



AUSTIN/CENTRAL TEXAS REALTY INFORMATION SERVICE (ACTRIS) SELLER'S DISCLOSURE NOTICE

THIS FORM IS FURNISHED BY THE AUSTIN/CENTRAL TEXAS REALTY INFORMATION SERVICE FOR USE BY ITS PARTICIPANTS AND REPRESENTED SELLERS.

NOTE: EFFECTIVE JANUARY 1, 1994, SECTION 5.008 OF THE TEXAS PROPERTY CODE REQUIRES A SELLER OF RESIDENTIAL REAL PROPERTY OF NOT MORE THAN ONE DWELLING UNIT TO DELIVER A COPY OF THE SELLER'S DISCLOSURE NOTICE, COMPLETE TO THE BEST OF THE SELLER'S BELIEF AND KNOWLEDGE, TO A PURCHASER ON OR BEFORE THE EFFECTIVE DATE OF A CONTRACT FOR THE SALE OF THE PROPERTY. IF A CONTRACT IS ENTERED INTO WITHOUT THE SELLER PROVIDING THE NOTICE, THE BUYER MAY TERMINATE THE CONTRACT FOR ANY REASON WITHIN SEVEN (7) DAYS AFTER RECEIVING THE NOTICE. IF INFORMATION REQUIRED BY THE NOTICE IS UNKNOWN TO THE SELLER, THE SELLER MAY INDICATE THAT FACT ON THE NOTICE AND THEREBY COMPLY WITH THE REQUIREMENTS OF SECTION 5.008 OF THE TEXAS PROPERTY CODE. This form complies with and contains additional disclosures which exceed the minimum required by the Code.

CONCERNING THE PROPERTY AT 110 Carriage Court Bastrop
(Street Address and City)

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 PURCHASER 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, how long since Seller has occupied the Property? _____

Seller ☒ is ☐ is not knowledgeable of the current condition of the Property.

The Property ☐ is ☒ is not currently leased and ☐ has ☒ has not been leased in the last two (2) years.

If leased, how long? _____

During the last year the Property ☐ has ☒ has not been vacant.

If yes, how long was the Property vacant? _____

1. FEATURES AND EQUIPMENT (Mark all appropriate items that **EXIST** and their **WORKING CONDITION**):

NOTE: This notice does not establish which items will or will not be conveyed.

The terms of the Contract will determine which items will and will not be conveyed.

Y = Yes, N = No, U = Unknown

Exists	Item	Working Condition			Additional Information
	Bathroom Heater	Y	N	U	# [E] [G]
✓	Cable TV Wiring	(Y)	N	U	
	Carport	Y	N	U	# of Spaces Attached [Y] [N]
	Carbon Monoxide Detector	Y	N	U	#
✓	Central Air Conditioning	(Y)	N	U	# 3 [E] 3 [G] 3
	Central Heating	Y	N	U	# [E] 1 [G] 2 [HP]
	Central Vacuum	Y	N	U	
✓	Chimney	(Y)	N	U	
✓	Cook Top/Stove	(Y)	N	U	[E] (G) 5 # of Burners Other:
	Deck	Y	N	U	Wood [] Other []
✓	Dishwasher	(Y)	N	U	
✓	Disposal	(Y)	N	U	
	Dryer	Y	N	U	[E] [G] [110V] [220V]
✓	Dryer Hookups	Y	N	U	[110V] (220V) [G]
	Emergency Escape Ladder(s)	Y	N	U	
	Evaporative Cooler	Y	N	U	#
	Fans	Y	N	U	Ceiling # Attic # Exhaust # Whole House #

Features and Equipment Continues Next Page

Initialed for Identification by Seller Jpe, _____ and Buyer _____, _____

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RE/MAX Bastrop Area 87 Loop 150 West Bastrop, TX 78602
Phone: 512.921.9134

Fax: 512.366.9613

Janis Penick

Proctor

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Seller's Disclosure Notice Concerning Property At:

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Exists	Item	Working Condition			Additional Information
☒	Fencing	Y	N	U	Full ☐ Partial ☒ Type: <u>across back & one side</u>
☒	Fire Alarm/Detector	☒ Y	N	U	#
☒	Fireplace	☒ Y	N	U	# <u>1</u>
	Fireplace Logs	Y	N	U	#
	French Drain	Y	N	U	
☒	Garage	Y	N	U	Attached: ☒ Y ☐ N # Spaces <u>3</u>
☒	Garage Door Opener	☒ Y	N	U	# <u>2</u>
☒	Garage Remote Control(s)	☒ Y	N	U	# <u>2</u>
	Gas Lighting Fixtures	Y	N	U	#
☒	Gas Lines	Y	N	U	☒ NAT ☐ LP
	Gazebo	Y	N	U	
	Grinder Pump	Y	N	U	
	Ice Machine	Y	N	U	
	Intercom System	Y	N	U	
☒	Lawn Sprinkler System	☒ Y	N	U	Full ☒ Partial ☐ Automatic ☒ Manual ☐
	Liquid Propane Gas	Y	N	U	LP Community (Captive) ☐ LP on Property ☐
☒	Microwave	☒ Y	N	U	
	Mock Fireplace	Y	N	U	With Chimney ☐ Without Chimney ☐
	Outdoor Grill	Y	N	U	☐ NAT ☐ LP ☐ E
☒	Oven	☒ Y	N	U	☐ E ☒ G
☒	Patio	☒ Y	N	U	Covered ☒ Uncovered ☐
☒	Plumbing System	☒ Y	N	U	
	Pool	Y	N	U	Inground ☐ Above Ground ☐ Other ☐
	Pool Accessories	Y	N	U	
	Pool Heater	Y	N	U	
	Pool Maintenance Equip.	Y	N	U	
☒	Portable Storage Buildings	Y	N	U	# <u>Permanent on Slab</u>
	Public Sewer System	Y	N	U	
☒	Rain Gutters	☒ Y	N	U	Full ☐ Partial ☒
	Range	Y	N	U	☐ E ☐ G
	Refrigerator	Y	N	U	#
☒	Roof Attic Vents	☒ Y	N	U	
	Satellite Dish System	Y	N	U	Owned ☐ Leased ☐
	Sauna	Y	N	U	#
☒	Security System	☒ Y	N	U	Owned ☒ Leased ☐ Mo. Lease \$
☒	Septic System/Tank	☒ Y	N	U	Date Last Pumped: <u>1/2011</u>
☒	Smoke Detector(s)	Y	N	U	# <u>10</u> Hearing Impaired ☐ Y ☐ N
☒	Spa/Hot Tub	Y	N	U	# <u>1</u>
	Spa Heater	Y	N	U	# ☐ E ☐ G ☐ Solar
	Space Heater	Y	N	U	# ☐ E ☐ G
	Speakers	Y	N	U	
	Specialty Wiring	Y	N	U	Audio ☐ Data ☐ Speakers ☐ Visual ☐
	Sump Pump	Y	N	U	#
	Trash Compactor	Y	N	U	#
	TV Antenna	Y	N	U	#
	Wall/Window A/C	Y	N	U	#
	Washer	Y	N	U	
☒	Washer Hookups	☒ Y	N	U	
☒	Water Heater	Y	N	U	# <u>2</u> ☐ E ☒ G ☐ Solar
	Water Softener	Y	N	U	Owned ☐ Leased ☐ Mo. Lease/Service Chg \$ <u>Loop</u>
	Window Screens	Y	N	U	# Type:
	Other:	Y	N	U	
	Other:	Y	N	U	

Initialed for Identification by Seller yp, _____ and Buyer _____, _____

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Explain all No [N] or Unknown [U] answers. Attach additional sheets as necessary. _____

The seller excludes the following items from the sale: Refrigerator, water softener, pot rack,
baskets in closets

2. UTILITY PROVIDERS and HOMEOWNERS' ASSOCIATION (Fill in names of Suppliers with Telephone Numbers):

WATER Supply: Agua Ph: 303-3943 GAS Supply: Centerpoint Ph: 800-427-7142
☒ City ☐ Well ☐ Private ☐ MUD ☒ Utility ☐ Tank ☐ Bottle ☐ Co-Op
☐ WCID ☐ Co-Op ☐ Other _____ Tank/Bottle Mo. Lease \$ _____

WASTEWATER: _____ Ph: _____ HOA/CONDO ASSOC: _____
☐ City ☐ Co-Op ☐ MUD ☐ Other ☒ Mandatory ☐ Voluntary
☒ Septic Association Fee \$ 843.93 per annual

ELECTRICITY: Bluebonnett Ph: 800-842-7708 HOA's Administrative Transfer Fee of \$ _____
CABLE TV: Time Warner Ph: 485-5335 (Fee(s) above shall include all costs of transfer of ownership)
SOLID WASTE PROVIDER: ATEX Ph: 281-4224 Manager's Name: Drew Sanders
Manager's Telephone: 602-7045

3. PROPERTY DEFECTS/MALFUNCTIONS:

Are you (Seller) aware of any known defects/malfunctions in any of the following? Mark Yes [Y] if you are aware and mark No [N] if you are not aware.

Exists	Item	Defect/ Malfunction		Exists	Item	Defect/ Malfunction	
	Basement	Y	N	☒	Potable Drinking Water	Y	☒ N
☒	Ceilings	Y	☒ N		Retaining Wall(s)	Y	N
☒	Driveway(s)	Y	☒ N	☒	Roof	Y	☒ N
☒	Electrical System(s)	Y	☒ N		Overlay Shingles: [Y] [N]		
☒	Exterior Doors	Y	☒ N	☒	Roof Approximate Age: <u>8.5</u> Yrs		
☒	Exterior Walls	Y	☒ N		Roof Type: <u>Shingles</u>		
☒	Floors	Y	☒ N	☒	Septic System: Type: <u>Aerobic</u>	Y	☒ N
☒	Foundation: Slab ☒ Pier & Beam []	Y	☒ N		Sidewalks	Y	N
☒	Interior Doors	Y	☒ N		Stucco	Y	N
☒	Interior Walls	Y	☒ N		Conventional [] Synthetic [] Type:		
☒	Lighting Fixtures	Y	☒ N	☒	Underground Electrical Lines	Y	☒ N
☒	Outbuildings	Y	☒ N	☒	Wastewater System	Y	☒ N
☒	Plumbing	Y	☒ N	☒	Windows	Y	☒ N

If the answer to any of the above in #3 is Yes [Y], explain. Attach additional sheets as necessary.

Describe any other Property Defects/Malfunctions:

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

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4. CURRENT CONDITIONS OF THE PROPERTY:

Are you (SELLER) aware of any of the following? Mark Yes [Y] if you are aware, mark No [N] if you are not aware.

Active Termites	Y	(N)	Fault Lines	Y	(N)
Wood-Destroying Insects	Y	(N)	Landfill	Y	(N)
Termite or Wood Rot Needing Repair	Y	(N)	Subsurface Structure(s)	Y	(N)
Termite Damage	Y	(N)	Pit(s)	Y	(N)
Termite Treatment	Y	(N)	Underground Spring(s)	Y	(N)
Water Penetration of Structure	Y	(N)	Intermittent/Weather Spring(s)	Y	(N)
Structural or Roof Repair	Y	(N)	Underground Storage Tank(s)	Y	(N)
Asbestos Components	Y	(N)	Endangered Species/Habitat on Property	Y	(N)
Urea Formaldehyde Insulation	Y	(N)	Hazardous or Toxic Waste	Y	(N)
Radon Gas	Y	(N)	Diseased Trees	Y	(N)
Lead-Based Paint	Y	(N)	Fence Lines Not Corresponding to Property Boundaries	Y	(N)
Aluminum Wiring	Y	(N)	Wetlands on Property	Y	(N)
Foundation Repair	Y	(N)	Unplatted Easement(s)	Y	(N)
Flooding of Land	Y	(N)	Underground Electrical Line(s)	(Y)	N
Improper Drainage or Ponding	Y	(N)	Dampness in Crawl Spaces	Y	(N)
Located in 100-Year Flood Plain	Y	(N)	Water Heater Leak(s)	Y	(N)
Present Flood Insurance Coverage *Attach TAR Form 1414 if answer is Yes	Y*	(N)	HVAC System Leak(s) – Overflow Pan or Other Defect	Y	(N)
Settling or Soil Movement	Y	(N)	Single Blockable Main Drain in Pool/Hot Tub/Spa*	Y	(N)
			Other Conditions	Y	N

If the answer to any of the above is Yes [Y], explain. Attach additional sheets All electrical line in
subdivision underground

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

5. PREVIOUS CONDITIONS OF THE PROPERTY:

Are you (SELLER) aware of the following previously defective conditions? Mark Yes [Y] if you are aware, mark No [N] if you are not aware.

Previous Flooding into the Structure	Y	(N)
Previous Flooding onto the Property	Y	(N)
Previous Fires	Y	(N)
Previous Foundation Repairs	Y	(N)
Previous Roof Repairs	Y	(N)
Previous Treatment for Termites or Wood-Destroying Insects	Y	(N)
Previous Termite or Wood-Destroying Insect Damage Repaired	Y	(N)
Previous Use of Premises for Manufacture of Methamphetamine	Y	(N)

Other Conditions: _____

If the answer to any of the above is Yes [Y], explain. Attach additional sheets as necessary.

6. SYSTEMS IN NEED OF REPAIR:

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 as necessary.

Initialed for Identification by Seller JP, _____ and Buyer _____, _____

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7. MISCELLANEOUS CONDITIONS:

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 code in effect at the time of construction?
- [Y] ☐ [N] Any "common area" facilities, i.e., pools, tennis courts, walkways, or other areas, co-owned in undivided interest with others?
- ☒ [Y] ☐ [N] Are there any optional charges or user fees for "common area" facilities? If yes, describe: only to reserve space
- [Y] ☐ [N] Any notices of violations of deed restrictions or governmental ordinances, zoning, use, or impervious cover limitations affecting the condition or use of the Property?
- [Y] ☐ [N] Any lawsuits or other legal proceedings directly affecting the Property or Seller's ability to convey property, e.g., bankruptcy, probate, guardianship, etc.?
- [Y] ☐ [N] Any condition of the Property which materially affects the physical health or safety of an individual?
- [Y] ☐ [N] Features of the Property shared in common with adjoining landowners, e.g., walls, fences, and driveways, whose use or responsibility for maintenance may have an effect on the Property?
- [Y] ☐ [N] Any encroachments of improvements on the subject Property onto another property or of improvements on another property onto the subject Property, easements, (recorded or unrecorded), or similar matters that may affect your interest in the Property?
- [Y] ☐ [N] Landfill – compacted or otherwise – on the Property or any portion thereof?
- [Y] ☐ [N] Any settling from any cause or slippage, sliding or other soil problems?
- [Y] ☐ [N] Damage to the Property or any of the structures from fire, earthquake, floods or landslides?
- [Y] ☐ [N] Any future highway, freeway, or air traffic patterns which affects the Property?
- [Y] ☐ [N] Any future annexation plans which affect the Property?
- [Y] ☐ [N] Within the previous 12 months, has there been an equity loan on the Property? If Yes, date ____/____/____
- [Y] ☐ [N] Any pending flood plain changes known?
- [Y] ☐ [N] Any ordinances that restrict flood coverage or rebuilding any portion of the structure to its previous use?
- [Y] ☐ [N] Previous FEMA claim paid?
- [Y] ☐ [N] Death on the Property other than death caused by: natural causes, suicide, or accident unrelated to the Property's condition?
- [Y] ☐ [N] Was the dwelling built before 1978? Unknown []
- [Y] ☐ [N] Any repairs or treatment, other than routine maintenance, made to the Property to eliminate environmental hazards such as asbestos, radon, lead-based paint, urea formaldehyde, or mold?
- [Y] ☐ [N] Any historic preservation restriction or ordinance or archeological designation associated with the Property?
- [Y] ☐ [N] Any IRS or tax redemption periods which will affect the sale of the Property?
- [Y] ☐ [N] Any rainwater harvesting system connected to the property's public water supply?
- [Y] ☐ [N] Any other item(s) of concern?

If the answer to any of the above is Yes [Y], explain. Attach additional sheets as necessary.

Cover added to patio in Aug 2010

Initialed for Identification by Seller Y2 , _____ and Buyer _____ , _____

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8. AD VALOREM TAXES:

Check any Tax Exemption(s) which you (SELLER) currently claim for the Property:

☒ Homestead ☐ Over 65 ☐ Disabled ☐ Disabled Veteran ☐ Wildlife Management
☐ Agricultural ☐ Unknown ☐ None ☐ Other _____

Have you or a third party on your behalf ever supplied information regarding property defects or condition at the Appraisal District? ☐ Yes ☒ No

Have you ever testified or had an agent testify on your behalf in a valuation hearing at an Appraisal District Value Protest Hearing? ☐ Yes ☒ No If so, which Appraisal District? _____

Is property located in a Statutory Tax District? ☐ Yes ☒ No

9. INSPECTIONS AND DISCLOSURES:

Have you (SELLER) received any written inspection reports from persons who regularly provide inspections and who are either licensed as inspectors or engineers or otherwise permitted by law to perform inspections in the past four (4) years? ☐ Yes ☒ No

Chapter 6-7 of the Austin City Code requires an energy audit be completed for certain properties before the time of sale. Has an energy audit been completed on the Property within the last 10 years? ☐ Yes ☐ No ☐ N/A

If Yes to either of these questions, list the information below and attach copies of the reports:

<u>Date of Inspection</u>	<u>Name of Document</u>	<u>Author of Report</u>	<u>Number of Pages</u>
---------------------------	-------------------------	-------------------------	------------------------

Is a previous Seller's Disclosure available? ☐ Yes ☒ No If so, please attach.

Is a current Survey available? ☒ Yes ☒ No If so, please attach. Date of Current Survey: ____/____/____

If yes, attach survey with notarized T-47 Affidavit.

10. SMOKE DETECTORS:

Does the property have working smoke detectors installed in accordance with the smoke detector requirements of Chapter 766 of the Health and Safety Code?* ☒ Yes ☐ No ☐ Unknown 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.

11. MAJOR REPAIRS OR IMPROVEMENTS MADE:

Have you (SELLER) made, or had made, major repairs or improvements (costing \$500 or more) to the Property during the time you have owned the Property? ☒ Yes ☐ No

Are you (SELLER) aware of major repairs or improvements made by previous owners?

☐ Yes ☒ No

If Yes to either, please explain. (Attach additional sheet(s) as necessary.)

added cover on patio. Built Storage bldg (12x16)

Initialed for Identification by Seller gp, _____ and Buyer _____, _____

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12. INSURANCE CLAIMS:

In the last 5 years have you (SELLER) filed an insurance claim related to this property? ☐ Yes ☒ No
If there was a monetary settlement, were the funds used to make the repair? ☐ Yes ☐ No

13. GOVERNMENT OR OTHER PENDING OR RECEIVED NOTICES:

SELLER has not received any notices, either oral or written, regarding the need for repair or replacement or any portion of the Property from any governmental agency, appraiser, inspector, mortgage lender, repair service or others, except:

none

SELLER has not received any notices from any governmental agency or private company of pending condemnation on any portion of the Property, except:

none

14. ADDITIONAL DISCLOSURE FORMS ATTACHED: ☐ Yes ☐ No

- ☐ Addendum for Seller's Disclosure of Information on Lead-Based Paint (TAR 1906)
- ☐ Environmental Assessment, Threatened or Endangered Species, and Wetlands Addendum (TAR 1917)
- ☐ Energy Audit
- ☒ Information About On-Site Sewer Facility (TAR 1407)
- ☐ §49.452 Notice to Purchase (TREC OP-C) ☐ Yes ☐ No
- ☐ Information About Special Flood Hazard Areas (TAR 1414)
- ☐ Relocation Addendum (TAR 1941)
- ☐ Other _____

THE ABOVE DISCLOSURES ARE TRUE AND CORRECT TO THE BEST KNOWLEDGE OF THE SELLER(S). SELLER acknowledges that the statements in this Disclosure are true to the best of the Seller's belief and that no person, including the Broker(s) and their Agent(s) has instructed or influenced Seller to provide inaccurate information or to omit any material information.

Fay Proctor
Seller's Signature

Seller's Signature

Fay M. Proctor
Printed Name

Printed Name

4/19/12
Date

Date

Initialed for Identification by Buyer _____ , _____

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