



Price:	\$175,000
Type:	Residential (Farm-Ranch)
Address:	5088 Mertz Road
City/County:	Fayetteville, Austin County
Bed/Bath:	2 Bed, 2 Bath
Size/Acreage:	~1,088 Sq. Ft., ~14.73 Acres
ID No.:	78494
Status:	Active

Are you looking for privacy, seclusion, and tranquility, then look no further? This 14.7256 acres has it all! This property is excellent for a weekend recreational retreat with tons of wildlife. The property features large mature oak trees, elevation changes, a small out building for storage, a single wide manufactured home, riding trails, a small pond (that needs to be lined with clay or a man made liner), electricity, water well, on-site septic system, an existing building pad. Bring your children and let them explore!! Please call Bill Johnson & Associates to schedule your appointment today!! BILL JOHNSON AND ASSOCIATES REAL ESTATE COMPANY WILL CO-BROKER IS BUYER IS ACCOMPANIED BY HIS OR HER AGENT AT ALL PROPERTY SHOWINGS





Improvements	Land Features	Other
2 Bedrooms 2 Bathrooms Approx. 1088 Sq F Single Floor Vinyl Exterior Metal Roof Age Range: Over 20 Yrs Well Sewer Garage/Carport CHA Barns	Gravel Road Frontage Minerals Conveyed: None Pond Partially Wooded Rolling Sandy Soil	School District: Bellville ISD Taxes: \$3,755.95 Financing Cash
Directions: From Brenham: Take a leisurely drive to the small community of Shelby on FM 389, turn right onto FM 1457, and another right onto the paved Skull Creek Road, turn left onto the dead end road of Mertz Road. The property will be on your right. Look for Bill Johnson & Associates Real Estate sign. From Bellville: Travel Hwy 159 to FM 1457. Take a right on Skull Creek Road. Stay to the left at Skull Creek Road and Ullrich Road. Turn right onto Mertz Road. Look for BJRE sign at top of the hill on the right.		

[Map of Fayetteville](#) [Contact the Agent](#) [Email this Listing](#)



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

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 HEREIN.

LOT OR ACREAGE LISTING

Location of Property: Skull Creek Road and Mertz Road in Shelby TXLS# 78494
Address of Property: 5088 Mertz Road, Fayetteville, TX 78940 Road Frontage 1,068 LF approx.
County: Austin Paved Road: ☐ YES ☒ NO For Sale Sign on Property? ☒ YES ☐ NO
Subdivision: NONE Lot Size or Dimensions: 14.726 acres
Subdivision Restricted: ☐ YES ☒ NO Mandatory Membership in Property Owners' Assn. ☐ YES ☒ NO

Number of Acres: 14.7260

Price per Acre (or)

Total Listing Price: \$175,000.00

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:

School: \$ 2,554.94 2012
County: \$ 780.06
FM/Rd/Br.: \$ 289.96
Hospital: \$ 130.99
City: \$ -
TOTAL: \$ 3,755.95

Agricultural Exemption: ☐ Yes ☒ No

School District: Bellville I.S.D.

Minerals and Royalty:

Seller believes 0% *Minerals
to own: 0% *Royalty
Seller will 0% Minerals
Convey: 0% Royalty

* Current title commitment to reflect mineral and royalty reservations *

Leases Affecting Property:

Oil and Gas Lease: ☐ Yes ☒ No

Lessee's Name:

Lease Expiration Date:

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: Fayette Electric

Telephone: NONE

Water: NONE

Other:

Improvements on Property:

Home: ☒ YES ☐ NO See HOME listing if Yes

Buildings: One Small Storage Building
One Carport Area

Other: Existing pad site behind home

Approx. % Wooded: 85%

Type Trees: Oaks, cedar, yaupon, elm, hickory, pecan

Fencing: Perimeter ☒ YES ☐ NO

Condition: Good

Cross-Fencing: ☒ YES ☐ NO

Condition: Good

Ponds: Number of Ponds: One

Sizes: 1/2 acre, but needs a clay liner

Creek(s): Name(s): NONE

River(s): Name(s): NONE

Water Well(s): How Many? Two

Year Drilled: 1982 & 1999

Depth Unknown

Community Water Available: ☐ YES ☒ NO

Provider:

Electric Service Provider (Name): Fayette

Electric Coop.

Gas Service Provider (Name): NONE

Septic System(s): How Many? Private

Year Installed: 1995

Soil Type: Sandy soil.

Grass Type(s): Native

Flood Hazard Zone: NONE

Nearest Town to Property: Shelby

Distance: 16 miles to Brenham: 7 miles to Industry

Driving time from Houston Approx. 90 mins

Items specifically excluded from the sale:

All of seller's personal property. Several furniture items inside the home. Mostly the antique furniture.

Additional Information:

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

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HOME LISTING

Address of Home: 5088 Mertz Road, Fayetteville, TX 78940 Listing #: 78494
 Location of Home: Skull Creek Road and Mertz Road in Shelby
 County or Region: Austin For Sale Sign on Property? ☒ YES ☐ NO
 Subdivision: NONE Property Size: 14.7256 acres
 Subdivision Restricted: ☐ YES ☒ NO Mandatory Membership in Property Owners' Assn. ☐ YES ☒ NO
Listing Price: \$175,000.00
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: _____

Size and Construction:

Year Home was Built: 1987
 Lead Based Paint Addendum Required if prior to 1978: ☐ YES
 Bedrooms: 3 Bath: 2
 Size of Home (Approx.) _____
Total
 Foundation: ☐ Slab ☐ Pier/Beam ☒ Other
 Roof Type: Composition Year Installed: _____
 Exterior Construction: Vinyl

Room Measurements: APPROXIMATE SIZE:

Living Room: 14' x 18'
 Dining Room: _____
 Kitchen: 12' x 14'
 Family Room: _____
 Utility Room: _____
 Bath: 5' x 8' ☒ Tub ☒ Shower
 Bath: _____ ☐ Tub ☐ Shower
 Mstr Bath: 5' x 9' ☒ Tub ☒ Shower
 Mstr Bdrm: 14' x 16'
 Bedroom: 14' x 10'
 Bedroom: _____
 Utility Room: 7' x 6'
 Other: _____
 Garage: ☐ Carport: ☒ No. of Cars: One
 Size: _____ ☐ Attached ☐ Detached

Porches:

Front: Size: 16' x 24' wooden deck
 Side: Size: 6' x 16' wooden back deck
 Front Size: _____ ☐ Covered
 Back Size: _____ ☐ Covered
 Fenced Yard: _____
 Outside Storage: ☒ Yes ☐ No Size: 16' x 18'
 Construction: _____
 TV Antenna ☐ Dish ☒ Cable ☐

Home Features

☒ Ceiling Fans No. 3
☒ Dishwasher NOT WORKING
☐ Garbage Disposal
☒ Microwave
☒ Kitchen Range (Built-In) ☐ Gas ☒ Electric
☐ Other _____

Items Specifically Excluded from The Sale: LIST:

All of Seller's Personal Property.

Heat and Air:

☒ Central Heat Gas ☐ Electric ☒ One
☒ Central Air Gas ☐ Electric ☒ One
☐ Other: _____
☒ Fireplace(s) _____
☐ Wood Stove _____
☒ Water Heater(s): ☐ Gas ☒ Electric

Utilities:

Electricity Provider: San Bernard
 Gas Provider: None
 Sewer Provider: Private
 Water Provider: Private
 Water Well: ☒ YES ☐ NO Depth: 295
 Year Drilled: 1995
 Average Utility Bill: Monthly: \$150.00

Taxes:

2012 Year
 School: \$2,554.94
 County: \$780.06
 FM/Rd/Br: \$289.96
 Hospital: \$130.99
 City: \$0.00
Taxes: \$3,755.95
 School District: Bellville

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 5088 Mertz Road
Fayetteville, TX 78940

THIS NOTICE IS A DISCLOSURE OF SELLER'S KNOWLEDGE OF THE CONDITION OF THE PROPERTY AS OF THE DATE SIGNED BY SELLER AND IS NOT A SUBSTITUTE FOR ANY INSPECTIONS OR WARRANTIES THE BUYER MAY WISH TO OBTAIN. IT IS NOT A WARRANTY OF ANY KIND BY SELLER, SELLER'S AGENTS, OR ANY OTHER AGENT.

Seller ☐ is ☒ is not occupying the Property. If unoccupied (by Seller), how long since Seller has occupied the Property?
☐ _____ 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 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: _____
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: [Signature] and Buyer: _____

Page 1 of 5

Concerning the Property at _____

Water supply provided by: ☐ city ☒ well ☐ MUD ☐ co-op ☐ unknown ☐ other: _____

Was the Property built before 1978? ☐ yes ☒ no ☐ unknown

(If yes, complete, sign, and attach TAR-1906 concerning lead-based paint hazards).

Roof Type: _____ Age: _____ (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): DISHWASHER

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		

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

SOME MASONRY REPAIR NEEDED

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"/>

Concerning the Property at _____

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):

mobile home needs siding repair

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 _____

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: Donald A. Sexton

Date _____ Signature of Seller

Printed Name: Suzanne Sexton

Date _____

(TAR-1406) 9-01-11

Initialed by: Seller: DS and Buyer: _____

Page 4 of 5

Concerning the Property at _____

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 ELE.</u>	phone #: _____
Sewer: <u>PRIVATE</u>	phone #: _____
Water: <u>PRIVATE</u>	phone #: _____
Cable: _____	phone #: _____
Trash: <u>PRIVATE</u>	phone #: _____
Natural Gas: <u>NA</u>	phone #: _____
Phone Company: <u>NA</u>	phone #: _____
Propane: <u>NA</u>	phone #: _____

- (5) This Seller's Disclosure Notice was completed by Seller as of the date signed. The brokers have relied on this notice as true and correct and have no reason to believe it to be false or inaccurate. YOU ARE ENCOURAGED TO HAVE AN INSPECTOR OF YOUR CHOICE INSPECT THE PROPERTY.

The undersigned Buyer acknowledges receipt of the foregoing notice.

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



TEXAS ASSOCIATION OF REALTORS®

INFORMATION ABOUT ON-SITE SEWER FACILITY

USE OF THIS FORM BY PERSONS WHO ARE NOT MEMBERS OF THE TEXAS ASSOCIATION OF REALTORS® IS NOT AUTHORIZED.
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CONCERNING THE PROPERTY AT 5088 Mertz Road
Fayetteville, TX 78940

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 DRAIN ☐ Unknown
- (3) Approximate Location of Drain Field or Distribution System: PERF LINES RUNNING EAST
OF FRONT PORCH ☐ Unknown
- (4) Installer: PRIVATE ☐ Unknown
- (5) Approximate Age: 1996 ☐ 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 [Signature] and Seller _____, _____ Page 1 of 2

Bill Johnson & Associates 420 E. Main Bellville, TX 77418
Phone: 979.865.5969

Fax: 979.865.5500

Brooke Schrader

Sexton, Donald

Produced with ZipForm® by zipLogix 18070 Fifteen Mile Road, Fraser, Michigan 48026 www.ziplogix.com

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.

 5-8-13
Signature of Seller _____ Date _____
Donald A. Sexton

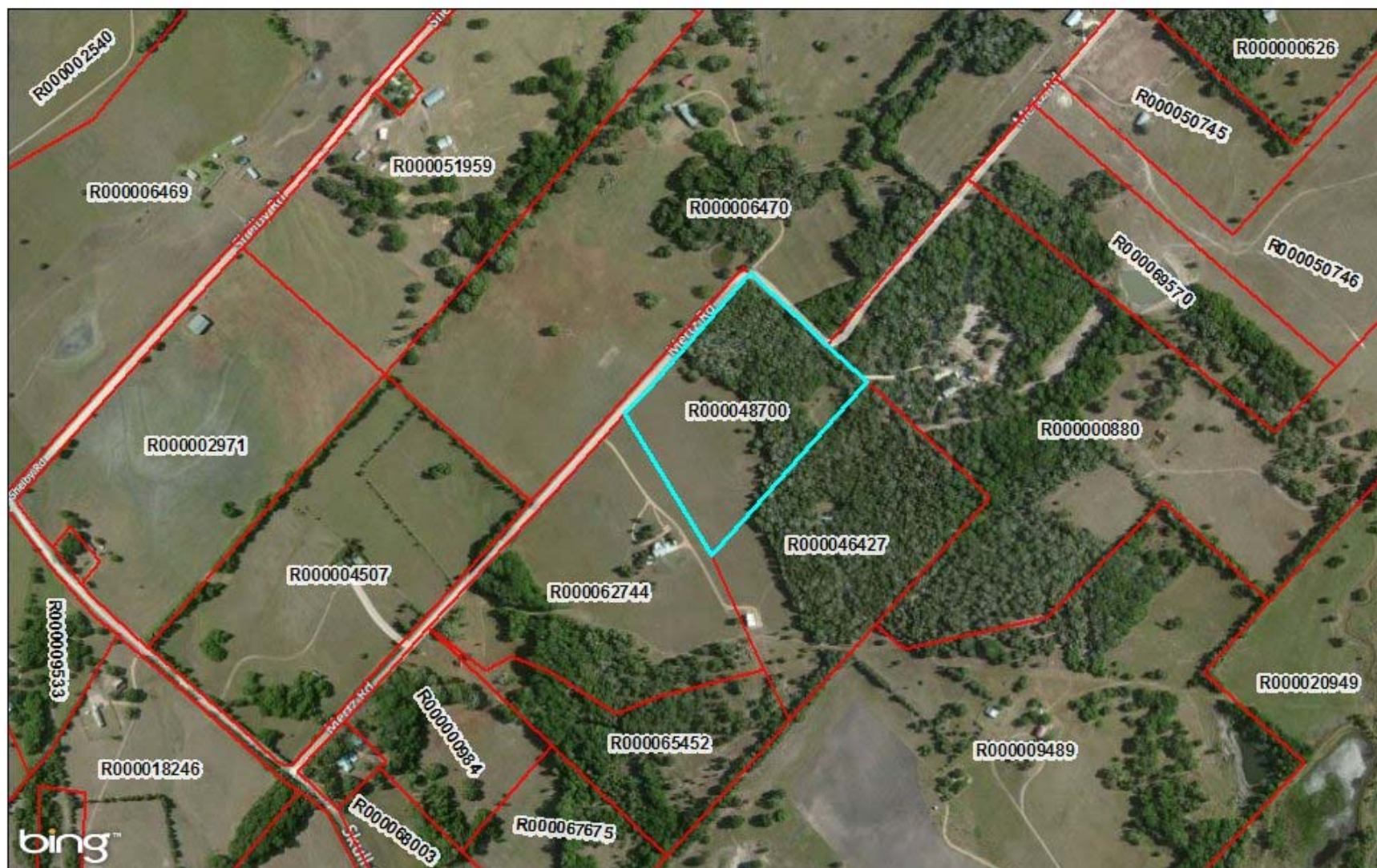
Suzanne Sexton 5/8/13
Signature of Seller Date
Suzanne Sexton

Receipt acknowledged by:

Signature of Buyer _____ Date _____

Signature of Buyer _____ Date _____

5088 Mertz Road, Fayetteville, TX 78940



May 7, 2013



Parcels

Ownership_Information



Lot_Lines

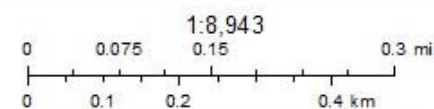


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Austin County Appraisal District IBIS Consulting - www.bisconsultants.com

This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

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.

SIGN HERE

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 512-465-8888.

