

10769 FM 1094, Sealy, Texas



This property is located a relaxing 45 minute drive from Houston. Located between Sealy and Cat Spring on FM 1094, this property has much to offer a proud owner. A Circa 1867 farmhouse was moved onto the property in 2003 and remodeled. A guest home composes 1,000 sq.ft. of living area in one of the two 4,500 sq.ft. metallic barns. A 30' x 40' shop of metallic construction is selectively located on the property in order to allow the present owner to keep the shop and 5 acres of land, reducing the total acreage being sold to 19.802 acres with a reduction in listing price of \$117,600. The listing price for the 19.802 acres with all improvements adjusts to \$539,700.

BILL JOHNSON AND ASSOCIATES REAL ESTATE COMPANY WILL CO-BROKER IF BUYER IS ACCOMPANIED BY HIS OR HER AGENT AT ALL PROPERTY SHOWINGS.



**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

www.bjre.com

NO REPRESENTATIONS OR WARRANTIES EITHER EXPRESSED OR IMPLIED ARE MADE AS TO THE ACCURACY OF THE INFORMATION HEREIN OR WITH RESPECT TO THE SUITABILITY, USEABILITY, FEASIBILITY, MERCHANTABILITY OR CONDITION OF ANY PROPERTY DESCRIBED

LOT OR ACREAGE LISTING

Location of Property: Bellville-36S;R-FM2429 3.6mi.;R-FM949 3.5mi.;L-FM1094 1.5mi.to property on Rt Listing #: 79988
 Address of Property: 10769 FM 1094 Sealy, Texas 77474 Road Frontage: Barremore-1175' FM 1094-870'
 County: Austin Paved Road: ☒ YES ☐ NO For Sale Sign on Property? ☒ YES ☐ NO
 Subdivision: N/A Lot Size or Dimensions: 24.802 Acres
 Subdivision Restricted: ☐ YES ☒ NO Mandatory Membership in Property Owners' Assn. ☐ YES ☒ NO

Number of Acres: 24.802 Acres**Price per Acre (or)****Total Listing Price:** \$707,300.00**Terms of Sale:**

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

Property Taxes: 2012

School: \$ 3,553.21
 County: \$ 1,241.96
 FM Road \$ 252.46
 Sp. Rd. Brg \$ 209.20
 Other \$0.00
 TOTAL: \$ 5,256.83

Agricultural Exemption: ☒ Ye ☐ No**School District:** Sealy I.S.D.**Minerals and Royalty:**

Seller believes 75% *Minerals
 to own: 75% *Royalty
 Seller will Negotiable Minerals
 Convey: Negotiable Royalty

Leases Affecting Property:

Oil and Gas Lease: ☒ Yes ☐ No
 Lessee's Name: Halcon Energy Properties
 Lease Expiration Date: Exp. 2014

Surface Lease: ☐ Yes ☒ No

Lessee's Name: _____

Lease Expiration Date: _____

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

Pipeline: None
 Roadway: None
 Electric: San Bernard Electric Co-Op
 Telephone: AT&T
 Water: None
 Other: None

Improvements on Property:

Home: ☒ YES ☐ NO See HOME listing if Yes
 Buildings: Metallic Storage building with lean-to (insulated) with water and lights - concrete floor
 Barns: Two 4500 sq.ft. metallic buildings
 Others: 3 small stock barns and pens
 40' x 80' workshop on slab (insulated), 1/2 bath,
 30' lean-to, 20' lean-to, lift boom
 Approx. % Wooded: 10%
 Type Trees: oaks
Fencing: Perimeter ☒ YES ☐ NO
 Condition: Good
 Cross-Fencing: ☒ YES ☐ NO
 Condition: Good
Lakes: Number of Lakes: None
 Sizes: _____
Creek(s): Name(s): None
River(s): Name(s): None

Water Well(s): How Many? One

Year Drilled: unknown Depth 150'

Community Water Available: ☐ YES ☒ NO

Provider: N/A

Electric Service Provider (Name):

San Bernard Electric Co-operative

Gas Service Provider

Private

Septic System(s): How Many: 1

Yr installed 2003

Soil Type: sandy/clay**Grass Type(s):** Multiple Bahia & Bermuda Tifton 85**Flood Hazard Zone:** See Seller's Disclosure or to be

nearest Town to Property:

Nearest Town to Property: Cat Spring

Distance 2 miles

Driving time from Houston 45 minutes**Items specifically excluded from the sale:**

All Seller's/Lessee's personal property located on said
 24.802 acres.

Additional Information:

** Seller will retain the 40' x 80'
 shop and 5 acres and sell 19.802 acres with improvements for
 \$539,700.00.

**BILL JOHNSON AND ASSOCIATES REAL ESTATE COMPANY WILL CO-BROKER IF BUYER IS
 ACCOMPANIED BY HIS OR HER AGENT AT ALL PROPERTY SHOWINGS.**



1995

© 2013 Google

Barremore Rd

Farm To Market Rd 1094

Google earth

Imagery Date: 4/21/2012 29°50'51.44" N 96°17'31.80" W elev 292 ft eye alt 3825 ft



1995

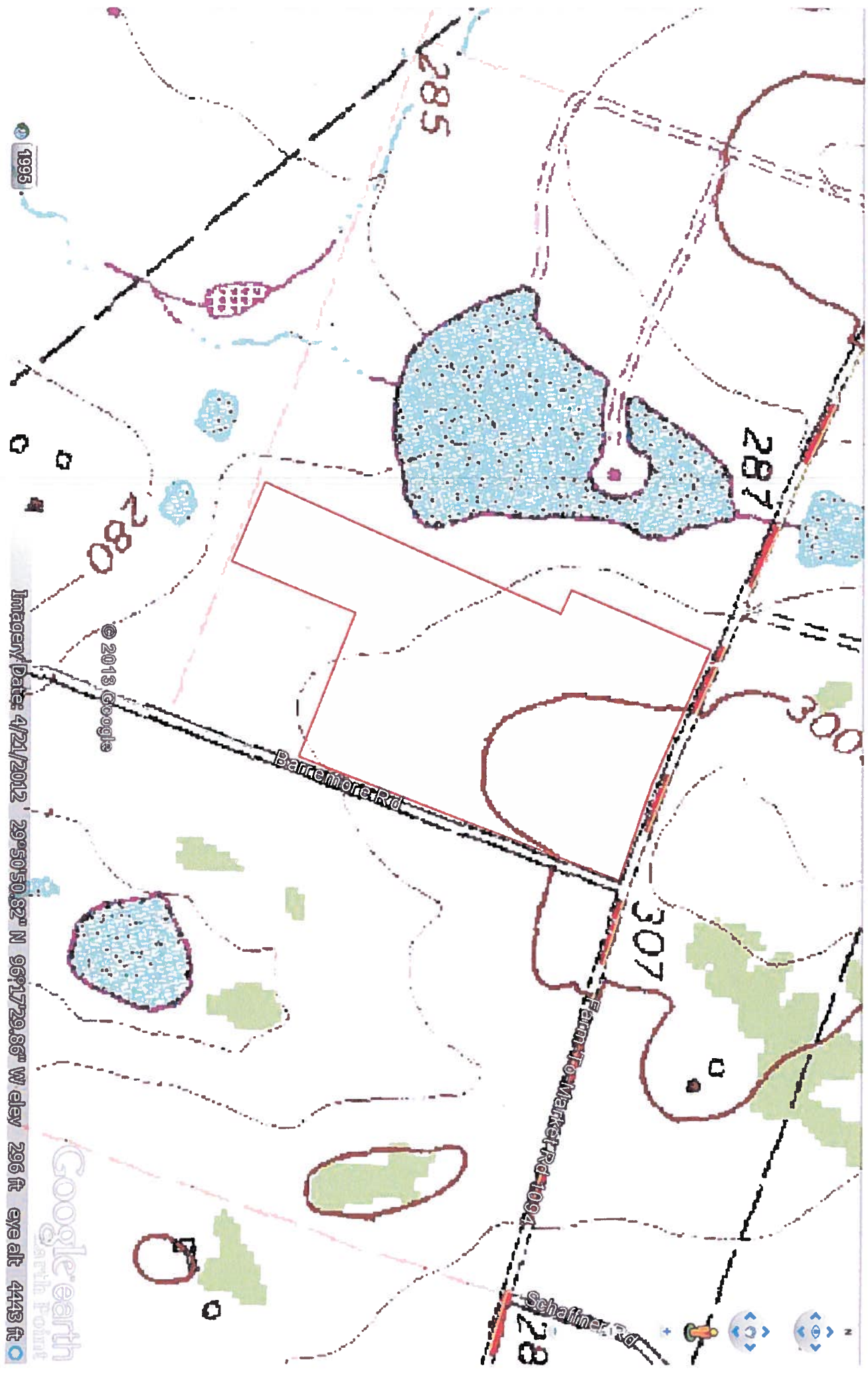
Imagery Date: 4/21/2012 29°50'52.08" N 96°17'30.16" W elev 296 ft eye alt 3577 ft

© 2013 Google

Barremore Rd

Farm-To-Market Rd 1094

Google earth



1995

Imagery Date: 4/21/2012 29°50'50.82" N 96°17'29.86" W elev 296 ft eye alt 4443 ft

Google Earth
Earth Point



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 (protect data on to river)
- Low to Moderate Risk Area
- Undetermined Risk Area

Imagery Date: 4/21/2012 29°50'49.96" N 96°17'31.58" W elev 292 ft eye alt 5110 ft

BELLVILLE

CAT SPRING

Subject

SE

TRIC

R

CIAL

16

inties"

BELLVILLE

CAT SPRING

Subject

SE

TRIC

ICIAL

16

inties"

BELLVILLE

CAT SPRING

Subject

SE

TRIC

IR

CIAL

16

inties"

inties”



Bill Johnson and Associates Real Estate Co.
420 E. Main St., Bellville TX 77418
FM 1094 @ Cedar St., New Ulm, TX 78950
979-865-5969 or 281-463-3791 - Bellville office
979-992-2636 or 281-220-2636 - New Ulm office

www.bjre.com

NO REPRESENTATIONS OR WARRANTIES EITHER EXPRESSED OR IMPLIED ARE MADE AS TO THE ACCURACY OF THE INFORMATION HEREIN OR WITH RESPECT TO THE SUITABILITY, USEABILITY, FEASIBILITY, MERCHANTABILITY OR CONDITION OF ANY PROPERTY DESCRIBED

HOME LISTING

Address of Home:	10769 FM 1094 Sealy, Texas		Listing#:	79988
Location of Home:	Fr.Bellville-36S; R-FM2429 3.6mi.;R-FM949 3.5mi.;L-FM1094 1.5mi, to property on Rt			
County or Region:	Austin County	For Sale Sign on Property?	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO
Subdivision:	N/A	Property Size:	24.802	
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
Listing Price:	\$707,300.00			
Terms of Sale	Home Features			
Cash:	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	<input checked="" type="checkbox"/> Ceiling Fans	No.	4
Seller-Finance:	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	<input checked="" type="checkbox"/> Dishwasher		
Sell.-Fin. Terms:		<input type="checkbox"/> Garbage Disposal		
Down Payment:		<input type="checkbox"/> Microwave (Built-In)		
Note Period:		<input checked="" type="checkbox"/> Kitchen Range (Built-In)	<input checked="" type="checkbox"/> Gas	<input checked="" type="checkbox"/> Electric
Interest Rate:		<input type="checkbox"/> Refrigerator		
Payment Mode:	<input type="checkbox"/> Mc <input type="checkbox"/> Qt. <input type="checkbox"/> S.A. <input type="checkbox"/> Anr	Items Specifically Excluded from The Sale: LIST:		
Balloon Note:	<input type="checkbox"/> YES <input type="checkbox"/> NO	All of Seller's or Lessee's personal property located on		
Number of Years:		said 24.802 acres.		
Size and Construction:	Heat and Air:			
Year Home was Built:	1867 (remodeled 2003)		<input checked="" type="checkbox"/> Central Heat	<input type="checkbox"/> Gas <input checked="" type="checkbox"/> Electric 1
Lead Based Paint Addendum Required if prior to 1978:	<input checked="" type="checkbox"/> YES		<input checked="" type="checkbox"/> Central Air	<input type="checkbox"/> Gas <input checked="" type="checkbox"/> Electric 1
Bedrooms: 3	Bath: 2		<input type="checkbox"/> Other:	
Size of Home (Approx.)	1,600	Living Area	<input type="checkbox"/> Fireplace(s)	
		Total	<input checked="" type="checkbox"/> Wood Stove	
Foundation: <input type="checkbox"/> Sla <input type="checkbox"/> Pier/Beam <input type="checkbox"/> Other	blocks		<input checked="" type="checkbox"/> Water Heater(s):	<input type="checkbox"/> Gas <input checked="" type="checkbox"/> Electric
Roof Type: Composition	Year Installed: 2010		Utilities:	
Exterior Construction: Cypress			Electricity Provider:	San Bernard Electric Co-Op
Room Measurements:	APPROXIMATE SIZE:		Gas Provider:	Private
Living Room: 14x15			Sewer Provider:	Septic
Dining Room: /sun porch 20x7			Water Provider:	Well
Kitchen: 19 1/2 x 13			Water Well: <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	Depth: 150'
Family Room:			Year Drilled:	unknown
Utility: 7x15			Average Utility Bill: Monthly:	
Bath: 6x5 claw ft. <input checked="" type="checkbox"/> Tub <input type="checkbox"/> Shower			Taxes:	2012 Year
Bath: 7x5 <input type="checkbox"/> Tub <input checked="" type="checkbox"/> Shower			School:	\$3,553.21
Bath: <input type="checkbox"/> Tub <input type="checkbox"/> Shower			County:	\$1,241.96
Master Bdrm: 17x12			FM Rd	\$252.46
Bedroom: 11x15			Sp.RdBrg	\$209.20
Bedroom: 10x9			Other	\$0.00
Bedroom:			Total	\$5,256.83
Other: office 15x13			School District:	Sealy I. S. D.
Garage: <input type="checkbox"/> Carport: <input type="checkbox"/> No. of Cars:			Additional Information:	
Size: <input type="checkbox"/> Attached <input type="checkbox"/> Detached			wood stove	
Porches:			guest house	
Front: Size: wraparound porch (front, side, back)			shop	
Back: Size:			2 barns	
Deck: Size: <input type="checkbox"/> Covered				
Deck: Size: <input type="checkbox"/> Covered				
Fenced Yard:				
Outside Storage: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Size:			
Construction:				
TV Antenna <input type="checkbox"/> Dish <input checked="" type="checkbox"/> Cable <input type="checkbox"/>				

BILL JOHNSON AND ASSOCIATES REAL ESTATE COMPANY WILL CO-BROKER IF BUYER IS
ACCOMPANIED BY HIS OR HER AGENT AT ALL PROPERTY SHOWINGS.



Main House

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.**

CONCERNING THE PROPERTY AT 10769 E.M. 1094

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

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

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

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

(TAR-1406) 9-01-11

Initialed by: Seller: BT, ST and Buyer: _____

Page 1 of 5

Concerning the Property at 10769 E.M. 1094

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: 24RS (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		<input checked="" type="checkbox"/>
Ceilings		<input checked="" type="checkbox"/>
Doors		<input checked="" type="checkbox"/>
Driveways		<input checked="" type="checkbox"/>
Electrical Systems		<input checked="" type="checkbox"/>
Exterior Walls		<input checked="" type="checkbox"/>

Item	Y	N
Floors		<input checked="" type="checkbox"/>
Foundation / Slab(s)		<input checked="" type="checkbox"/>
Interior Walls		<input checked="" type="checkbox"/>
Lighting Fixtures		<input checked="" type="checkbox"/>
Plumbing Systems		<input checked="" type="checkbox"/>
Roof		<input checked="" type="checkbox"/>

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

Condition	Y	N
Previous Foundation Repairs		<input checked="" type="checkbox"/>
Previous Roof Repairs		<input checked="" type="checkbox"/>
Other Structural Repairs		<input checked="" type="checkbox"/>
Radon Gas		<input checked="" type="checkbox"/>
Settling <u>Relevelled 2010</u>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Soil Movement		<input checked="" type="checkbox"/>
Subsurface Structure or Pits		<input checked="" type="checkbox"/>
Underground Storage Tanks		<input checked="" type="checkbox"/>
Unplatted Easements		<input checked="" type="checkbox"/>
Unrecorded Easements		<input checked="" type="checkbox"/>
Urea-formaldehyde Insulation		<input checked="" type="checkbox"/>
Water Penetration		<input checked="" type="checkbox"/>
Wetlands on Property		<input checked="" type="checkbox"/>
Wood Rot		<input checked="" type="checkbox"/>
Active infestation of termites or other wood destroying insects (WDI)		<input checked="" type="checkbox"/>
Previous treatment for termites or WDI		<input checked="" type="checkbox"/>
Previous termite or WDI damage repaired		<input checked="" type="checkbox"/>
Termite or WDI damage needing repair		<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 BT

and Buyer: ST

Page 2 of 5

Concerning the Property at 10769 FM 1094

If the answer to any of the items in Section 3 is yes, explain (attach additional sheets if necessary):
House was Relieved in 2010

*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):

(TAR-1406) 9-01-11 Initialed by: Seller: BT, ST and Buyer: _____ Page 3 of 5

Concerning the Property at 10769 FM 1094

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: WIND DAMAGE - 110% USED FOR REPAIRS

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): Have smoke detectors, they meet Bill Toelke Requirements

**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: Bill Toelke Date: 8-20-12 Signature of Buyer: Suzanne Toelke Date: 8/20/12
Printed Name: Bill Toelke Printed Name: _____

Concerning the Property at 10769 FM 1094

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>SBEC</u> | phone #: _____ |
| Sewer: _____ | phone #: _____ |
| Water: _____ | phone #: _____ |
| Cable: <u>DISH</u> | phone #: _____ |
| Trash: <u>Tex. DISPOSAL Sys.</u> | phone #: _____ |
| Natural Gas: _____ | phone #: _____ |
| Phone Company: _____ | phone #: _____ |
| 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 _____	Signature of Buyer _____	Date _____
Printed Name: _____		Printed Name: _____	



Main House

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
©Texas Association of REALTORS®, Inc., 2004

CONCERNING THE PROPERTY AT 10769 F.M. 1094 SEAW, TX.

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

- (1) Type of Treatment System: ☒ Septic Tank ☐ Aerobic Treatment ☐ Unknown
(2) Type of Distribution System: Field Lines ☐ Unknown
(3) Approximate Location of Drain Field or Distribution System: 25 yards North of House ☐ Unknown
(4) Installer: SELF ☐ Unknown
(5) Approximate Age: 12 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? _____
(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.

Information about On-Site Sewer Facility concerning 10769 FM 1094 SEALY, TX.

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.

✓ Bell Telhe 8-18-12
Signature of Seller Date

Suzanne Telhe 8/20/12
Signature of Seller Date

Receipt acknowledged by:

Signature of Buyer Date

Signature of Buyer Date

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

Main House

CONCERNING THE PROPERTY AT 10769 F.M. 1094, SEELY, TX.
(Street Address and City)

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

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

B. SELLER'S DISCLOSURE:

1. PRESENCE OF LEAD-BASED PAINT AND/OR LEAD-BASED PAINT HAZARDS (check one box only):
☐ (a) Known lead-based paint and/or lead-based paint hazards are present in the Property (explain): _____
☒ (b) Seller has no actual knowledge of lead-based paint and/or lead-based paint hazards in the Property.
2. RECORDS AND REPORTS AVAILABLE TO SELLER (check one box only):
☐ (a) Seller has provided the purchaser with all available records and reports pertaining to lead-based paint and/or lead-based paint hazards in the Property (list documents): _____
☒ (b) Seller has no reports or records pertaining to lead-based paint and/or lead-based paint hazards in the Property.

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

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

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

- ☐ 1. Buyer has received copies of all information listed above.
☐ 2. Buyer has received the pamphlet *Protect Your Family from Lead in Your Home*.

E. BROKERS' ACKNOWLEDGMENT: Brokers have informed Seller of Seller's obligations under 42 U.S.C. 4852d to: (a) provide Buyer with the federally approved pamphlet on lead poisoning prevention; (b) complete this addendum; (c) disclose any known lead-based paint and/or lead-based paint hazards in the Property; (d) deliver all records and reports to Buyer pertaining to lead-based paint and/or lead-based paint hazards in the Property; (e) provide Buyer a period of up to 10 days to have the Property inspected; and (f) retain a completed copy of this addendum for at least 3 years following the sale. Brokers are aware of their responsibility to ensure compliance.

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

Buyer _____ Date _____

Seller Bill Telke 8-20-12
Date

Buyer _____ Date _____

Seller Suzanne Telke 8/20/12
Date

Other Broker _____ Date _____

Listing Broker _____ Date _____

The form of this addendum has been approved by the Texas Real Estate Commission for use only with similarly approved or promulgated forms of contracts. Such approval relates to this contract form only. TREC forms are intended for use only by trained real estate licensees. No representation is made as to the legal validity or adequacy of any provision in any specific transactions. It is not suitable for complex transactions. Texas Real Estate Commission, P.O. Box 12188, Austin, TX 78711-2188, 1-800-250-5732 or (512) 459-6544 (<http://www.trec.state.tx.us>)

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

420 E. Main St., Bellville TX 77418

FM 1094 @ Cedar St., New Ulm, TX 78950

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

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

www.bjre.com

NO REPRESENTATIONS OR WARRANTIES EITHER EXPRESSED OR IMPLIED ARE MADE AS TO THE ACCURACY OF THE INFORMATION HEREIN OR WITH RESPECT TO THE SUITABILITY, USEABILITY, FEASIBILITY, MERCHANTABILITY OR CONDITION OF ANY PROPERTY DESCRIBED HEREIN.

Guest House

Address of Home: 10769 FM 1094 Sealy, Texas 77474 Listing #: 79988

Location of Home: Bellville-36S; R-FM2429 3.6mi.; R-FM949 3.5mi.; L-FM1094 1.5mi, to property on Rt

County or Region: Austin County For Sale Sign on Property? ☒ YES ☐ NO

Subdivision: N/A Property Size: 24.802 Acres

Subdivision Restricted: ☐ YES ☒ NO Mandatory Membership in Property Owners' Assn. ☐ YES ☒ NO

Listing Price: \$707,300.00

Terms of Sale:

Cash: ☒ YES ☐ NO

Seller-Finance: ☐ YES ☒ NO

Sell.-Fin. Terms:

Down Payment:

Note Period:

Interest Rate:

Payment Mode: ☐ Mr ☐ Qt. ☐ S.A. ☐ Ann.

Balloon Note: ☐ YES ☐ NO

Number of Years:

Size and Construction:

Year Home was Built: 2003

Lead Based Paint Addendum Required if prior to 1987 ☐ YE

Bedrooms: 2 Baths: 1

Size of Home (Approx.) 1,000 Living Area

1,000 Total

Foundation: ☒ Sla ☐ Pier/Beam ☐ Other

Roof Type: Tin Year Installed: 2003

Exterior Construction Tin

Room Measurements: APPROXIMATE SIZE:

Living Room: 19x19

Dining Room:

Kitchen:

Family Room:

Utility Room: 9x5

Bath: 9x6 ☐ Tub ☒ Shower

Bath: ☐ Tub ☐ Shower

Bath: Master ☐ Tub ☐ Shower

Bedroom: 15x11 walk in closet

Bedroom:

Bonus Room:

Bedroom:

Other:

Garage: ☐ Carport: ☐ No. of Cars: ☐ Attached ☐ Detached

Size:

Porches:

Front: Size:

Back: Size:

Deck: Size: ☐ Covered

Deck: Size: ☐ Covered

Fenced Yard:

Outside Storage: ☐ Yes ☐ No Size:

Construction:

TV Antenna ☒ Dish ☐ Cable ☒

Home Features:

☒ Ceiling Fans No. 2

☒ Dishwasher

☐ Garbage Disposal

☐ Microwave (Built-In)

☒ Kitchen Range (Built-In) ☒ Gas ☒ Electric

☐ Other

Items Specifically Excluded from The Sale: LIST:

All of Seller's or Lessee's personal property located on said 24.802 acres.

Heat and Air:

☒ Central Heat ☐ Gas ☒ Electric 1

☒ Central Air ☐ Gas ☒ Electric 1

☐ Other:

☐ Fireplace(s)

☐ Wood Stove

☒ Water Heater(s): ☐ Gas ☐ Electric

Utilities:

Electricity Provider: San Bernard Electric Co-Op

Gas Provider: Private

Sewer Provider: Septic

Water Provider: Well

Water Well: ☒ YES ☐ NO Depth: 150

Year Drilled: unknown

Average Utility Bill: Monthly:

Taxes:

2012 Year

School: \$3,553.21

County: \$1,241.96

FM Rd \$252.46

Sp. Rd. Bg \$209.20

Other

Total \$5,256.83

School District:

Sealy I. S. D.

Additional Information:

19x11 room can be used as additional bedroom or office

No appliances included

BILL JOHNSON AND ASSOCIATES REAL ESTATE COMPANY WILL CO-BROKER IF BUYER IS ACCOMPANIED BY HIS OR HER AGENT AT ALL PROPERTY SHOWINGS.



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.**

CONCERNING THE PROPERTY AT 10769 FM 1094

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	<input checked="" type="checkbox"/>		
Carbon Monoxide Det.		<input checked="" type="checkbox"/>	
Ceiling Fans	<input checked="" type="checkbox"/>		
Cooktop		<input checked="" type="checkbox"/>	
Dishwasher		<input checked="" type="checkbox"/>	
Disposal		<input checked="" type="checkbox"/>	
Emergency Escape Ladder(s)		<input checked="" type="checkbox"/>	
Exhaust Fans		<input checked="" type="checkbox"/>	
Fences		<input checked="" type="checkbox"/>	
Fire Detection Equip.		<input checked="" type="checkbox"/>	
French Drain		<input checked="" type="checkbox"/>	
Gas Fixtures		<input checked="" type="checkbox"/>	
Natural Gas Lines		<input checked="" type="checkbox"/>	

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

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

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

(TAR-1406) 9-01-11

Initialed by: Seller: BT ST and Buyer: _____

Page 1 of 5

Concerning the Property at 10169 FM 1094

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: TIN Age: 15 YRS

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		<input checked="" type="checkbox"/>
Ceilings		<input checked="" type="checkbox"/>
Doors		<input checked="" type="checkbox"/>
Driveways		<input checked="" type="checkbox"/>
Electrical Systems		<input checked="" type="checkbox"/>
Exterior Walls		<input checked="" type="checkbox"/>

Item	Y	N
Floors		<input checked="" type="checkbox"/>
Foundation / Slab(s)		<input checked="" type="checkbox"/>
Interior Walls		<input checked="" type="checkbox"/>
Lighting Fixtures		<input checked="" type="checkbox"/>
Plumbing Systems		<input checked="" type="checkbox"/>
Roof		<input checked="" type="checkbox"/>

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

Condition	Y	N
Previous Foundation Repairs		<input checked="" type="checkbox"/>
Previous Roof Repairs		<input checked="" type="checkbox"/>
Other Structural Repairs		<input checked="" type="checkbox"/>
Radon Gas		<input checked="" type="checkbox"/>
Settling		<input checked="" type="checkbox"/>
Soil Movement		<input checked="" type="checkbox"/>
Subsurface Structure or Pits		<input checked="" type="checkbox"/>
Underground Storage Tanks		<input checked="" type="checkbox"/>
Unplatted Easements		<input checked="" type="checkbox"/>
Unrecorded Easements		<input checked="" type="checkbox"/>
Urea-formaldehyde Insulation		<input checked="" type="checkbox"/>
Water Penetration		<input checked="" type="checkbox"/>
Wetlands on Property		<input checked="" type="checkbox"/>
Wood Rot		<input checked="" type="checkbox"/>
Active Infestation of termites or other wood destroying insects (WDI)		<input checked="" type="checkbox"/>
Previous treatment for termites or WDI		<input checked="" type="checkbox"/>
Previous termite or WDI damage repaired		<input checked="" type="checkbox"/>
Termite or WDI damage needing repair		<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: BT

and Buyer: ST

Concerning the Property at 10769 FM 1094

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

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

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

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): _____

Concerning the Property at 10769 FM 1094 SEALY TR

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.

Bill Toecke
Signature of Seller

8/20/12
Date

Signature
Signature of Seller

8/20/12
Date

Bill Toecke
Printed Name

Signature
Printed Name

Concerning the Property at 10769 FM1094

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>SBEC</u>	phone #: _____
Sewer: _____	phone #: _____
Water: _____	phone #: _____
Cable: <u>DISH</u>	phone #: _____
Trash: <u>TEX. DISPOSAL SYS.</u>	phone #: _____
Natural Gas: _____	phone #: _____
Phone Company: _____	phone #: _____
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 _____	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.
©Texas Association of REALTORS®, Inc., 2004

CONCERNING THE PROPERTY AT _____

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

- (1) Type of Treatment System: ☒ Septic Tank ☐ Aerobic Treatment ☐ Unknown
☐ _____
- (2) Type of Distribution System: Field Lines ☐ Unknown
- (3) Approximate Location of Drain Field or Distribution System: North of MAIN House ☐ Unknown
- (4) Installer: SELF (Attached to MAIN House) ☐ Unknown
- (5) Approximate Age: 12 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? _____
- (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 BT, ST Page 1 of 2

Bill Johnson P. O. Box 294 Bellville, TX 77418

Phone: (979) 865-5466

Fax: (979) 865-5500

William Johnson

Produced with ZipForm™ by RE FormsNet, LLC 18025 Fifteen Mile Road, Clinton Township, Michigan 48035 www.zipform.com

Information about On-Site Sewer Facility concerning 10769 FM. 1094 SEALY, TX.

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.

Bill Teelhe 8-20-12
Signature of Seller Date

Suzanna Teelhe 8/20/12
Signature of Seller Date

Receipt acknowledged by:

Signature of Buyer Date

Signature of Buyer Date

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 78711-0188 or 512-465-

