals, and the appraisal districts) have access to the information for market evaluation purposes. Much of the information in the MLS, such as square footage, assessed value, taxes, school boundaries, and year built is obtained from different sources such as the county appraisal district, an appraiser, or builder. The broker or agent who provides you with information from the MLS does not verify the accuracy of the information. You should independently verify the information in the MLS and not rely on the information.

**POSSESSION.** Most contracts provide that the seller will deliver possession of the property to the buyer at the time the sale *closes and funds or according to a temporary residential lease or other written lease required by the parties*. There may be a short delay between closing and actual funding; especially if the buyer is obtaining funds from a lender. You may need to verify with the lender if the loan will fund on the day of closing. You should also take this potential delay into account when planning your move into the property. Any possession by the buyer before the sale closes and funds (or by the seller after the sale closes and funds) must be authorized by a written lease.

**PROPERTY INSURANCE.** Promptly after entering into a contract to buy a property and before any option period expires, contact your insurance agent to determine the availability and affordability of insurance for the property. There are numerous variables that an insurance company will evaluate when offering insurance at certain coverage levels and at certain prices. Most lenders require that the property be insured in an amount not less than the loan amount. The failure to obtain property insurance before closing may delay the transaction or cause it to end. The Texas Association of REALTORS® publishes a document titled, "Information about Property Insurance for a Buyer or Seller" (TAR 2508), which discusses property insurance in more detail.

**RESIDENTIAL SERVICE CONTRACTS.** A residential service contract is a product under which a residential service company, for an annual fee, agrees to repair or replace certain equipment or items in a property (for example, covered appliances, air conditioning and heating systems, and plumbing systems). Co-payments typically apply to most service calls. If you request names of residential service companies from your agent, you should note that the agent is not making any representation or warranty about the service company.

**SCHOOL BOUNDARIES.** School boundaries may change and are, at times, difficult to determine. The school boundaries that your agent may provide to you or that may be provided through a Multiple Listing Service are only mapped estimates from other sources. You are encouraged to verify with the school district which schools residents in the property will attend.

**SEPTIC TANKS AND ON-SITE SEWER FACILITIES.** Many properties have septic tanks or other on-site sewer facilities. There are several types of such systems. Special maintenance requirements may apply to certain systems. Please refer to a document titled, "Information about On-Site Sewer Facility" (TAR 1407) for more information. You should also determine if the county requires any registration or other action in order for you to begin using the septic system or on-site sewer facility.

**SEX OFFENDERS AND CRIMINAL ACTIVITY.** If you are concerned about sex offenders who may reside in the area in which you are buying, access [www.txdps.state.tx.us](http://www.txdps.state.tx.us). Contact the local police department to obtain information about any criminal activity in the area.

**SQUARE FOOTAGE.** If you base your purchase price on the size of the property's building and structures, you should have any information you receive about the square footage independently verified. Square footage information comes from other sources such as appraisal districts, appraisers, and builders. Such information is only an estimate. The actual square footage may vary.

**STATUTORY TAX DISTRICTS.** The property you buy may be located in a utility or other statutorily created district providing water, sewer, drainage, or flood control facilities and services (for example a Municipal Utility District, Water Improvement District, or a Public Improvement District). You are likely to receive a prescribed notice when buying property in such a district.

**SURVEY.** A survey identifies the location of boundaries, major improvements, fence lines, drives, encroachments, easements, and other items on the property. You should obtain a survey early enough in the transaction to help you identify any encroachments, encumbrances to title, or restrictions. Your contract will typically contain a provision under which you may obtain or be provided with a survey and the right to object to encumbrances to title disclosed in the survey.



**SYNTHETIC STUCCO.** Synthetic stucco (sometimes known as EIFS) is an exterior siding product that was placed on some properties in the recent past. If the product was not properly installed, it has been known to cause damage to the structure (such as wood rot and moisture). If the property you wish to buy has synthetic stucco, ask your inspector to carefully inspect the siding and ask your inspector any questions you may have.

**TAX PRORATIONS.** Typically, a buyer and seller agree to prorate a property's taxes through the closing date. Property taxes are due and payable at the end of each calendar year. The escrow agent will estimate, at closing, the taxes for the current year. If the seller is qualified for tax exemptions (for example, homestead, agricultural, or over-65 exemption), such exemptions may or may not apply after closing. After closing the taxes may increase because the exemptions may no longer apply. When buying new construction, the taxes at closing may be prorated based on the land value only and will later increase when the appraisal district includes the value of the new improvements. The actual taxes due, therefore, at the end of the year and in subsequent years may be different from the estimates used at closing.

**TERMINATION OPTION.** Most contract forms contain an option clause which provides the buyer with an unrestricted right to terminate the contract. Most buyers choose to buy the termination option. You will be required to pay for the termination option in advance. The option fee is negotiable. Most buyers will conduct many of their reviews, inspections, and other due diligence during the option period. You must strictly comply with the time period under the option. The option period is not suspended or extended if you and the seller negotiate repairs or an amendment. If you want to extend the option period you must negotiate an extension separately, obtain the extension in writing, and pay an additional fee for the extension. Do not rely on any oral extensions.

**TIDE WATERS.** If the property you buy adjoins any of the state's tidal waters, you will be given a prescribed notice titled, "Addendum for Coastal Area Notice" (TAR 1915) at the time you sign a contract. Boundaries of properties along such waters may change and building restrictions will apply. If the property is located seaward of the Gulf Intracoastal Canal, you will receive a separate notice (TAR 1916).

**TITLE INSURANCE OR ABSTRACT OF TITLE.** You should obtain a title insurance policy or have an abstract of title covering the property examined by your attorney. If you obtain a title insurance policy, you should have the commitment of title insurance reviewed by your attorney not later than the time required under your contract.

**UTILITIES.** You should evaluate what utilities you will require and check to be sure that the utilities available in the area suit your needs. Some structures may or may not have utilities and electrical facilities to support many modern appliances or equipment.

**WATER LEVEL FLUCTUATIONS.** State law requires notice to a buyer of a property that adjoins a lake, reservoir, or other impoundment of water with a storage capacity of at least 5,000 acre-feet at its normal operating level that the water level may fluctuate. You can find a list of lakes and reservoirs with at least 5,000 acre-feet storage capacity by accessing <http://texasalmanac.com/topics/environment/lakes-and-reservoirs>.

**WATER WELLS.** If the property you buy has a water well, you should have, and the lender may require, the equipment inspected and water tested. You should also determine if the county requires any registration or other action in order for you to begin using the water well.

**OTHER.**

This form was provided by:

By signing below I acknowledge that I received, read, and understand this information and notice.

\_\_\_\_\_  
Broker's Printed Name

\_\_\_\_\_  
Buyer

\_\_\_\_\_  
Date

By: \_\_\_\_\_  
Broker's Associate's Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Buyer

\_\_\_\_\_  
Date



**ENVIRONMENTAL ASSESSMENT, THREATENED OR  
ENDANGERED SPECIES, AND WETLANDS ADDENDUM****TO CONTRACT CONCERNING THE PROPERTY AT**800 ALLISON LANE, SAN MARCOS, TX 78666

(Address of Property)

- ☒ A. ENVIRONMENTAL ASSESSMENT: Buyer, at Buyer's expense, may obtain an environmental assessment report prepared by an environmental specialist.
- ☒ B. THREATENED OR ENDANGERED SPECIES: Buyer, at Buyer's expense, may obtain a report from a natural resources professional to determine if there are any threatened or endangered species or their habitats as defined by the Texas Parks and Wildlife Department or the U.S. Fish and Wildlife Service.
- ☒ C. WETLANDS: Buyer, at Buyer's expense, may obtain a report from an environmental specialist to determine if there are wetlands, as defined by federal or state law or regulation.

Within \_\_\_\_\_ days after the effective date of the contract, Buyer may terminate the contract by furnishing Seller a copy of any report noted above that adversely affects the use of the Property and a notice of termination of the contract. Upon termination, the earnest money will be refunded to Buyer.

\_\_\_\_\_  
Buyer  
Seller **PAUL WHITELOCK**\_\_\_\_\_  
Buyer  
Seller **DONNA WHITELOCK**

This form has been approved by the Texas Real Estate Commission for use with similarly approved or promulgated contract forms. Such approval relates to this 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, 512-936-3000 (<http://www.trec.texas.gov>) TREC No. 28-2. This form replaces TREC No. 28-1.



TEXAS ASSOCIATION OF REALTORS®  
**INFORMATION ABOUT SPECIAL FLOOD HAZARD AREAS**

USE OF THIS FORM BY PERSONS WHO ARE NOT MEMBERS OF THE TEXAS ASSOCIATION OF REALTORS® IS NOT AUTHORIZED.  
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CONCERNING THE PROPERTY AT 800 ALLISON LANE  
SAN MARCOS, TX 78666

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**A. FLOOD AREAS:**

- (1) The Federal Emergency Management Agency (FEMA) designates areas that have a high risk of flooding as special flood hazard areas.
- (2) A property that is in a special flood hazard area lies in a "V-Zone" or "A-Zone" as noted on flood insurance rate maps. Both V-Zone and A-Zone areas are areas with high risk of flooding.
- (3) Some properties may also lie in the "floodway" which is the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge a flood under FEMA rules. Communities must regulate development in these floodways.

**B. AVAILABILITY OF FLOOD INSURANCE:**

- (1) Generally, flood insurance is available regardless of whether the property is located in or out of a special flood hazard area. Contact your insurance agent to determine if any limitations or restrictions apply to the property in which you are interested.
- (2) FEMA encourages every property owner to purchase flood insurance regardless of whether the property is in a high, moderate, or low risk flood area.
- (3) A homeowner may obtain flood insurance coverage (up to certain limits) through the National Flood Insurance Program. Supplemental coverage is available through private insurance carriers.
- (4) A mortgage lender making a federally related mortgage will require the borrower to maintain flood insurance if the property is in a special flood hazard area.

**C. GROUND FLOOR REQUIREMENTS:**

- (1) Many homes in special flood hazard areas are built-up or are elevated. In elevated homes the ground floor typically lies below the base flood elevation and the first floor is elevated on piers, columns, posts, or piles. The base flood elevation is the highest level at which a flood is likely to occur as shown on flood insurance rate maps.
- (2) Federal, state, county, and city regulations:
  - (a) restrict the use and construction of any ground floor enclosures in elevated homes that are in special flood hazard areas.
  - (b) may prohibit or restrict the remodeling, rebuilding, and redevelopment of property and improvements in the floodway.
- (3) The first floor of all homes must now be built above the base flood elevation.
  - (a) Older homes may have been built in compliance with applicable regulations at the time of construction and may have first floors that lie below the base flood elevation, but flood insurance rates for such homes may be significant.

- (b) It is possible that modifications were made to a ground floor enclosure after a home was first built. The modifications may or may not comply with applicable regulations and may or may not affect flood insurance rates.
- (c) It is important for a buyer to determine if the first floor of a home is elevated at or above the base flood elevation. It is also important for a buyer to determine if the property lies in a floodway.
- (4) Ground floor enclosures that lie below the base flood elevation may be used only for: (i) parking; (ii) storage; and (iii) building access. Plumbing, mechanical, or electrical items in ground floor enclosures that lie below the base flood elevation may be prohibited or restricted and may not be eligible for flood insurance coverage. Additionally:
  - (a) in A-Zones, the ground floor enclosures below the base flood elevation must have flow-through vents or openings that permit the automatic entry and exit of floodwaters;
  - (b) in V-Zones, the ground floor enclosures must have break-away walls, screening, or lattice walls; and
  - (c) in floodways, the remodeling or reconstruction of any improvements may be prohibited or otherwise restricted.

#### **D. COMPLIANCE:**

- (1) The above-referenced property may or may not comply with regulations affecting ground floor enclosures below the base flood elevation.
- (2) A property owner's eligibility to purchase or maintain flood insurance, as well as the cost of the flood insurance, is dependent on whether the property complies with the regulations affecting ground floor enclosures.
- (3) A purchaser or property owner may be required to remove or modify a ground floor enclosure that is not in compliance with city or county building requirements or is not entitled to an exemption from such requirements.
- (4) A flood insurance policy maintained by the current property owner does not mean that the property is in compliance with the regulations affecting ground floor enclosures or that the buyer will be able to continue to maintain flood insurance at the same rate.
- (5) Insurance carriers calculate the cost of flood insurance using a rate that is based on the elevation of the lowest floor.
  - (a) If the ground floor lies below the base flood elevation and does not meet federal, state, county, and city requirements, the ground floor will be the lowest floor for the purpose of computing the rate.
  - (b) If the property is in compliance, the first elevated floor will be the lowest floor and the insurance rate will be significantly less than the rate for a property that is not in compliance.
  - (c) If the property lies in a V-Zone the flood insurance rate will be impacted if a ground floor enclosure below the base flood elevation exceeds 299 square feet (even if constructed with break-away walls).

**E. ELEVATION CERTIFICATE:**

The elevation certificate is an important tool in determining flood insurance rates. It is used to provide elevation information that is necessary to ensure compliance with floodplain management laws. To determine the proper insurance premium rate, insurers rely on an elevation certificate to certify building elevations at an acceptable level above flood map levels. If available in your area, it is recommended that you obtain an elevation certificate for the property as soon as possible to accurately determine future flood insurance rates.

**You are encouraged to: (1) inspect the property for all purposes, including compliance with any ground floor enclosure requirement; (2) review the flood insurance policy (costs and coverage) with your insurance agent; and (3) contact the building permitting authority if you have any questions about building requirements or compliance issues.**

Receipt acknowledged by:

\_\_\_\_\_  
Signature\_\_\_\_\_  
Date\_\_\_\_\_  
Signature\_\_\_\_\_  
Date

# PROTECTING YOUR HOME FROM MOLD

JUNE 2002

Mold growth problems can adversely affect many homeowners in Texas. Homeowners who act quickly and appropriately can prevent or correct conditions that may cause mold growth. The Texas Department of Health (TDH) and Texas Department of Insurance (TDI) prepared this publication to help you understand the concerns related to mold growth and to provide some effective steps you can take to help prevent mold growth. The following information will help protect your investment in your home and may prevent the possibility of health risks due to mold exposure.

*If you are a renter, you should contact your landlord or property manager immediately when you have a maintenance need related to water damage.*

## WHAT ARE MOLDS?

Molds are microscopic organisms commonly found both indoors and outdoors. Molds, along with mushrooms and yeast, are known scientifically as fungi. Their purpose in nature is to break down dead material and recycle nutrients in the environment. For molds to grow and reproduce, they need a food source - any organic material, such as leaves, wood, paper, or dirt - and moisture. Since molds grow by "eating" the organic material, they gradually destroy whatever they are feeding on. Mold growth on surfaces can often be seen as a colored spot, frequently green, gray, brown, black or white. It commonly appears as a powdery, fuzzy, or hair-like material. Actively growing molds typically produce odors, sometimes described as earthy or moldy, or like mildew, old dirty socks, or ammonia. Molds release thousands of microscopic spores, which are lightweight, easily airborne and carried by air currents to surrounding areas. The spores must have both food and moisture to actually start growing, similar to plant seeds.

## WHAT DO I DO IF A LEAK OCCURS?

Whether or not the water damage may be covered by your insurance policy, it is important to act quickly to prevent further damage to your home.

- Immediately stop the source of leak or flooding.
- Remove excess water with mops or a wet vacuum. If the damage is significant, consider contacting a water extraction company for immediate action.
- Whenever possible, move wet items to a secure, dry and well-ventilated area or outside to expedite drying.
- Protect repairable and undamaged items from further damage.
- Move rugs and pull up areas of wet carpet as soon as possible.
- Increase circulation in and around wet areas by opening closet and cabinet doors, moving furniture away from walls and running fans.
- If necessary, remove wallboard and flooring materials to dry out those areas.
- Don't throw away removed or damaged materials until instructed by your insurance company.
- Dry any damp or wet building materials and furnishings within 24-48 hours.
- Keep all receipts, photos and other relevant documents.
- Contact your insurance company, if applicable.

**NOTE:** The sooner the affected areas dry out and the source of the leak is repaired, the better your chances of minimizing damage to your property. If the water cannot be removed and the area dried promptly and efficiently, consider contacting a water extraction company for immediate action.

## RESOURCES

For additional information, consult the mold and/or indoor air quality resources at the following:

**Texas Department of Health**  
[www.tdh.state.tx.us/beh/iaq/](http://www.tdh.state.tx.us/beh/iaq/)  
1-800-572-5548

**U.S. Environmental  
Protection Agency**  
[www.epa.gov/iaq/](http://www.epa.gov/iaq/)  
1-800-438-4318

**Texas Department of Insurance**  
[www.tdi.state.tx.us/commish/mold.html](http://www.tdi.state.tx.us/commish/mold.html)  
1-800-252-3439

## WHY ARE MOLDS A CONCERN?

### Damage to the Home

It is common to find mold spores in the air inside homes, and on most surfaces including clothes, walls, and furniture. Most of the time mold spores found indoors come from outdoor sources. Routine cleaning of your home and furnishings helps keep these levels low. Cleaning small areas of visible mold, such as mold that may occur around your shower, is necessary to prevent unsanitary conditions.

The level of concern greatly increases when there are large amounts of active mold growth in your home. Large-scale mold problems are most likely to occur when there has been an on-going water leak, a flood, or very high levels of humidity in the home. Indoor mold growth may cause very high levels of airborne mold spores, which, in turn, may cause the spread of mold growth from the original source to other areas of the home where high moisture levels exist. Extensive mold growth can damage your home and belongings, such as carpets, sofas and cabinets. In time, unchecked mold growth can cause damage to the structural elements in your home. While there is no practical way to eliminate all mold and mold spores in the indoor environment, keeping your home clean and dry can prevent extensive mold growth and its related damage.

### Health Effects

The vast majority of people are exposed to small amounts of mold or their spores on a daily basis without evident harm. However, mold growing inside a home is an unsanitary condition that may present potential health risks to occupants. Therefore, it is always best to identify and correct high moisture conditions quickly before mold grows and possible health problems develop.

Potential health effects produced by molds may include allergic, irritating, or toxic effects, and rarely, infection. Allergic reactions are generally the most common health effect. Typical symptoms (alone or in combination) reported by people living in moldy homes include:

- respiratory problems, such as wheezing, difficulty breathing, and shortness of breath
- sneezing and/or nasal congestion
- eye irritation (itching, burning, watery, or reddened eyes)
- coughing or throat irritation
- skin rashes or irritation
- headaches
- fatigue

The potential health effects depend on the amounts and types of mold present, the length and frequency of exposure, and the sensitivity and health condition of exposed individuals. While many people seldom experience ill effects from mold exposures, some may develop very serious illnesses. Some persons exposed to mold or mold spores may become sensitized and develop allergies to the mold or other health problems. Even "dead" mold (including spores and pieces of mold) may still cause allergy, irritation, or toxic reactions. Thus, killing mold without removing the residue may still be a health concern. Complete removal and thorough cleanup of mold is the safest solution.

Individuals at greater risk who may experience more severe symptoms or become ill more rapidly than others include:

- individuals with existing respiratory conditions, such as allergies, asthma, or chemical sensitivities
- individuals with weakened immune systems due to conditions such as HIV infection or cancer treatment
- infants and young children
- the elderly

*Anyone with a health problem they believe may be due to mold exposure should consult a medical professional.*

Since you cannot remove all food sources for molds, it is important as a homeowner to take sensible precautions to prevent moisture from creating a breeding ground for mold.

### MOISTURE CONTROL

- Maintain levels of humidity below 60% (preferably between 30% and 50%) by
  - venting bathrooms, dryers and other moisture-generating sources to the outside
  - avoiding blockage of air conditioning vents
  - using air conditioners and de-humidifiers
  - increasing ventilation by installing additional crawlspace and attic vents, opening windows or installing an air-to-air heat exchanger
  - using exhaust fans when cooking, dishwashing and cleaning
  - avoiding the use of unvented heaters or high heat in confined areas
  - setting the air conditioning thermostat to "auto" to prevent circulation of humid air.
- Add insulation to reduce the potential for condensation on cold surfaces (windows, piping, exterior walls, roof or floors).
- Consider using moisture sensors that sound an audible alarm when a leak occurs.

### OTHER PRECAUTIONS

- **Water Valve** - Make sure everyone in the household knows where the main valve is located and how to turn the water off.
- **Rain Gutters and Downspouts** - Direct rainwater away from your home. Keep gutters clear and make sure downspouts are long enough to effectively carry water away from your foundation. Gutters that are filled with leaves and other debris allow water to back up on the roof, which can result in water damage to eaves and roofing material.
- **Insulate Pipes and Outside Faucets** - Minimize the potential for water damage from frozen, broken pipes by insulating supply lines (in attic, crawlspaces and exterior walls), protecting exposed outdoor faucets, sealing gaps in exterior walls and maintaining adequate heat in your home.
- **Sump Pump** - The sump pump is the first line of defense in preventing water seepage into basements. Periodically check the sump and remove any debris that could clog the pump. Consider installing a battery-powered backup to protect your basement during power outages.
- **Don't block weep holes** - Weep holes are openings at the foundation level of a brick wall that allow moisture to escape from behind the wall. Do not close or block these openings.
- **Monitor Utility Bills** - An abnormally high water bill could signal a water leak.
- **Before You Travel** - Turn the water off at the main valve or at major appliances. While you are away, consider leaving a house key and contact information with a neighbor or trusted friend and ask the person to check the inside and outside of your home periodically while you are away.

### PREVENTION

- Purchase paint with EPA approved mold inhibitors
- Clean bathrooms often with mold killing products and keep surfaces dry
- Do not carpet bathrooms, basements, kitchens or other areas prone to collect moisture
- Repair damages that could lead to water intrusion promptly and properly
- Ensure that the home has adequate ventilation, including exhaust fans in the kitchen and bathrooms

### INSPECTION

Inspect your home regularly for the indications and sources of indoor moisture. Establish a maintenance schedule to check the following sources of water leaks on a regular basis. Contact a maintenance or service company with any questions or concerns.

- **Hot Water Heaters** - Over time, these appliances may rust or develop cracks, and the resulting leaks can be very costly. Check your water heater for rust and deterioration every year. Check the drain pan for water and ensure that the drain line for the overflow pan is not clogged. Drain and clean the water heater as recommended by the manufacturer.
- **A/C Drain Lines** - Damage can occur when the line that drains condensation from the evaporator coils becomes clogged and water overflows from the drip pan. To prevent this, periodically check the drip pan for water and consider an annual inspection or service call to reduce the buildup of algae and mold in the drain line.
- **Appliance Hoses** - Broken hoses are among the most common causes of water damage. Regularly inspect hoses and hose fittings on washing machines, icemakers and dishwashers for kinks, cracks, bulges or evidence of deterioration. Replace standard rubber washing machine hoses every two to five years, or more frequently if they are showing signs of water. Consider using steel-reinforced hoses for longer life.
- **Showers, Tubs, Sinks and Toilets** - Water that leaks from around bathtubs, showers, sinks and toilets can cause extensive damage because the leak is often hidden from view. To prevent leaks, make sure you have a continuous watertight seal of caulk around the edges of sinks, toilets, tubs and shower stalls. Cracks or mold on the caulk or on the grout at tiles on walls or shower floors may indicate that you do not have a watertight seal. Remove all caulk or grout, clean and dry the surface thoroughly, and apply fresh caulk. Do not apply new caulk or grout on top of the old materials.
- **Visible Piping** - Routinely check piping under cabinets and sinks for leaks, rust and evidence of deterioration.
- **Waste/Garbage Disposal System** - Routinely check for cracking or other sources of leaks in the waste disposal system.
- **Caulking around Windows, Doors, Penetrations and Cracks** - Windows and doors should have a continuous bead of caulk sealing them to the exterior surface of the home. Penetrations of the exterior walls by pipes, electrical conduit, phone or cable lines, and exhaust ducts should also be caulked. Cracks or mold on the caulk may indicate that you do not have a watertight seal. Remove all caulk, clean and dry the surface thoroughly, and apply fresh caulk. Do not apply new caulk on top of the old caulk.
- **Attic and Ceilings** - Routinely check for wet insulation and water stains.
- **Wallpaper** - Routinely check for bubbling and/or peeling, as well as pink or black stains.
- **Roofs** - Keep roofs free of debris that can damage roofing material and allow water to seep in. Trim tree branches to prevent them from rubbing and damaging the roof. Promptly repair missing or damaged shingles. Properly seal any cracks around chimneys, skylights and vents. Check metal flashing for holes, cracks or other damage. Replace flashing or use silicon caulk to seal any openings.
- **Landscape** - Yards should slope away from the house to prevent puddling near the foundation or under pier and beam houses.
- **Sprinklers and Irrigation System** - Do not allow sprinklers or sprinkler heads to soak the exterior of the home.
- **Check for evidence of water stains or odors, particularly after rains, on areas that could get wet.**

### POTENTIAL SIGNS OF MOLD GROWTH

- Unexplained discoloration on any surface
- Musty odor
- Dark spots on or around vents
- Water stains anywhere
- Peeling or curling of vinyl floors or wallpaper



Published by  
The Texas Department of Health  
The Texas Department of Insurance



cb075.0602





## TEXAS ASSOCIATION OF REALTORS® INFORMATION ABOUT PROPERTY INSURANCE FOR A BUYER OR SELLER

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### **A. The availability and the affordability of property insurance may affect both the buyer and the seller.**

Typically a buyer will seek to insure the property. Most mortgage lenders require that the property be insured in an amount not less than the loan amount. The failure to obtain property insurance at or before closing may delay the transaction or cause it to end, either of which can impose both inconvenience and cost to both the buyer and the seller.

### **B. There are a number of factors that affect the availability and affordability of insurance.**

- (1) The level of coverage will significantly affect the cost of insurance. There are several levels of insurance coverage. For example:
  - (a) a policy may cover the replacement cost of the improvements and the replacement cost of many personal items in the property in the event of most casualties;
  - (b) a policy may cover only value of the improvements and exclude many casualties; or
  - (c) a policy may cover casualties and costs between the two noted extremes under (a) and (b).
- (2) Coverage levels and prices vary from company to company. There are many insurance companies conducting business in Texas who offer a variety of insurance products at various prices.
  - (a) One insurance company may refuse to insure a particular property or person while another insurance company may elect to do so.
  - (b) One insurance company may charge a significantly lower premium than another insurance company for the same or similar coverage.
  - (c) Generally, each insurance company has specific guidelines by which it prices its insurance policies. The following are examples of criteria that an insurance company may use in evaluating an application for insurance. The criteria vary from company to company.
    - (1) Past claims filed against the property to be insured in the 5 years preceding the application.
    - (2) Past claims filed by the applicant to be insured in the 5 years preceding the application.
    - (3) The applicant's insurance credit score.
    - (4) The past relationship between the insurance company and the applicant.
    - (5) The physical characteristics of the property such as condition, age, location, or construction materials.

### **C. Most insurance companies participate in the Comprehensive Loss Underwriting Exchange (CLUE) and obtain a CLUE report to evaluate the claims history of the property and the applicant.**

- (1) Most insurance companies contribute information about claims to an insurance industry database known as CLUE (a registered trademark of Equifax, Inc.). An insurance company obtains a CLUE report when evaluating an application for insurance.
- (2) A CLUE report contains information about the claims history of the property and of the applicant for insurance.
  - (a) The CLUE report contains only data and does not inform the buyer or seller whether insurance is or is not available or at what cost.
  - (b) Insurance companies use the CLUE report in different ways.
  - (c) It is best to speak with an insurance agent with respect to how the information in a particular CLUE report affects the affordability and availability of insurance.



- (3) While CLUE reports are generally accurate, there may be errors in the reports.
  - (a) An event may be listed as a claim even though the insurance company did not pay any proceeds (for example, the cost of repair did not exceed the deductible or an inquiry may be incorrectly classified as a claim).
  - (b) Federal law permits a person to challenge inaccurate information. One may contact the administrator of the CLUE report (Lexis-Nexis) to correct information in a CLUE report.
- (4) A property owner may, for a fee, obtain the CLUE report on his or her property through companies such as Lexis-Nexis (<https://personalreports.lexisnexis.com>, 1-866-312-9076), A-Plus (800-709-8842) or other companies, most of whose services are accessible via the Internet. An owner may also contact the Equifax Insurance Consumer Center at 800-456-6004.

**D. Promptly after entering into a contract to buy a property in Texas, the buyer should take the following steps to avoid delays in closing and to avoid additional costs.**

**If the buyer has the option to terminate the contract, the buyer should make sure that the buyer and the insurance agent have completed the following steps before the option expires.**

- (1) Contact one or more insurance agents.
  - (a) The buyer should discuss the various levels of coverage with an insurance agent and ask questions that are necessary so the buyer understands the levels of available coverage.
  - (b) Insurance agents can provide applicants with written summaries of the various coverage levels.
  - (c) Basic summaries are available at the websites noted in Paragraph E.
- (2) **Submit an application** for insurance with the insurance agent of the buyer's choice.
  - (a) Applying for insurance promptly after entering into a contract to buy a property helps avoid surprises or delays in closing the transaction.
  - (b) Prompt application permits the buyer time to evaluate various coverage levels and prices.
  - (c) Delaying the application for insurance may limit opportunities to obtain the most suitable coverage and may limit opportunities to address any unforeseen problems or delays in obtaining coverage.
  - (d) In recent years, many transactions have been delayed or terminated because of problems associated with obtaining insurance.
- (3) Ask for written confirmation from the insurance agent that the insurance company:
  - (a) has received the application;
  - (b) has reviewed the applicant's CLUE report; and
  - (c) has conducted all necessary reviews to issue a policy at the particular price quoted (some insurance companies may ask for specific information or may wish to inspect the property).
- (4) Verify that the insurance coverage the buyer chooses is acceptable to the buyer's lender.

**E. If one is not able to obtain insurance at a reasonable price or more information is needed, contact the Texas Department of Insurance ([www.helpinsure.com](http://www.helpinsure.com) or [www.tdi.state.tx.us](http://www.tdi.state.tx.us)).**

Receipt acknowledged by:

Signature \_\_\_\_\_

Signature \_\_\_\_\_



# CAUTION

U.S. Department of Housing  
and Urban Development  
Federal Housing Administration (FHA)



OMB Approval No: 2502-0538  
(exp. 04/30/2018)

## For Your Protection: Get a Home Inspection

### Why a Buyer Needs a Home Inspection

A home inspection gives the buyer more detailed information about the overall condition of the home prior to purchase. In a home inspection, a qualified inspector takes an in-depth, unbiased look at your potential new home to:

- Evaluate the physical condition: structure, construction, and mechanical systems;
- Identify items that need to be repaired or replaced; and
- Estimate the remaining useful life of the major systems, equipment, structure, and finishes.

### You Must Ask for a Home Inspection

A home inspection will only occur if you arrange for one. FHA does not perform a home inspection.

Decide early. You may be able to make your contract contingent on the results of the inspection.

### Appraisals are Different from Home Inspections

An appraisal is different from a home inspection and does not replace a home inspection. Appraisals estimate the value of the property for lenders. An appraisal is required to ensure the property is marketable. Home inspections evaluate the condition of the home for buyers.

### FHA Does Not Guarantee the Value or Condition of your Potential New Home

If you find problems with your new home after closing, FHA cannot give or lend you money for repairs, and FHA cannot buy the home back from you. Ask a qualified home inspector to inspect your potential new home and give you the information you need to make a wise decision.

### Radon Gas Testing

The United States Environmental Protection Agency and the Surgeon General of the United States have recommended that all houses should be tested for radon. For more information on radon testing, call the toll-free National Radon Information Line at 1-800-SOS-Radon or 1-800-767-7236.

Ask your home inspector about additional health and safety tests that may be relevant for your home.

### Be an Informed Buyer

It is your responsibility to be an informed buyer. You have the right to carefully examine your potential new home with a qualified home inspector. To find a qualified home inspector ask for references from friends, realtors, local licensing authorities and organizations that qualify and test home inspectors.



HUD-92564-CN (6/14)



# CAUTION



## TEXAS REAL ESTATE CONSUMER NOTICE CONCERNING HAZARDS OR DEFICIENCIES

Each year, Texans sustain property damage and are injured by accidents in the home. While some accidents may not be avoidable, many other accidents, injuries, and deaths may be avoided through the identification and repair of certain hazardous conditions. Examples of such hazards include:

- malfunctioning, improperly installed, or missing ground fault circuit protection (GFCI) devices for electrical receptacles in garages, bathrooms, kitchens, and exterior areas;
- malfunctioning arc fault protection (AFCI) devices;
- ordinary glass in locations where modern construction techniques call for safety glass;
- malfunctioning or lack of fire safety features, such as smoke alarms, fire-rated doors in certain locations, and functional emergency escape and rescue openings in bedrooms;
- malfunctioning carbon monoxide alarms;
- excessive spacing between balusters on stairways and porches;
- improperly installed appliances;
- improperly installed or defective safety devices;
- lack of electrical bonding and grounding; and
- lack of bonding on gas piping, including corrugated stainless steel tubing (CSST).

To ensure that consumers are informed of hazards such as these, the Texas Real Estate Commission (TREC) has adopted Standards of Practice requiring licensed inspectors to report these conditions as "Deficient" when performing an inspection for a buyer or seller, if they can be reasonably determined.

These conditions may not have violated building codes or common practices at the time of the construction of the home, or they may have been "grandfathered" because they were present prior to the adoption of codes prohibiting such conditions. While the TREC Standards of Practice do not require inspectors to perform a code compliance inspection, TREC considers the potential for injury or property loss from the hazards addressed in the Standards of Practice to be significant enough to warrant this notice.

Contract forms developed by TREC for use by its real estate license holders also inform the buyer of the right to have the home inspected and can provide an option clause permitting the buyer to terminate the contract within a specified time. Neither the Standards of Practice nor the TREC contract forms requires a seller to remedy conditions revealed by an inspection. The decision to correct a hazard or any deficiency identified in an inspection report is left to the parties to the contract for the sale or purchase of the home.

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

INITIAL  
[Signature]

TREC Form No. OP-I  
TAR 2504



TEXAS ASSOCIATION OF REALTORS®  
**INSPECTOR INFORMATION**

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TO: \_\_\_\_\_ ( ☒ Buyer ( ☐ Seller)

FROM: RE/MAX REAL PROPERTIES (Broker's Firm)

RE: 800 ALLISON LANE, SAN MARCOS, TX 78666 (Property)

DATE: \_\_\_\_\_

The attached list includes inspectors licensed by the Texas Real Estate Commission and may also include other persons authorized by law to perform certain inspections (for example, termite inspectors, engineers, electricians, or plumbers). The list is not a complete list of all inspectors that may perform inspections. You may also obtain a list from other sources (for example, the local telephone directory or the Internet).

This firm strongly recommends that you hire inspectors to help you evaluate the condition of the Property.

Inspections are of conditions which are *present* and *visible* at the time of the inspections. Property conditions change with time and use. Inspectors are not likely to point out small problems or defects that are not reasonably observable at the time of inspection. Inspectors will not move furniture, appliances, permanent coverings, or other obstructions. Neither inspectors nor real estate licensees can guarantee future performance of any item.

This firm does not recommend any particular inspector and does not warrant the quality of any inspector's inspection.

It is recommended that you accompany the inspectors during the inspections. You should address any questions about an inspection directly to your inspector.

Real estate licensees are not inspectors by virtue of their real estate licenses.

It may be necessary to make certain arrangements for the inspectors, such as providing access and turning on utilities.

Receipt of this notice is acknowledged and:

- ☐ I choose to hire an inspector.  
☐ I choose not to hire an inspector.

Buyer/Seller

Date

(TAR-2506) 01/01/14

RE/MAX Real Properties, 160 South River Wimberley, TX 78676  
Phone: 512.848.6612

Fax: 512.857.8588

Allison AJ Harwood

Produced with zipForm® by zipLogix 18070 Fifteen Mile Road, Fraser, Michigan 48026 [www.zipLogix.com](http://www.zipLogix.com)



Page 1 of 1

800 ALLISON

**NOTICE TO PROSPECTIVE BUYER**

As required by law, I advise you to have the abstract covering the property known as  
800 ALLISON LANE

SAN MARCOS, TX 78666 (Address) examined by  
an attorney of your own selection OR you should be furnished with or obtain a policy of  
title insurance.

If the property is situated in a Utility District, Chapter 49 of the Texas Water Code  
requires you to sign and acknowledge the statutory notice from the seller of the property  
relating to the tax rate, bonded indebtedness or standby fee of the District.

DATED: \_\_\_\_\_, \_\_\_\_\_

RE/MAX REAL PROPERTIES

Brokerage Company Name

ALLISON "AJ" HARWOOD

Broker or Sales Associate

I have received a copy of this **NOTICE TO PROSPECTIVE BUYER.**

\_\_\_\_\_  
Prospective Buyer

\_\_\_\_\_  
Prospective Buyer

This form has been approved by the Texas Real Estate Commission (TREC) for use when a contract of sale has not been promulgated by TREC. The form should be presented before an offer to purchase is signed by the prospective buyer. Texas real Estate Commission, P.O. Box 12188, Austin, Texas 78711-2188, 512-936-3000 (<http://www.trec.texas.gov>). TREC Notice to Prospective Buyer. OP-C replaces MA-C.

INITIAL  
PAJ 10/11



# TEXAS ASSOCIATION OF REALTORS® INFORMATION ABOUT MINERAL CLAUSES IN CONTRACT FORMS

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*This form contains general information about mineral estates in published contract forms.*

- 1. INTRODUCTION:** Historically, buyers and sellers of property near urban areas have not been concerned about the conveyance or retention of mineral interests. Mineral interests for such properties may have been severed in the past or the value of the mineral interests may have been relatively insignificant. There has historically been little risk that the owner of the mineral interests under property near urban areas could or would access the surface of the property to drill or excavate for minerals (perhaps, because the property was too small to support such activity or because such activity may have been heavily regulated by a city). In recent years, the discovery of large mineral deposits near urban areas and advances in drilling technologies have led to increased exploration and drilling activities in and near urban areas. In turn, buyers and sellers of property in urban and suburban areas have raised questions as to whether it is best to convey or retain all or part of the mineral interests in a particular sale.
- 2. WHO OWNS THE MINERALS?** Owners of property in or near urban areas typically are not aware of the precise extent of the mineral interests they may own. One may own all or only a portion of the mineral interests. Further, the mineral interests may have been leased. Determining who owns the mineral interests, whether the mineral interests have been leased, and who holds rights under any leases requires an expert (such as an oil and gas attorney) to review the chain of title and formulate an informed opinion.
- 3. CONTRACT FORMS:** The residential contract forms promulgated by the Texas Real Estate Commission and the commercial contract forms published by the Texas Association of REALTORS® provide that the seller will convey to the buyer all of the seller's rights associated with the property, including all mineral interests and any rights held under any mineral leases by the seller. If a seller wishes to reserve all or a part of the mineral interests and rights held by the seller in a residential transaction, the seller **must** use the Texas Real Estate Commission's *Addendum for Reservation of Oil, Gas, And Other Minerals* (TREC No. 44-2, TAR No. 1905). If the addendum is not attached to the sales contract, the seller conveys to the buyer all of the mineral interests and rights held by the seller at the time of the transaction. In a farm & ranch transaction, the seller may use the TREC promulgated form, but may also use any addendum prepared by an attorney or by either party.
- 4. RESOURCES:** One may find information related to mineral estates and mineral leases through many sources, including but not limited to: (a) the Real Estate Research Center ([www.recenter.tamu.edu](http://www.recenter.tamu.edu)); and (b) the Railroad Commission of Texas ([www.rrc.state.tx.us](http://www.rrc.state.tx.us)). There are many other useful sources that one can access via the Internet through most Internet search engines.

The undersigned acknowledge receipt of this notice.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Date

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

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

(TAR-2509) 12-15-14



Page 1 of 1



## DISCLOSURE OF RELATIONSHIP WITH RESIDENTIAL SERVICE COMPANY

**RESIDENTIAL SERVICE CONTRACTS.** A residential service contract is a product under which a residential service company, for a fee, agrees to repair or replace certain equipment or items in a property. Co-payments typically apply to most service calls. Residential service companies are licensed and regulated by the Texas Real Estate Commission. The extent of coverage and the cost of coverage will vary. Before buying a residential service contract, the buyer should read the contract and consider comparing it with the extent of coverage and costs from several other residential service companies. You may obtain a list of the residential service companies licensed in Texas at <http://www.trec.state.tx.us> as well as a copy of their respective contracts. **YOU MAY CHOOSE ANY COMPANY.**

**THE PURCHASE OF A RESIDENTIAL SERVICE CONTRACT IS OPTIONAL.** The TREC promulgated residential contract forms contain a paragraph in which the parties may negotiate whether the seller will reimburse the buyer the cost of a residential service contract. The choice of the residential service company and extent of coverage lies with the buyer. **NEITHER A BROKER/SALESPERSON NOR A SELLER MAY CONDITION THE SALE OF A PROPERTY ON THE BUYER'S PURCHASE OF A RESIDENTIAL SERVICE CONTRACT.**

☐ Other Broker/Salesperson will receive no compensation from a residential service company.

☒ Listing Broker/Salesperson will receive no compensation from a residential service company.

☐ Other Broker/Salesperson receives compensation from the following residential service company

☐ Listing Broker/Salesperson receives compensation from the following residential service company:

\_\_\_\_\_

\_\_\_\_\_

for providing the following services:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

for providing the following services:

\_\_\_\_\_

The compensation is not contingent upon a party to the real estate transaction purchasing a contract or services from the residential service company.

The compensation is the fee for the services that Listing Broker or Other Broker, either directly or through an agent, provides to the company. As required by the Real Estate Settlement Procedures Act and HUD Regulation X, any fees paid to a settlement services provider are limited to the reasonable value of services actually rendered.

Other Broker's Name \_\_\_\_\_ License No. \_\_\_\_\_

By: \_\_\_\_\_

RE/MAX REAL PROPERTIES

Listing Broker's Name \_\_\_\_\_ 494844 \_\_\_\_\_ License No. \_\_\_\_\_

By:  \_\_\_\_\_

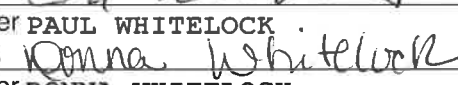
ALLISON "AJ" HARWOOD

The undersigned acknowledges receipt of this notice:

Buyer \_\_\_\_\_

Buyer \_\_\_\_\_

 \_\_\_\_\_  
Seller PAUL WHITELOCK

 \_\_\_\_\_  
Seller DONNA WHITELOCK

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 intended for complex transactions. Texas Real Estate Commission, P.O. Box 12188, Austin, TX 78711-2188, (512) 459-6544 (<http://www.trec.state.tx.us>) RSC 1.



**From the office of Commissioner Will Conley  
Hays County  
Precinct 3**

**Please read the attached letter regarding concerning activity in the area. If you have questions, you may respond to this email, or call our office at 512-847-3159.**

Sincerely,  
Jennifer Anderson  
On behalf of Commissioner Will Conley  
Hays County  
P.O. Box 2085  
Wimberley, Texas 78676



14306 Ranch Road 12, Suite 11  
P.O. Box 2085  
Wimberley, Texas 78676



Phone: (512) 847-3159  
Fax: (512) 847-7352

***Will Conley***  
***Commissioner***  
***Hays County, Texas***  
***512-847-3159***  
[will.conley@co.hays.tx.us](mailto:will.conley@co.hays.tx.us)

#### Un- Regulated Well Field Development in Hays County

Fellow Citizens,

It has been brought to my attention that there is a large un-regulated well field being developed in mid-western Hays County near FM 3237. The company developing this project is a Houston-based company called Electro Purification LLC. They propose to deliver to potential customers around 6,000 acre feet of water per year out of this area of the Trinity Aquifer. As the representative of Precinct 3, this gives me a great deal of concern. Firstly, I am worried about the potential impact on residential and commercial wells in the nearby area. Secondly, I am wary of the overall health of the Trinity Aquifer in Hays County. Some actions have been taken out of the Precinct 3 office that I would like to bring to your attention.

Commissioner Whisenant, Representative Isaac, and I met with the principals of Electro Purification around January, 8th 2015. We each expressed our concerns over this amount of water being distributed out of this area. Electro Purification and their representatives ensured us that the proper studies have been done and that they felt confident their project wouldn't negatively impact the surrounding area or the Trinity Aquifer. I asked them to consider five points.

1. An exit strategy to the project;
2. A binding agreement that protected area well owners, should the project negatively impact their water supplies;
3. Sharing their costs in the project at this point in time;
4. sharing the data associated with the project;
5. Providing copies of any contracts or letters of intent they may have with potential customers

Electro Purification stated that they would provide the information requested in items 4 and 5. However, they asked for more time to consider their level of comfort on requests 1, 2 and 3. At this time, I have received no information. I have asked in two different emails that they at least provide the well data to my office. I am hopeful that they will respond to these requests, as it would provide us with an opportunity to have a real conversation about the impact of their proposed operations.

I, along with many of my colleagues, have discussed this issue with the groundwater districts in Hays County. We have asked that they get together and see if they can develop some reasonable legislation that might cover this gap in groundwater regulatory authority in our community. To my knowledge the groundwater districts are working together and will try to deliver something to Representative Isaac in the near future. This is a complicated issue that will warrant a tremendous amount of discussion. However I am optimistic that our groundwater districts, working with Representative Isaac can come up with a good solution. The rule of capture should not be the only rule that applies to a corporate entity with the intentions of commercial distribution of water resources. I believe there must be some accountability on this whole process beyond free market principles that will protect the private property rights of land owners in an impacted area.

As of yesterday, the Precinct 3 office has filed Public Information Act requests with the following political subdivisions: the City of Kyle, Mountain City, the City of Buda, and Goforth Special Utility District. We filed these requests to ensure we have all information available in order to make the best decisions moving forward in our representation of the citizens of Hays County. We need to understand the entirety of the issue. If any information has been shared or discussed with these political subdivisions, access to that information will allow us to better assess the situation. I do not want to imply that these political subdivisions aren't cooperating with informal request. I believe that implementing formal requests was simply the best way to move forward in a timely manner. Hopefully, the Precinct 3 office will receive information from these entities in the near future that helps us better understand the issues at hand.

Commissioner Whisenant and I have placed an agenda item on the Commissioners Court agenda for next Tuesday, January 20th. In this Court session I plan to share with the Court the information we may have about this project. We will also discuss next steps. I assume this will be one of many meetings that we will have on this issue.

In closing, this is a very difficult and complicated issue. This proposed project may also have a direct impact on many people throughout Hays County. It is important in this time of tremendous change in Hays County that we do things wisely and carefully. We must also maintain our core principles and beliefs. As difficult as that can be, it is the challenge that is

before us today. I am confident with hard work, good government, and principled positions we will meet these challenges and leave Hays County and its people a better and brighter future.

Sincerely,

Will Conley

Hays County Commissioner, Precinct 3





## JASON ISAAC

STATE REPRESENTATIVE  
House District 45

For Immediate Release: May 24, 2015  
Contact: Chelsey McGee - (512) 463-0647

### **BREAKING: Rep. Isaac and Sen. Campbell Pass Hays County Water Protection Bill**

AUSTIN, TX - State Representative Jason Isaac (R-Dripping Springs) and State Senator Donna Campbell (R-New Braunfels) passed HB 3405 this evening in the Senate. HB 3405 will expand the boundaries of the Barton Springs-Edwards Aquifer Conservation District (BSEACD) to cover a portion of the Trinity Aquifer in Hays County that is not currently within a groundwater district.

Since the passage of HB 3405 in the House on May 8, 2015, Rep. Isaac and Sen. Campbell have diligently worked to fight off amendments and unnecessary language in the Senate.

"Today is a great day for Hays County. I'm pleased to announce an agreement has been reached that will protect private property rights and groundwater within Hays County," said Rep. Isaac. "Additionally, BSEACD is a non-taxing district, and residential and agricultural wells will be exempt from fees."

With the passage of HB 3405 we have protected the private property rights of those that may wish to sell their water, while protecting the private property rights of those surrounding well owners that may be negatively affected.

Sen. Campbell stated, "I am confident that we have taken a key step to protecting the Trinity Aquifer and current well owners who have been fearful of their wells running dry."

###



**NOTICE REGARDING OAK WILT IN CENTRAL TEXAS**

**ADDENDUM TO EARNEST MONEY CONTRACT BETWEEN THE UNDERSIGNED  
PARTIES CONCERNING THE PROPERTY AT:**

**800 ALLISON LANE, SAN MARCOS, TX 78666**

**THERE MAY BE OAK WILT ON THE PROPERTY THAT YOU ARE ABOUT TO PURCHASE**

OAK WILT is one of the most destructive tree diseases in the United States. The disease has killed more than 1 million trees in Central Texas. Oak wilt is caused by the fungus *Ceratocystis fagacearum*. The spores of the fungus invade and clog the tree's water conducting system, call xylem.

Oak wilt has been found in over 60 counties and in almost every city in Central Texas. It can be a problem wherever live oaks tend to be the predominate tree. It does not matter whether they are transplanted or naturally grown. An individual tree's age, size or previous health status does not make it more or less likely to contract or die from oak wilt.

Live Oaks die in the greatest numbers, most often in expanding areas called Oak Wilt Centers. Red Oaks are the most susceptible. They typically die within 2-4 weeks of symptom appearance. Common red oaks are Spanish, Texas, Shumard, Pin, and Blackjack. White oaks are least susceptible. Very few have been identified with oak wilt in Texas. They generally survive for a number of years with the disease. Common White Oaks – Post, Bur, Chinkapin, Monterrey.

**OUR EXPERTISE:**

- We cannot make representations or guarantees because we are not trained in identifying the condition of trees and their diseases and have no expertise in the area of plant diseases.

**THEREFORE, WE RECOMMEND:**

- That you take whatever other measure you feel is necessary to satisfy yourself about the condition of the property and its surroundings.
- That you accompany the inspectors and other experts during their inspections and ask any questions you have about the property.

Other Information: If you are concerned or desire additional information, you may call your County Agricultural Extension Service, or if you have access to the internet, go to

<http://www.texasoakwilt.org/>

Seller

Date

Buyer

Date

Seller

Date

Buyer

Date

Listing Agent

Date

Buyer's Agent

Date