

2S Clydesdales



Bill Johnson and Associates Real Estate Company
979-865-5969 Bellville New Ulm 979-992-2636
www.bjre.com

2S Clydesdales

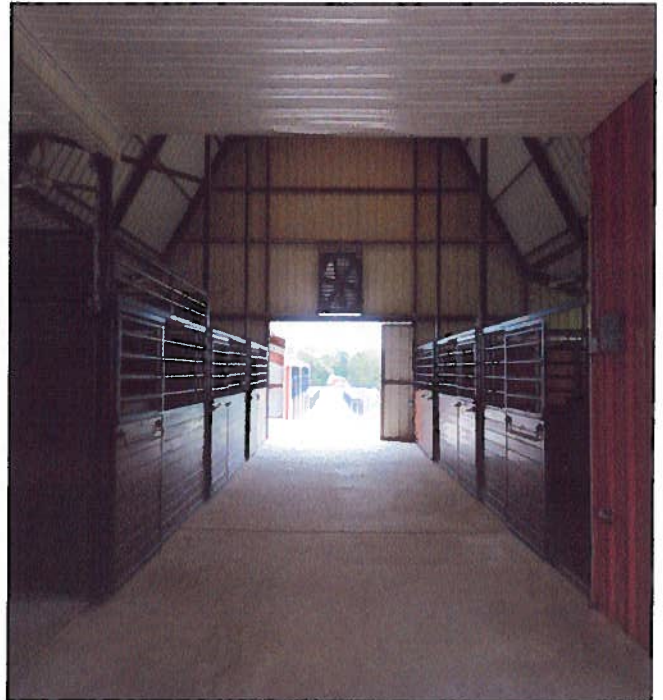
This noted Clydesdale breeding and training facility is located in Fayette County, midway between Weimer and Schulenburg. The property is approximately 42 acres in size with 2500' (+/-) of road frontage on the I-10 Feeder Road/ Holub Road. This 42 acres features eighteen traps, four with loafing sheds, all serviced by piped water and troughs. The property is gently rolling with a few scattered oak trees.

Improvements on the property are as follows:

The Horse Facility: The custom horse barn, built in 2005, features 21 horse stalls, a comfortable one-bedroom, one-bath apartment downstairs and a comparable two bedroom, one bath apartment upstairs, which features a viewing window overlooking the horse stalls. The horse barn has a room for storage of feed, hay and shavings, an equipment storage area, wash rack, floor drain, a mosquito and fly control system, exhaust fan and washer/dryer hookups.

A six-horse EquiCiser walker, is separately fenced just a short distance from the horse barn facility.

Please contact our office for a detailed property brochure providing further information about this outstanding property.





**Bill Johnson and Associates Real Estate Co.**

420 E. Main St., Bellville, TX 77418

424 Cedar St., New Ulm, TX 78950

979-865-5969 or 281-463-3791 - Bellville

979-992-2636 or 281-220-2636 - New Ulm

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LOT OR ACREAGE LISTING

Location of Property: Weimar: *I-10 West* Exit 677 *I-10 Frontage Rd/Holub Rd. to property Listing #: 83677
 Address of Property: 3235/3425 El-10 Frontage, Schulenburg 78956 Approx. Amount of Road Frontage: 2500 Ft +/-
 County: Fayette Paved Road: ☒ YES ☐ NO For Sale Sign on Property? ☒ YES ☐ NO
 Subdivision: N/A Lot Size or Dimensions: 42 Acres +/-
 Subdivision Restricted: ☐ YES ☒ NO Mandatory Membership in Property Owners' Assn. ☐ YES ☒ NO

Number of Acres: 42 acres +/-**Price per Acre (or)****Total Listing Price:** \$695,000.00**Terms of Sale:**

Cash: ☒ YES ☐ NO
 Seller-Finance: ☐ YES ☒ NO
 Sell.-Fin. Terms:
 Down Payment:
 Note Period:
 Interest Rate:
 Payment Mode: ☐ Mo. ☐ Qt. ☐ S.A. ☐ Ann.
 Balloon Note: ☐ YES ☐ NO
 Number of Years:

Property Taxes: 2012 on entire 84.737 acres

School: \$ 3,362.29
 County: \$ 820.79
 GWCD: \$ 28.57
 Rd/Bridge: \$ 377.11
 Other: \$0.00
 TOTAL: \$ 4,588.76

Agricultural Exemption: ☒ Yes ☐ No**School District:** Schulenburg I.S.D.**Minerals and Royalty:** Seller will convey surface control

Seller believes 50% *Minerals
 to own: 50% *Royalty
 Seller will None Minerals
 Convey: None Royalty

Leases Affecting Property:Oil and Gas Lease: ☒ Yes ☐ No

Lessee's Name: Ross Exploration, Inc. Ft Worth TX

Lease Expiration Date: 9/1/2015

Surface Lease: ☐ Yes ☒ No

Lessee's Name:

Lease Expiration Date:

Oil or Gas Locations: ☐ Yes ☒ No**Easements Affecting Property:** Name(s):

Pipeline: Enterprise Petroleum Pipeline

Roadway: None

Electric: Fayette Electric Cooperative, Inc.

Telephone: None

Water: None

Other: None

Improvements on Property:Home: ☐ YES ☒ NO See HOME listing if Yes

Equipment: EquiCiser 6-horse walker

See Additional Information below

Facilities: Custom Horse barn with 21 stalls, storage for equipment, feed & hay, washer & dryer hookups, wash rack, floor drains, exhaust fan.
 1 BR, 1 B apartment downstairs in barn; also has a

2 BR, 1 B apartment upstairs w/viewing window overlooking stalls

Approx. % Wooded: 5%

Type Trees: Live Oak, Pecan, Post Oak

Fencing: Perimeter ☒ YES ☐ NO

Condition: Good

Cross-Fencing: ☒ YES ☐ NO

Condition: Good (Electric Fence)

Ponds: Number of Ponds: None

Sizes:

Creek(s): Name(s): None**River(s):** Name(s): None**Water Well(s): How Many?** 1

Year Drilled: 2001

Depth: 128'

Community Water Available: ☐ YES ☒ NO

Provider:

Electric Service Provider (Name):

Fayette Electric Cooperative, Inc.

Gas Service Provider

None

Septic System(s): How Many: 1

Year Installed: 2001

Soil Type: Black Loam and Sandy Loam**Grass Type(s):** Coastal**Flood Hazard Zone:** See Seller's Disclosure or to be

determined by survey

Nearest Town to Property: Schulenburg

Distance: 3.5 miles

Approximate driving time from Houston: 90 minutes to downtown

Items specifically excluded from the sale: All of Sellers

personal property located on said 42 acres.

Additional Information: Water and troughs in all 18 traps; 4 with loafing sheds. Barn has mosquito and fly control system.

*Additional 42+/- acres with 4 BR-2 Bath home available.

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Downstairs Efficiency Apartment (Barn)

Address of Home:	3425 E I-10 Frontage Rd., Schulenburg TX 78956		Listing #: 83677
Location of Home:	Weimar: * I-10 West*Exit 677*I-10 Frontage Rd/Holub Rd to property		
County or Region:	Fayette	For Sale Sign on Property?	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
Subdivision:	N/A	Property Size:	42 Acres +/-
Subdivision Restricted:	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	Mandatory Membership in Property Owners' Assn.	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
<u>Listing Price:</u>	\$695,000.00		
<u>Terms of Sale:</u>	<u>Home Features:</u>		
Cash:	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	<input checked="" type="checkbox"/> Ceiling Fans	No. <u>2</u>
Seller-Finance:	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	<input checked="" type="checkbox"/> Dishwasher	
<u>Sell.-Fin. Terms:</u>		<input type="checkbox"/> Garbage Disposal	
Down Payment:		<input checked="" type="checkbox"/> Microwave (Built-In)	
Note Period:		<input checked="" type="checkbox"/> Kitchen Range (Built-In)	<input type="checkbox"/> Gas <input checked="" type="checkbox"/> Electric
Interest Rate:		<input type="checkbox"/> Other	
Payment Mode:	<input type="checkbox"/> Mo. <input type="checkbox"/> Qt. <input type="checkbox"/> S.A. <input type="checkbox"/> Ann.	<u>Items Specifically Excluded from The Sale: LIST:</u>	
Balloon Note:	<input type="checkbox"/> YES <input type="checkbox"/> NO	All of Sellers personal property located on said 42 acres	
Number of Years:			
<u>Size and Construction:</u>	<u>Heat and Air:</u>		
Year Home was Built:	2005 (CAD)		
Lead Based Paint Addendum Required if prior to 1987	<input type="checkbox"/> YES		
Bedrooms: 1	Baths: 1	<input type="checkbox"/> Central Heat Gas <input type="checkbox"/> Electric <input checked="" type="checkbox"/> 1 Unit	
Size of Home (Approx.)	465	<input checked="" type="checkbox"/> Central Air Gas <input type="checkbox"/> Electric <input checked="" type="checkbox"/> 1 Unit	
	sq. ft. Living Area	<input type="checkbox"/> Other:	
	sq. ft. Total	<input type="checkbox"/> Fireplace(s)	
Foundation: <input checked="" type="checkbox"/> Slab <input type="checkbox"/> Pier/Beam <input type="checkbox"/> Other		<input type="checkbox"/> Wood Stove	
Roof Type: Metal	Year Installed:	<input checked="" type="checkbox"/> Water Heater(s): <input type="checkbox"/> Gas <input checked="" type="checkbox"/> Electric	
Exterior Construction	Metal	Services both Up and Downstair Apartments	
<u>Room Measurements:</u>	<u>Utilities:</u>		
All Purpose: 19 x 11	Electricity Provider: Fayette Electric Cooperative Inc.		
Dining: 11 x 7	Gas Provider: Leased Tank-TEX Propane		
Kitchen: 11 x 8	Sewer Provider: Septic		
	Water Provider: Well		
Utility Room:	Water Well: <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO Depth: 128'		
Bath: 8 x 7 <input type="checkbox"/> Tub <input checked="" type="checkbox"/> Shower	Year Drilled: Unknown		
Bath: <input type="checkbox"/> Tub <input type="checkbox"/> Shower	Average Utility Bill: Monthly:		
Bath: Master <input type="checkbox"/> Tub <input type="checkbox"/> Shower			
Bedroom:	<u>Taxes:</u> On Entire 84.737 Ac. Year 2012		
Bedroom:	School: \$3,362.29		
Bonus Room	County: \$820.79		
Bedroom:	GWCD: \$28.57		
Other:	Rd/Bridge: \$377.11		
Garage: <input type="checkbox"/> Carport: <input type="checkbox"/> No. of Cars:	Other: \$0.00		
Size: <input type="checkbox"/> Attached <input type="checkbox"/> Detached	<u>Taxes:</u> \$4,588.76		
<u>Porches:</u>	School: Schulenburg		
Front: Size:	<u>Additional Information:</u>		
Back: Size:			
Patio: Size: Has covered patio area <input checked="" type="checkbox"/> Covered			
Deck: Size: <input type="checkbox"/> Covered			
Fenced Yard: Post/slickwire & pipe			
Outside Storage: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Size:			
Construction:			
TV Antenna <input checked="" type="checkbox"/> Dish <input checked="" type="checkbox"/> Cable <input type="checkbox"/>			

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Upstairs Efficiency Apartment (Barn)

Address of Home: 3425 E I-10 Frontage Rd Schulenburg TX 78956 Listing #: 83677
 Location of Home: Weimar* I-10 West*Exit 677*I-10 Frontage Rd/Holub Rd to property
 County or Region: Fayette For Sale Sign on Property? ☒ YES ☐ NO
 Subdivision: N/A Property Size: 42 Acres +/-
 Subdivision Restricted: ☐ YES ☒ NO Mandatory Membership in Property Owners' Assn. ☐ YES ☒ NO
Listing Price: \$695,000.00
Terms of Sale:
 Cash: ☒ YES ☐ NO
 Seller-Finance: ☐ YES ☒ NO
Sell.-Fin. Terms:
 Down Payment: _____
 Note Period: _____
 Interest Rate: _____
 Payment Mode: ☐ Mo. ☐ Qt. ☐ S.A. ☐ An
 Balloon Note: ☐ YES ☐ NO
 Number of Years: _____

Size and Construction:

Year Home was Built: 2005 (CAD)
 Lead Based Paint Addendum Required if prior to 1987 ☐ YES
 Bedrooms: 2 Baths: 1
 Size of Home (Approx.) 734 sq. ft. Living Area
 sq. ft. Total
 Foundation: ☒ Slab ☒ Pier/Beam ☐ Other
 Roof Type: Metal Year Installed: _____
 Exterior Construction Metal

Room Measurements: APPROXIMATE SIZE:

All Purpose: 23'5" x 12-1/2"
 Dining: 9'9" x 8'3"
 Kitchen: 11'8" x 9'
 Utility Room:
 Bath: 8'9" x 5'3" Combo ☒ Tub ☒ Shower
 Bath: ☐ Tub ☐ Shower
 Bath: Master ☐ Tub ☐ Shower
 Bedroom: 13' x 9'9"
 Bedroom: 10' x 7'4"
 Bonus Room
 Bedroom:
 Other:
 Garage: ☐ Carport: ☐ No. of Cars: _____
 Size: ☐ Attached ☐ Detached

Porches:

Front: Size:
 Back: Size:
 Patio: Size: 20' x 63' ☒ Covered
 Deck: Size: ☐ Covered
 Fenced Yard: Yes - Slickwire/Pipe, post
 Outside Storage: ☒ Yes ☐ No Size: _____
 Construction: Metal
 TV Antenna ☒ Dish ☒ Cable ☐

Home Features:

☒ Ceiling Fans No. 4
☒ Dishwasher
☐ Garbage Disposal
☒ Microwave (Built-In)
☒ Kitchen Range (Built-In) ☐ Gas ☒ Electric
☐ Other

Items Specifically Excluded from The Sale: LIST:

All of Sellers personal property located on said 42 acres

Heat and Air:

☒ Central Heat Electric ☒ 1 Unit
☒ Central Air Electric ☒ 1 Unit
☐ Other:
☐ Fireplace(s)
☐ Wood Stove
☒ Water Heater(s): ☐ Gas ☒ Electric
 Services both Up and Downstair Apartments

Utilities:

Electricity Provider: Fayette Electric Cooperative Inc.
 Gas Provider: Leased Tank-Tex Propane
 Sewer Provider: Septic
 Water Provider: Well
 Water Well: ☒ YES ☐ NO Depth: 128'
 Year Drilled: _____ Unknown
 Average Utility Bill: _____

Taxes:

2012 On Entire 84.737 acres
 School: \$3,362.29
 County: \$820.79
 GWCD: \$28.57
 Rd/Bridge: \$377.11
 Other: \$0.00
Taxes: \$4,588.76
 School: Schulenburg I. S. D.

Additional Information:

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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 84.737 Ac ABS A091 SARGEANT JA LG E I-10 FRONGAGE RD SCH AREA

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

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

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

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

(TAR-1406) 9-01-11

Initialed by: Seller: [Signature] and Buyer: [Signature]

Page 1 of 5

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: unknown (approximate)Is there an overlay roof covering on the Property (shingles or roof covering placed over existing shingles or roof covering)? ☐ yes ☐ no ☐ unknownAre you (Seller) aware of any of the items listed in this Section 1 that are not in working condition, that have defects, or are need of repair? ☐ yes ☒ no If yes, describe (attach additional sheets if necessary): _____**Section 2. Are you (Seller) aware of any defects or malfunctions in any of the following?: (Mark Yes (Y) if you are aware and No (N) if you are not aware.)**

Item	Y	N	Item	Y	N	Item	Y	N
Basement		<input checked="" type="checkbox"/>	Floors		<input checked="" type="checkbox"/>	Sidewalks		<input checked="" type="checkbox"/>
Ceilings		<input checked="" type="checkbox"/>	Foundation / Slab(s)		<input checked="" type="checkbox"/>	Walls / Fences		<input checked="" type="checkbox"/>
Doors		<input checked="" type="checkbox"/>	Interior Walls		<input checked="" type="checkbox"/>	Windows		<input checked="" type="checkbox"/>
Driveways		<input checked="" type="checkbox"/>	Lighting Fixtures		<input checked="" type="checkbox"/>	Other Structural Components		<input checked="" type="checkbox"/>
Electrical Systems		<input checked="" type="checkbox"/>	Plumbing Systems		<input checked="" type="checkbox"/>			
Exterior Walls		<input checked="" type="checkbox"/>	Roof		<input checked="" type="checkbox"/>			

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

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

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

(TAR-1406) 9-01-11

Initialed by: Seller: [Signature] and Buyer: [Signature]

Page 2 of 5

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

*Treated and Repaired Driveway Stall Area and
Storage area [] Stall Area on North side
[] 2 sides on South Side Apartment Area*

*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: _____

Manager's name: _____ Phone: _____

Fees or assessments are: \$_____ per _____ and are: ☐ mandatory ☐ voluntary

Any unpaid fees or assessment for the Property? ☐ yes (\$_____) ☐ no

If the Property is in more than one association, provide information about the other associations below or attach information to this notice.

☐ ☒

Any common area (facilities such as pools, tennis courts, walkways, or other) co-owned in undivided interest with others. If yes, complete the following:

Any optional user fees for common facilities charged? ☐ yes ☐ no If yes, describe: _____

☐ ☒

Any notices of violations of deed restrictions or governmental ordinances affecting the condition or use of the Property.

☐ ☒

Any lawsuits or other legal proceedings directly or indirectly affecting the Property. (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 connected to the property's public water supply that is able to be used for indoor potable purposes.

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 received proceeds for a claim for damage to the Property (for example, an insurance claim or a settlement or award in a legal proceeding) and not used the proceeds to make the repairs for which the claim was made? ☐ yes ☒ no If yes, explain: _____

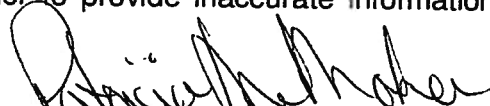
Section 10. Does the property have working smoke detectors installed in accordance with the smoke detector requirements of Chapter 766 of the Health and Safety Code? ☒ unknown ☐ no ☐ yes. If no or unknown, explain. (Attach additional sheets if necessary): _____

**Chapter 766 of the Health and Safety Code requires one-family or two-family dwellings to have working smoke detectors installed in accordance with the requirements of the building code in effect in the area in which the dwelling is located, including performance, location, and power source requirements. If you do not know the building code requirements in effect in your area, you may check unknown above or contact your local building official for more information.*

A buyer may require a seller to install smoke detectors for the hearing impaired if: (1) the buyer or a member of the buyer's family who will reside in the dwelling is hearing-impaired; (2) the buyer gives the seller written evidence of the hearing impairment from a licensed physician; and (3) within 10 days after the effective date, the buyer makes a written request for the seller to install smoke detectors for the hearing-impaired and specifies the locations for installation. The parties may agree who will bear the cost of installing the smoke detectors and which brand of smoke detectors to install.

Seller acknowledges that the statements in this notice are true to the best of Seller's belief and that no person, including the broker(s), has instructed or influenced Seller to provide inaccurate information or to omit any material information.


 Signature of Seller _____ Date 10-15-13
 Printed Name: Charles E. McMahan


 Signature of Seller _____ Date 10-15-13
 Printed Name: Patricia L. McMahan

ADDITIONAL NOTICES TO BUYER:

- (1) The Texas Department of Public Safety maintains a database that the public may search, at no cost, to determine if registered sex offenders are located in certain zip code areas. To search the database, visit www.txdps.state.tx.us. For information concerning past criminal activity in certain areas or neighborhoods, contact the local police department.
- (2) If the property is located in a coastal area that is seaward of the Gulf Intracoastal Waterway or within 1,000 feet of the mean high tide bordering the Gulf of Mexico, the property may be subject to the Open Beaches Act or the Dune Protection Act (Chapter 61 or 63, Natural Resources Code, respectively) and a beachfront construction certificate or dune protection permit may be required for repairs or improvements. Contact the local government with ordinance authority over construction adjacent to public beaches for more information.
- (3) If 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: <u>Fayette Elec.</u> | phone #: <u>979-968-3181</u> |
| Sewer: <u>Septic</u> | phone #: _____ |
| Water: <u>Well - Marsh Drilling</u> | phone #: <u>830-857-4303</u> |
| Cable: _____ | phone #: _____ |
| Trash: <u>Rural - Country Waste</u> | phone #: <u>979-865-3555</u> |
| Natural Gas: _____ | phone #: _____ |
| Phone Company: <u>Colorado Valley</u> | phone #: <u>979-242-5911</u> |
| Propane: _____ | phone #: _____ |
- new pump - motor - wiring installed January 2013 Well Dec 128'*
- (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 _____
Printed Name: _____

Signature of Buyer _____ Date _____
Printed Name: _____



TEXAS ASSOCIATION OF REALTORS®
SELLER'S DISCLOSURE NOTICE

©Texas Association of REALTORS®, Inc. 2011

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.**

BARN APARTMENT
UPSTAIRS

CONCERNING THE PROPERTY AT 84.737 Ac ABS A091 SARGEANT JA LG E I-10 FRONGAGE RD SCH AREA

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.

HANDWRITTEN: BARN

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

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

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

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

(TAR-1406) 9-01-11

Initialed by: Seller: [Signature] and Buyer: [Signature]

Page 1 of 5

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: unknown (approximate)Is there an overlay roof covering on the Property (shingles or roof covering placed over existing shingles or roof covering)? ☐ yes ☒ no ☐ unknownAre 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		<u>N</u>
Ceilings		<u>N</u>
Doors		<u>N</u>
Driveways		<u>N</u>
Electrical Systems		<u>N</u>
Exterior Walls		<u>N</u>

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

Item	Y	N
Sidewalks		<u>N</u>
Walls / Fences		<u>N</u>
Windows		<u>N</u>
Other Structural Components		<u>N</u>

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

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

*New sheets
for on one side*

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

TREATED + REPAIR DONE STALL AREA & STORAGE AREA
NO UPSTAIRS DAMAGE OR REPAIR

*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: _____
Manager's name: _____ Phone: _____
Fees or assessments are: \$_____ per _____ and are: ☐ mandatory ☐ voluntary
Any unpaid fees or assessment for the Property? ☐ yes (\$_____) ☐ no
If the Property is in more than one association, provide information about the other associations below or attach information to this notice.
- ☒ ☒ Any common area (facilities such as pools, tennis courts, walkways, or other) co-owned in undivided interest with others. If yes, complete the following:
Any optional user fees for common facilities charged? ☐ yes ☐ no If yes, describe: _____
- ☒ ☒ Any notices of violations of deed restrictions or governmental ordinances affecting the condition or use of the Property.
- ☒ ☒ Any lawsuits or other legal proceedings directly or indirectly affecting the Property. (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 connected to the property's public water supply that is able to be used for indoor potable purposes.

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 received proceeds for a claim for damage to the Property (for example, an insurance claim or a settlement or award in a legal proceeding) and not used the proceeds to make the repairs for which the claim was made? ☐ yes ☒ no If yes, explain: _____

Section 10. Does the property have working smoke detectors installed in accordance with the smoke detector requirements of Chapter 766 of the Health and Safety Code? ☒ unknown ☐ no ☐ yes. If no or unknown, explain. (Attach additional sheets if necessary): _____

**Chapter 766 of the Health and Safety Code requires one-family or two-family dwellings to have working smoke detectors installed in accordance with the requirements of the building code in effect in the area in which the dwelling is located, including performance, location, and power source requirements. If you do not know the building code requirements in effect in your area, you may check unknown above or contact your local building official for more information.*

A buyer may require a seller to install smoke detectors for the hearing impaired if: (1) the buyer or a member of the buyer's family who will reside in the dwelling is hearing-impaired; (2) the buyer gives the seller written evidence of the hearing impairment from a licensed physician; and (3) within 10 days after the effective date, the buyer makes a written request for the seller to install smoke detectors for the hearing-impaired and specifies the locations for installation. The parties may agree who will bear the cost of installing the smoke detectors and which brand of smoke detectors to install.

Seller acknowledges that the statements in this notice are true to the best of Seller's belief and that no person, including the broker(s), has instructed or influenced Seller to provide inaccurate information or to omit any material information.

Signature of Seller _____
 Printed Name: Charles E. McMahan

Date 10-15-13

Signature of Seller _____
 Printed Name: Patricia L. McMahan

Date 10-15-13

ADDITIONAL NOTICES TO BUYER:

- (1) The Texas Department of Public Safety maintains a database that the public may search, at no cost, to determine if registered sex offenders are located in certain zip code areas. To search the database, visit www.txdps.state.tx.us. For information concerning past criminal activity in certain areas or neighborhoods, contact the local police department.
- (2) If the property is located in a coastal area that is seaward of the Gulf Intracoastal Waterway or within 1,000 feet of the mean high tide bordering the Gulf of Mexico, the property may be subject to the Open Beaches Act or the Dune Protection Act (Chapter 61 or 63, Natural Resources Code, respectively) and a beachfront construction certificate or dune protection permit may be required for repairs or improvements. Contact the local government with ordinance authority over construction adjacent to public beaches for more information.
- (3) If 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:
- New Pump - Motor - Wiring installed January 2013
Well depth 128'*
- | | |
|---------------------------------------|------------------------------|
| Electric: <u>Fayette Elec</u> | phone #: <u>979-968-3181</u> |
| Sewer: <u>Septic</u> | phone #: _____ |
| Water: <u>Well - Marsh Drilling</u> | phone #: <u>830-857-4303</u> |
| Cable: _____ | phone #: _____ |
| Trash: <u>BURIA 1 - Country Waste</u> | phone #: <u>979-865-3555</u> |
| Natural Gas: _____ | phone #: _____ |
| Phone Company: <u>Colorado Valley</u> | phone #: <u>979-242-5911</u> |
| Propane: _____ | 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 _____
Printed Name: _____

Signature of Buyer _____ Date _____
Printed Name: _____



TEXAS ASSOCIATION OF REALTORS®

BARN

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.
©Texas Association of REALTORS®, Inc., 2004

CONCERNING THE PROPERTY AT 84.737 Ac ABS A091 SARGEANT JA LG E I-10 FRONGAGE RD SCH AREA

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

- (1) Type of Treatment System: ☒ Septic Tank ☐ Aerobic Treatment ☐ Unknown
100K
- (2) Type of Distribution System: Drain field ☐ Unknown
- (3) Approximate Location of Drain Field or Distribution System: East Southeast ☐ Unknown
- (4) Installer: Unknown ☒ Unknown
- (5) Approximate Age: Unknown ☒ 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? Approx 5 years
- (3) Is Seller aware of any defect or malfunction in the on-site sewer facility? ☐ Yes ☒ No
If yes, explain: _____
- (4) Does Seller have manufacturer or warranty information available for review? ☐ Yes ☒ No

C. PLANNING MATERIALS, PERMITS, AND CONTRACTS:

- (1) The following items concerning the on-site sewer facility are attached:
☐ planning materials ☐ permit for original installation ☐ final inspection when OSSF was installed
☐ maintenance contract ☐ manufacturer information ☐ warranty information ☐ _____
- (2) "Planning materials" are the supporting materials that describe the on-site sewer facility that are submitted to the permitting authority in order to obtain a permit to install the on-site sewer facility.
- (3) It may be necessary for a buyer to have the permit to operate an on-site sewer facility transferred to the buyer.

(TAR 1407) 1-7-04


Initialed for Identification by Buyer: _____ and Seller [Signature]


Page 1 of 2

D. INFORMATION FROM GOVERNMENTAL AGENCIES: Pamphlets describing on-site sewer facilities are available from the Texas Agricultural Extension Service. Information in the following table was obtained from Texas Commission on Environmental Quality (TCEQ) on 10/24/2002. The table estimates daily wastewater usage rates. Actual water usage data or other methods for calculating may be used if accurate and acceptable to TCEQ.

<u>Facility</u>	<u>Usage (gal/day) without water- saving devices</u>	<u>Usage (gal/day) with water- saving devices</u>
Single family dwelling (1-2 bedrooms; less than 1,500 sf)	225	180
Single family dwelling (3 bedrooms; less than 2,500 sf)	300	240
Single family dwelling (4 bedrooms; less than 3,500 sf)	375	300
Single family dwelling (5 bedrooms; less than 4,500 sf)	450	360
Single family dwelling (6 bedrooms; less than 5,500 sf)	525	420
Mobile home, condo, or townhouse (1-2 bedroom)	225	180
Mobile home, condo, or townhouse (each add'l bedroom)	75	60

This document is not a substitute for any inspections or warranties. This document was completed to the best of Seller's knowledge and belief on the date signed. Seller and real estate agents are not experts about on-site sewer facilities. Buyer is encouraged to have the on-site sewer facility inspected by an inspector of Buyer's choice.


 Signature of Seller
 Charles E. McMahon
 10-15-13
 Date


 Signature of Seller
 Patricia L. McMahon
 10-15-13
 Date

Receipt acknowledged by:

 Signature of Buyer
 Date

 Signature of Buyer
 Date



Holvo Rd

Bird House Hill Rd

10

© 2014 Google

Imagery Date: 11/6/2012 29°41'54.20" N 96°51'23.53" W elev 351 ft

Google



1995

© 2014 Google

Imagery Date: 11/6/2012 29°41'50.90" N 96°51'20.78" W elev 349 ft

Google



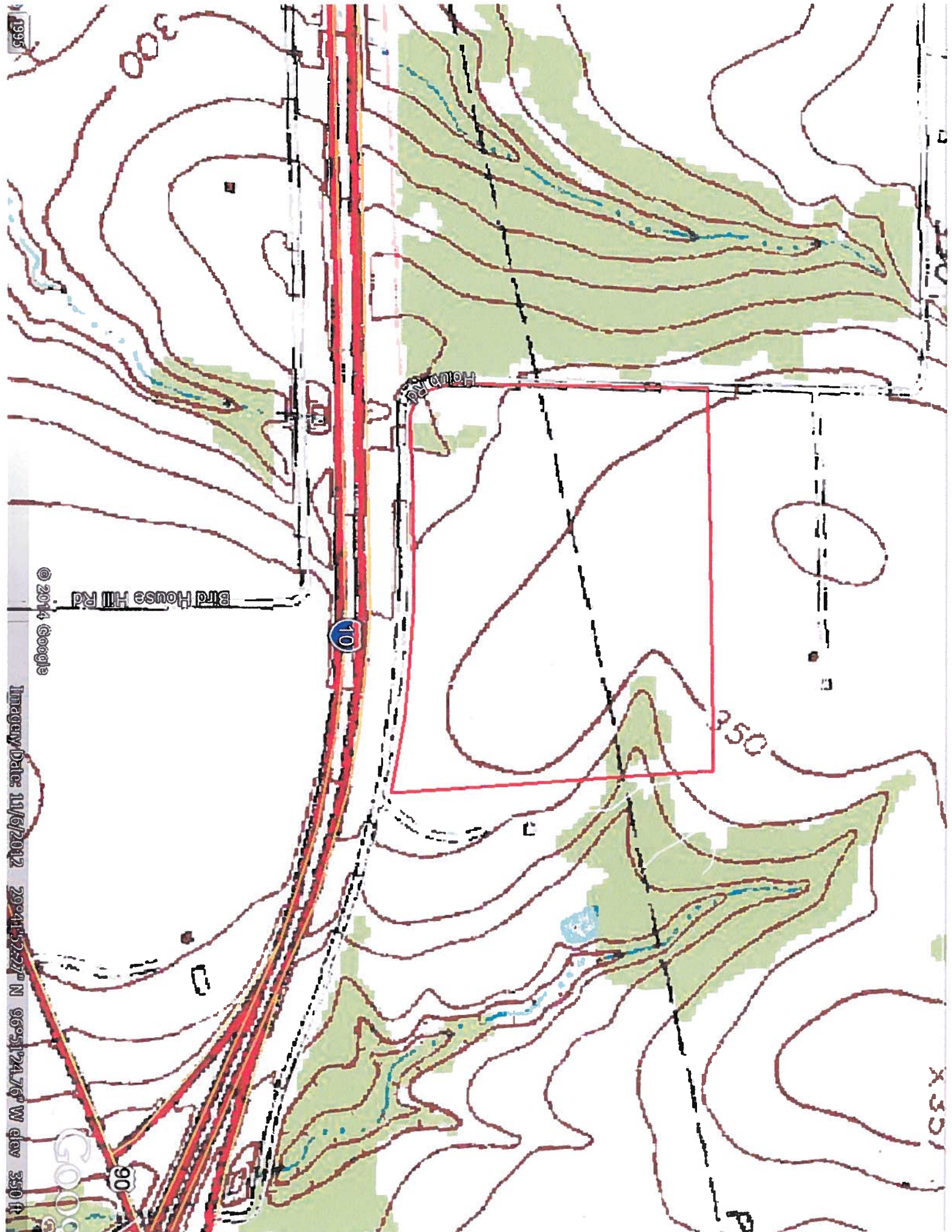
1995

© 2014 Google

Imagery Date: 11/6/2012 29°41'50.90" N 96°51'20.78" W elev: 249 ft eye alt: 8513 ft

Google earth

- Reference Layers**
- NFHL Data Available
 - FIRM Panel Boundary
- Flood Risk Areas**
- High Risk Area - Floodway
 - High Risk Area
 - Moderate Risk Area
 - Low to Moderate Risk Area (present less than 100 years)
 - Low to Moderate Risk Area
 - Undetermined Risk Area

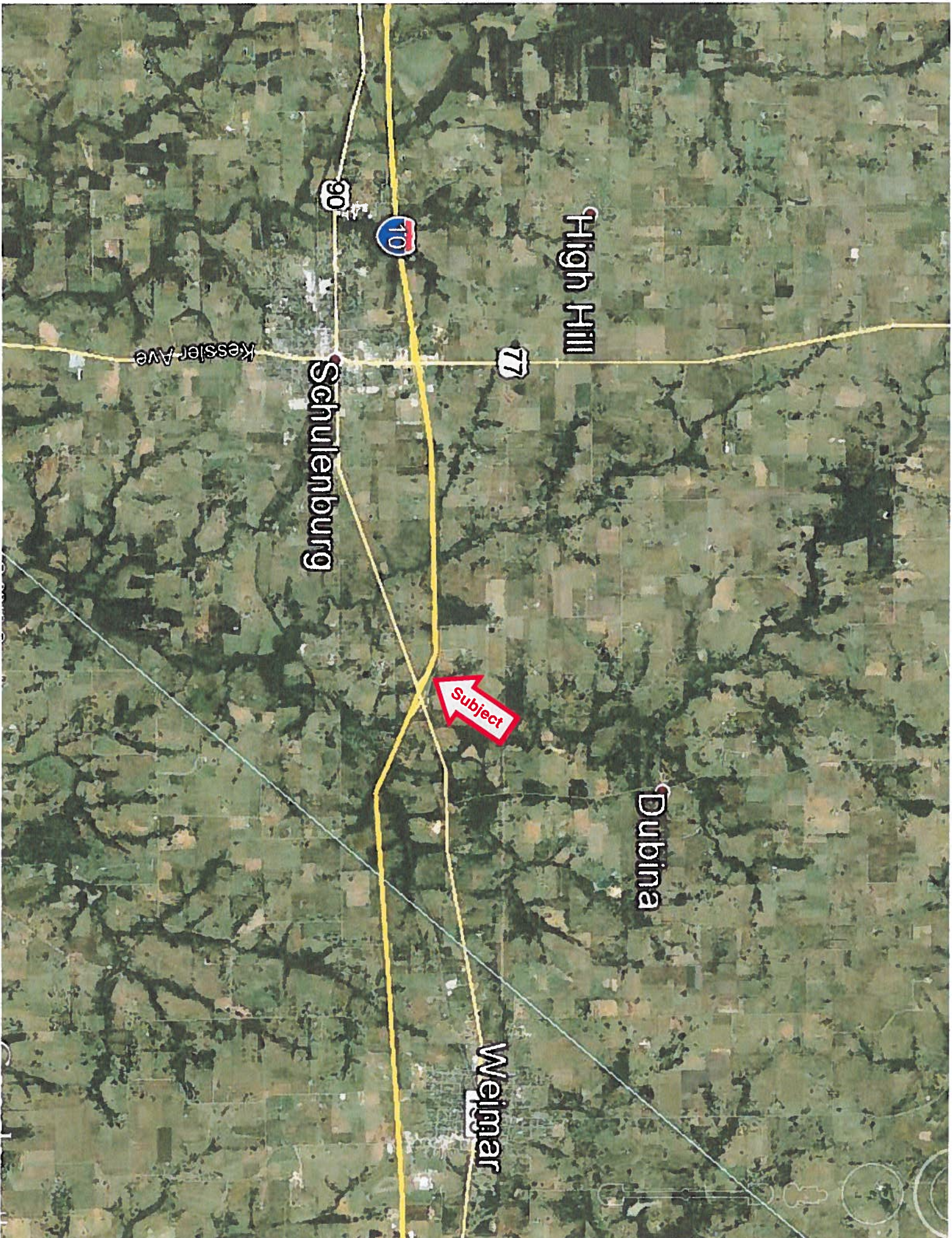


1995

© 2014 Google

Imagery Date: 11/6/2012 29°41'52.27" N 96°31'24.76" W elev 350 ft

GOOGLE



High Hill



Schulenburg

Kessler Ave



Subject

Dubina

Weinger

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

Information About Brokerage Services

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

IF THE BROKER REPRESENTS THE OWNER:

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

IF THE BROKER REPRESENTS THE BUYER:

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

IF THE BROKER ACTS AS AN INTERMEDIARY:

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

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

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

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

If you choose to have a broker represent you,

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

*** Bill Johnson and Associates Real Estate Company will represent the Seller-Owner in all real estate sales transactions, unless prior provisions with the Buyer have been agreed to and acknowledged in writing by all parties.**

**** If you wish to be represented by a Buyer's Agent, please notify the Bill Johnson and Associates Real Estate Company sales agent with whom you are working, prior to looking at any properties.**

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

Buyer, Seller, Landlord or Tenant

Date

Texas Real Estate Brokers and Salespersons are licensed and regulated by the Texas Real Estate Commission (TREC). If you have a question or complaint regarding a real estate licensee, you should contact TREC at P.O. Box 12188, Austin, Texas 78711-2188 or 512-465-1100.

