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TEXAS ASSOCIATION OF REALTORS®
COMMERCIAL PROPERTY CONDITION STATEMENT

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CONCERNING THE PROPERTY AT: 4511 Hwy 290 W

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

PART I - Complete if Property is Improved or Unimproved

Are you (Seller or Landlord) aware of:

Aware **Not
Aware**

- (1) any of the following environmental conditions on or affecting the Property:
- (a) radon gas? ☐ ☒
 - (b) asbestos components:
 - (i) friable components? ☐ ☒
 - (ii) non-friable components? ☐ ☒
 - (c) urea-formaldehyde insulation? ☐ ☒
 - (d) endangered species of their habitat? ☐ ☒
 - (e) wetlands? ☐ ☒
 - (f) underground storage tanks? ☐ ☒
 - (g) leaks in any storage tanks (underground or above-ground)? ☐ ☒
 - (h) lead-based paint? ☐ ☒
 - (i) hazardous materials or toxic waste? ☐ ☒
 - (j) open or closed landfills on or under the surface of the Property? ☐ ☒
 - (k) external conditions materially and adversely affecting the Property such as nearby landfills, smelting plants, burners, storage facilities of toxic or hazardous materials, refiners, utility transmission lines, mills, feed lots, and the like? ☐ ☒
 - (l) any activity relating to drilling or excavation sites for oil, gas, or other minerals? ☐ ☒
- (2) previous environmental contamination that was on or that materially and adversely affected the Property, including but not limited to previous environmental conditions listed in Paragraph 1(a)-(l)? ☐ ☒
- (3) any part of the Property lying in a special flood hazard area (A or V Zone)? ☐ ☒
- (4) any improper drainage onto or away from the Property? ☐ ☒
- (5) any fault line or near the Property that materially and adversely affects the Property? ☐ ☒
- (6) outstanding mineral rights, exceptions, or reservations of the Property held by others? ☐ ☒
- (7) air space restrictions or easements on or affecting the Property? ☐ ☒
- (8) unrecorded or unplatted agreements for easements, utilities, or access on or to the Property? ☐ ☒

(TAR-1408) 1-26-10 Initialed by Seller or Landlord RT and Buyer or Tenant: _____ Page 1 of 4

Coldwell Bankers Properties Unlmt 2402 South Day St. Brenham, TX 77833

Phone: 979.836.0011 117

Fax: 979.836.6046

Lindi Braddock

Todd Poehlmann

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- | | <u>Aware</u> | <u>Not
Aware</u> |
|---|--------------------------|-------------------------------------|
| (9) special districts in which the Property lies (for example, historical districts, development districts, extraterritorial jurisdictions, or others)? | ☐ | ☒ |
| (10) pending changes in zoning, restrictions, or in physical use of the Property? | ☐ | ☒ |
| (11) your receipt of any notice concerning any likely condemnation, planned streets, highways, railroads, or developments that would materially and adversely affect the Property (including access or visibility)? | ☐ | ☒ |
| (12) lawsuits affecting title to or use or enjoyment of the Property? | ☐ | ☒ |
| (13) your receipt of any written notices of violations of zoning, deed restrictions, or government regulations from EPA, OSHA, TCEQ, or other government agencies? | ☐ | ☒ |
| (14) common areas or facilities affiliated with the Property co-owned with others? | ☐ | ☒ |
| (15) an owners' or tenants' association or maintenance fee or assessment affecting the Property? | ☐ | ☒ |
| If aware, name of association: _____ | | |
| Name of manager: _____ | | |
| Amount of fee or assessment: \$ _____ per _____ | | |
| Are fees current through the date of this notice? ☐ yes ☐ no ☐ unknown | | |
| (16) subsurface structures, hydraulic lifts, or pits on the Property? | ☐ | ☒ |
| (17) intermittent or weather springs that affect the Property? | ☐ | ☒ |
| (18) any material defect in any irrigation system, fences, or signs on the Property? | ☐ | ☒ |
| (19) conditions on or affecting the Property that materially affect the health or safety of an ordinary individual? | ☐ | ☒ |

If you are aware of any of the conditions listed above, explain. (Attach additional information if needed.) _____

PART 2 – Complete only if Property is Improved

A. Are you (Seller or Landlord) aware of any material defects in any of the following on the Property?

- | | <u>Aware</u> | <u>Not
Aware</u> | <u>Not
Appl.</u> |
|--|--------------------------|-------------------------------------|--------------------------|
| (1) <u>Structural Items:</u> | | | |
| (a) foundation systems (slabs, columns, trusses, bracing, crawl spaces, piers, beams, footings, retaining walls, basement, grading)? | ☐ | ☒ | ☐ |
| (b) exterior walls? | ☐ | ☒ | ☐ |
| (c) fireplaces and chimneys? | ☐ | ☒ | ☐ |
| (d) roof, roof structure, or attic (covering, flashing, skylights, insulation, roof penetrations, ventilation, gutters and downspouts, decking)? | ☐ | ☒ | ☐ |
| (e) windows, doors, plate glass, or canopies | ☐ | ☒ | ☐ |

(2) Plumbing Systems:

Aware Not Not
Aware Aware Appl.

- | | | | |
|---|--------------------------|-------------------------------------|--------------------------|
| (a) water heaters or water softeners? | ☐ | ☒ | ☐ |
| (b) supply or drain lines? | ☐ | ☒ | ☐ |
| (c) faucets, fixtures, or commodes? | ☐ | ☒ | ☐ |
| (d) private sewage systems? | ☐ | ☒ | ☐ |
| (e) pools or spas and equipments? | ☐ | ☒ | ☐ |
| (f) sprinkler systems? | ☐ | ☒ | ☐ |
| (g) water coolers? | ☐ | ☒ | ☐ |
| (h) private water wells? | ☐ | ☒ | ☐ |
| (i) pumps or sump pumps? | ☐ | ☒ | ☐ |

(3) HVAC Systems: any cooling, heating, or ventilation systems?

☐ ☒ ☐

(4) Electrical Systems: service drops, wiring, connections, conductors, plugs, grounds, power, polarity, switches, light fixtures, or junction boxes?

☐ ☒ ☐

(5) Other Systems or Items:

- | | | | |
|---|--------------------------|-------------------------------------|--------------------------|
| (a) security or fire detection systems? | ☐ | ☒ | ☐ |
| (b) porches or decks? | ☐ | ☒ | ☐ |
| (c) gas lines? | ☐ | ☒ | ☐ |
| (d) garage doors and door operators? | ☐ | ☒ | ☐ |
| (e) loading doors or docks? | ☐ | ☒ | ☐ |
| (f) rails or overhead cranes? | ☐ | ☒ | ☐ |
| (g) elevators or escalators? | ☐ | ☒ | ☐ |
| (h) parking areas, drives, steps, walkways? | ☐ | ☒ | ☐ |
| (i) appliances or built-in kitchen equipment? | ☐ | ☒ | ☐ |

If you are aware of material defects in any of the items listed under Paragraph A, explain. (Attach additional information if needed.) _____

B. Are you (Seller or Landlord) aware of:

Aware Not
Aware Aware

(1) any of the following water or drainage conditions materially and adversely affecting the Property:

- | | | |
|--|--------------------------|-------------------------------------|
| (a) ground water? | ☐ | ☒ |
| (b) water penetration? | ☐ | ☒ |
| (c) previous flooding or water drainage? | ☐ | ☒ |
| (d) soil erosion or water ponding? | ☐ | ☒ |

- | | Aware | Not
Aware |
|---|--------------------------|-------------------------------------|
| (2) previous structural repair to the foundation systems on the Property? | ☐ | ☒ |
| (3) settling or soil movement materially and adversely affecting the Property? | ☐ | ☒ |
| (4) pest infestation from rodents, insects, or other organisms on the Property? | ☐ | ☒ |
| (5) termite or wood rot damage on the Property needing repair? | ☐ | ☒ |
| (6) mold to the extent that it materially and adversely affects the Property? | ☐ | ☒ |
| (7) mold remediation certificate issued for the Property in the previous 5 years? | ☐ | ☒ |
| <i>if yes, attach a copy of the mold remediation certificate.</i> | | |
| (8) previous termite treatment on the Property? | ☐ | ☒ |
| (9) previous fires that materially affected the Property? | ☐ | ☒ |
| (10) modifications made to the Property without necessary permits or not in compliance
with building codes in effect at the time? | ☐ | ☒ |
| (11) any part, system, or component in or on the Property not in compliance with
the Americans with Disabilities Act or the Texas Architectural Barrier Statute? | ☐ | ☒ |

If you are aware of any conditions described under Paragraph B, explain. (*Attach additional information, if needed.*) _____

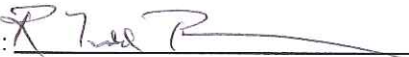
The undersigned acknowledges receipt of the foregoing statement.

Seller or Landlord: _____

Buyer or Tenant: _____

By: Todd Ralph Poehlmann

By: _____

By (signature): 

By (signature): _____

Printed Name: _____

Printed Name: _____

Title: _____ Date: _____

Title: _____ Date: _____

By: _____

By: _____

By (signature): _____

By (signature): _____

Printed Name: _____

Printed Name: _____

Title: _____ Date: _____

Title: _____ Date: _____

NOTICE TO BUYER OR TENANT: The broker representing Seller or Landlord, and the broker representing you advise you that this statement was completed by Seller or Landlord, as of the date signed. The brokers have relied on this statement 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.**



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

4501, 4511, 4579 Highway 290 West
Brenham, 77833

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

- (1) Type of Treatment System: ☒ Septic Tank ☐ Aerobic Treatment ☐ Unknown
☐ _____
- (2) Type of Distribution System: _____ ☐ Unknown
- (3) Approximate Location of Drain Field or Distribution System: South ☐ Unknown

- (4) Installer: Flisowski ☐ Unknown
- (5) Approximate Age: 2007 ☐ 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? never
- (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.

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

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

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

R. Y. Lee
 Signature of Seller _____ Date _____

 Signature of Seller _____ Date _____

Receipt acknowledged by:

 Signature of Buyer _____ Date _____

 Signature of Buyer _____ Date _____