TEXAS ASSOCIATION OF REALTORS®

SELLER'S DISCLOSURE NOTICE

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 2138 COUNTY ROAD 57, ROSHARON, TX 77583

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	Item	Y	N	U	Item	Y	N	U
Cable TV Wiring	☑	☐	☐	Liquid Propane Gas:	☑	☐	☐	Pump: ☐ sump ☐ grinder	☐	☐	☐
Carbon Monoxide Det.	☐	☑	☐	-LP Community (Captive)	☐	☑	☐	Rain Gutters	☑	☐	☐
Ceiling Fans	☑	☐	☐	-LP on Property	☑	☐	☐	Range/Stove	☐	☑	☐
Cooktop	☑	☐	☐	Hot Tub	☐	☑	☐	Roof/Attic Vents	☑	☐	☐
Dishwasher	☑	☐	☐	Intercom System	☐	☑	☐	Sauna	☐	☑	☐
Disposal	☑	☐	☐	Microwave	☑	☐	☐	Smoke Detector	☑	☐	☐
Emergency Escape Ladder(s)	☐	☑	☐	Outdoor Grill	☐	☑	☐	Smoke Detector – Hearing Impaired	☐	☑	☐
Exhaust Fans	☑	☐	☐	Patio/Decking	☑	☐	☐	Spa	☐	☑	☐
Fences	☐	☑	☐	Plumbing System	☑	☐	☐	Trash Compactor	☐	☑	☐
Fire Detection Equip.	☑	☐	☐	Pool	☐	☑	☐	TV Antenna	☐	☑	☐
French Drain	☐	☑	☐	Pool Equipment	☐	☑	☐	Washer/Dryer Hookup	☑	☐	☐
Gas Fixtures	☑	☐	☐	Pool Maint. Accessories	☐	☑	☐	Window Screens	☑	☐	☐
Natural Gas Lines	☐	☑	☐	Pool Heater	☐	☑	☐	Public Sewer System	☐	☑	☐

Item	Y	N	U	Additional Information
Central A/C	☑	☐	☐	☑ electric ☐ gas number of units: one
Evaporative Coolers	☐	☐	☑	number of units:
Wall/Window AC Units	☐	☑	☐	number of units:
Attic Fan(s)	☐	☑	☐	if yes, describe:
Central Heat	☑	☐	☐	☐ electric ☑ gas number of units: one propane
Other Heat	☐	☐	☑	if yes describe:
Oven	☑	☐	☐	number of ovens: 2 ☐ electric ☑ gas ☐ other:
Fireplace & Chimney	☑	☐	☐	☑ wood ☑ gas logs ☐ mock ☐ other: 2 fire places
Carport	☐	☑	☐	☐ attached ☐ not attached
Garage	☑	☐	☐	☑ attached ☐ not attached
Garage Door Openers	☑	☐	☐	number of units: one number of remotes: one
Satellite Dish & Controls	☑	☐	☐	☐ owned ☐ leased from Dish network
Security System	☐	☑	☐	☐ owned ☐ leased from
Water Heater	☑	☐	☐	☐ electric ☑ gas ☐ other: propane number of units: One
Water Softener	☐	☑	☐	☐ owned ☐ leased from
Underground Lawn Sprinkler	☐	☑	☐	☐ automatic ☐ manual areas covered:
Septic / On-Site Sewer Facility	☑	☐	☐	if yes, attach Information About On-Site Sewer Facility (TAR-1407)

Water supply provided by: ☐ city ☑ well ☐ MUD ☐ co-op ☐ unknown ☐ other:
Was the Property built before 1978? ☐ yes ☑ no ☐ unknown
(If yes, complete, sign, and attach TAR-1906 concerning lead-based paint hazards).
Roof Type: Composition Age: 10 years (approximate)
Is there an overlay roof covering on the Property (shingles or roof covering placed over existing shingles or roof covering)? ☐ yes ☑ no ☐ unknown

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

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

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

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

*I do have flood insurance
*not in a flood zone

*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: Oakmont Estates Manager's name: Doug Bateman Phone: 281-431-0123 Fees or assessments are: $ -0- per -0- 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.

Sandra Waters 4/2/2014

Signature of Seller Date
Printed Name: Sandra Waters

Signature of Seller Date
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. 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:	Reliant Energy	phone #:	888-628-4976
Sewer:	Environmental Construction Service (ECS)	phone #:	281-331-3330
Water:	Well	phone #:	N/A.
Cable:	Dishnetwork/TV. + Internet	phone #:	855-574-1268
Trash:	N/A	phone #:	N/A
Natural Gas:	N/A	phone #:	N/A
Phone Company:	N/A	phone #:	N/A
Propane:	All-Star Propane (Gas)	phone #:	281-585-0705

(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 SPECIAL FLOOD HAZARD AREAS

CONCERNING THE PROPERTY AT 2138 County Road 57, Rosharon, Texas 77583

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. The V-Zone is the area of highest risk.

(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; and
   (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).

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