



**\$340,000**

**Little Texas - 223 Park Rd 38 SEALY, Austin County**

**ID: 68056**



**BILL JOHNSON AND ASSOC. REAL ESTATE CO.**

420 E. Main St., Bellville - FM 1094 at Cedar St., New Ulm Bellville - New  
Ulm , TX 77418 - 78950

Phone: Bellville (979) 865-5466 New Ulm (979) 992-2636 Fax: Bellville (979)  
865-5500 New Ulm (979) 992-2637

Email: [billjohnson@bjre.com](mailto:billjohnson@bjre.com)



Growing Income Property in one of the most historical areas of Texas. "Little Texas" is a thriving establishment offering grocery items, beverages, and grill menu in the shadow of Stephen F Austin's original settlement of San Filipe de Austin. "Little Texas" is an attractive well maintained store with the current improvements renovated and additions made during the last several years. It is located on the main access road to Stephen F Austin State Park and Country Club and the 2.55 acres provide excellent potential for expansion and diversification with expected attention to the historical importance of the community. Financial information available on request with execution of letter of intent to make offer and confidentiality agreement.

...

**Improvements**

2 Bathrooms  
Approx. 1268 Sq F  
Single Floor  
Wood Exterior  
Metal Roof  
Year Built: 2009  
Age Range: 0-5 Yrs

**Land Features**

Approx. 2.55 Acres  
Maint. Fees: \$0  
Paved Road Frontage  
Minerals Conveyed: None

**Other**

Commercial  
Status: Active  
School District: Sealy  
Taxes: \$496.27  
Tax ID: R14042

**Financing**

Cash

**Directions:** from the intersection of IH-10 and FM 1458 go north on FM 1458, 2 miles to the intersection of FM 1458 and Park Road 38. Go west on Park Road 38, .17 mile to the property on the south side of Park Road 38.

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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

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**COMMERCIAL PROPERTY**

Location of Property: near corner of FM 1458 and Park Rd 38, San Filipe, Texas Listing #: 68056  
 Address of Property: 223 Park Rd 38, Sealy, Tx 77474 Road Frontage: 664 ft Road Name: Park Rd 38  
 County: Austin Paved Road: ☒ YES ☐ NO For Sale Sign on Property? ☒ YES ☐ NO  
 Subdivision: San Filipe Building Addition Lot Size or Dimensions:  
 Subdivision Restricted: ☒ YES ☐ NO Mandatory Membership in Property Owners' Assn. ☐ YES ☒ NO

**Number of Acres:** 2.55+/- lots 139,140,141,184,185,186**Price per Sq.Ft. or Acre****Total Listing Price:** \$340,000.00**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:**

|               |         |
|---------------|---------|
|               | 2010    |
| School: \$    | 224.25  |
| County: \$    | 131.63  |
| FM/Rd/Br.: \$ | 49.05   |
| Fire Dist: \$ | 10.04   |
| City: \$      | \$81.30 |
| TOTAL: \$     | 496.27  |

Agricultural Exemption: ☐ Yes ☐ No**School District:****Minerals and Royalty:**

|                 |      |           |
|-----------------|------|-----------|
| Seller believes | 100% | *Minerals |
| that he owns:   | 100% | *Royalty  |
| Seller will     | 100% | Minerals  |
| Convey:         | 100% | 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:

Roadway: City of San Filipe

Electric:

Telephone: AT&amp;T

Water:

Other:

**Improvements on Property**

Please list all permanent structures located on said Property

(Include approx. size &amp; construction type):

Main Building 22x44, front porch 12x44, Patio 20x44

restrooms 10x12, store room 12x15

Property Tax valuation will change and may be subject to 5  
 year property tax recapture.

Approx. % Wooded: 0%

Type Trees:

**Fencing:** Perimeter ☒ YES ☐ NO

Condition: 3 sides

Cross-Fencing: ☐ YES ☒ NO

Condition: good

**Ponds:** Number of Ponds: none

Sizes:

**Creek(s):** Name(s):**River(s):** Name(s):**Water Well(s): How Many?** none

Year Drilled: Depth:

**Community Water Available:** ☐ YES ☒ NO

Provider:

**Electric Service Provider (Name):**

Reliant Energy

**Gas Service Provider (Name):** none**Sewer Service:** private septic

Provider:

**Soil Type:** sandy loam**Grass Type(s):** native

**Flood Hazard Zone:** See Seller's Disclosure or to be  
 determined by survey.

**Nearest Town to Property:** San Filipe

Distance: 0

Driving time from Houston 30 minutes

**Items specifically excluded from the sale:**

sellers personal property

**Additional Information:**

store and restaurant equipment and inventory included

Coca Cola box and outside Ice Vending box not owned

by seller.

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 ACCOMPANIED BY HIS OR HER AGENT AT ALL PROPERTY SHOWINGS.**

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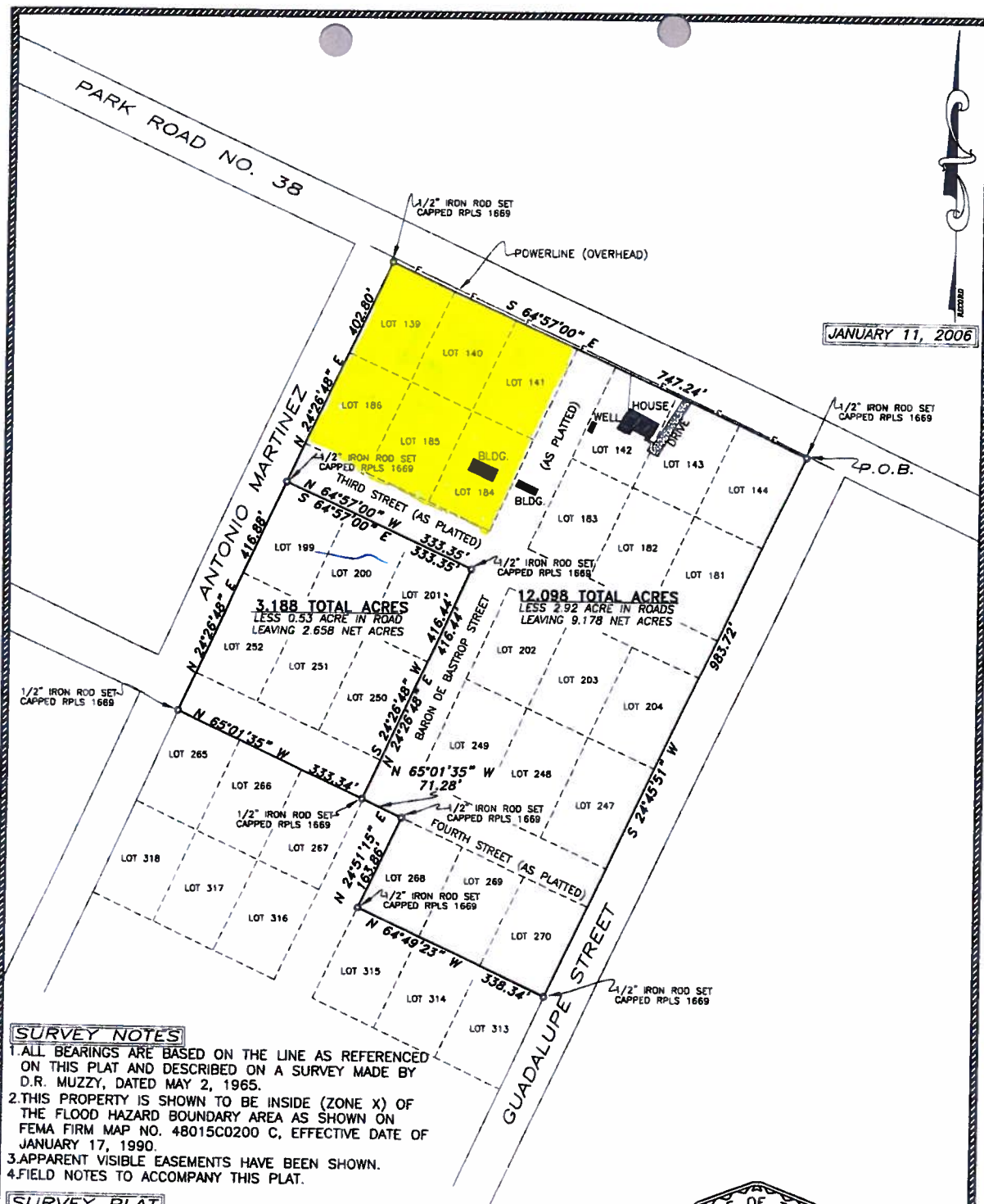
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**BUSINESS IMPROVEMENTS**

|                                                                                                                                                               |                                                                                                                       |                                                                           |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------|
| Address: 223 Park Rd 38, Sealy, Texas 77474                                                                                                                   |                                                                                                                       | Listing #: 68056                                                          |
| Location: .17 mile west of intersection of Fm 1458 and Park Rd 38                                                                                             |                                                                                                                       |                                                                           |
| County or Region: Austin                                                                                                                                      | For Sale Sign on Property?                                                                                            | <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO       |
| Subdivision: San Felipe Building Addition                                                                                                                     | Property Size:                                                                                                        | 2.55acres+/-                                                              |
| 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       |
| <b>Listing Price:</b>                                                                                                                                         | <b>\$340,000.00</b>                                                                                                   |                                                                           |
| <b>Terms of Sale</b>                                                                                                                                          |                                                                                                                       |                                                                           |
| Cash:                                                                                                                                                         | <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO                                                   |                                                                           |
| Seller-Finance:                                                                                                                                               | <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO                                                   |                                                                           |
| Sell.-Fin. Terms:                                                                                                                                             |                                                                                                                       |                                                                           |
| Down Payment:                                                                                                                                                 |                                                                                                                       |                                                                           |
| Note Period:                                                                                                                                                  |                                                                                                                       |                                                                           |
| Interest Rate:                                                                                                                                                |                                                                                                                       |                                                                           |
| Payment Mode:                                                                                                                                                 | <input type="checkbox"/> Mo. <input type="checkbox"/> Qt. <input type="checkbox"/> S.A. <input type="checkbox"/> Ann. |                                                                           |
| Balloon Note:                                                                                                                                                 | <input type="checkbox"/> YES <input type="checkbox"/> NO                                                              |                                                                           |
| Number of Years:                                                                                                                                              |                                                                                                                       |                                                                           |
| <b>Size and Construction:</b>                                                                                                                                 |                                                                                                                       |                                                                           |
| Year Store was Built:                                                                                                                                         | renovated 2009/10                                                                                                     |                                                                           |
| Lead Based Paint Addendum Required if prior to 1978:                                                                                                          | <input type="checkbox"/> YES                                                                                          |                                                                           |
| Restrooms: 2                                                                                                                                                  | Bath:                                                                                                                 |                                                                           |
| Size of Store&Kitchen                                                                                                                                         | 968 sf+/-                                                                                                             | Total                                                                     |
| Foundation:                                                                                                                                                   | <input checked="" type="checkbox"/> Slab <input type="checkbox"/> Pier/Beam <input type="checkbox"/> Other            |                                                                           |
| Roof Type:                                                                                                                                                    | metal                                                                                                                 | Year Installed: 2010                                                      |
| Exterior Construction:                                                                                                                                        | wood frame                                                                                                            |                                                                           |
| <b>Room Measurements: APPROXIMATE SIZE:</b>                                                                                                                   |                                                                                                                       |                                                                           |
| Store:                                                                                                                                                        | 22x34                                                                                                                 |                                                                           |
| Storeroom:                                                                                                                                                    | 12x15                                                                                                                 |                                                                           |
| Kitchen:                                                                                                                                                      | 10x22                                                                                                                 |                                                                           |
| Restrooms:                                                                                                                                                    |                                                                                                                       |                                                                           |
| Utility Room:                                                                                                                                                 |                                                                                                                       |                                                                           |
| Bath:                                                                                                                                                         | <input type="checkbox"/> Tub <input type="checkbox"/> Shower                                                          |                                                                           |
| Bath:                                                                                                                                                         | <input type="checkbox"/> Tub <input type="checkbox"/> Shower                                                          |                                                                           |
| Mstr Bath:                                                                                                                                                    | <input type="checkbox"/> Tub <input type="checkbox"/> Shower                                                          |                                                                           |
| Mstr Bdrm:                                                                                                                                                    |                                                                                                                       |                                                                           |
| Bedroom:                                                                                                                                                      |                                                                                                                       |                                                                           |
| Bedroom:                                                                                                                                                      |                                                                                                                       |                                                                           |
| Bedroom:                                                                                                                                                      |                                                                                                                       |                                                                           |
| Other:                                                                                                                                                        |                                                                                                                       |                                                                           |
| Garage: <input type="checkbox"/>                                                                                                                              | Carport: <input type="checkbox"/>                                                                                     | No. of Cars:                                                              |
| Size:                                                                                                                                                         | <input type="checkbox"/> Attached <input type="checkbox"/> Detached                                                   |                                                                           |
| <b>Porches:</b>                                                                                                                                               |                                                                                                                       |                                                                           |
| Front: Size:                                                                                                                                                  | 12x44 covered                                                                                                         |                                                                           |
| Side: Size:                                                                                                                                                   |                                                                                                                       |                                                                           |
| Deck: Size:                                                                                                                                                   | 20x44 <input checked="" type="checkbox"/> Covered                                                                     |                                                                           |
| Deck: Size:                                                                                                                                                   | <input type="checkbox"/> Covered                                                                                      |                                                                           |
| Fenced Yard:                                                                                                                                                  |                                                                                                                       |                                                                           |
| Outside Storage:                                                                                                                                              | <input type="checkbox"/> Yes <input type="checkbox"/> No                                                              | Size:                                                                     |
| Construction:                                                                                                                                                 |                                                                                                                       |                                                                           |
| TV Antenna <input type="checkbox"/>                                                                                                                           | Dish <input type="checkbox"/>                                                                                         | Cable <input type="checkbox"/>                                            |
| <b>Features</b>                                                                                                                                               |                                                                                                                       |                                                                           |
| <input type="checkbox"/>                                                                                                                                      | Ceiling Fans                                                                                                          | No.                                                                       |
| <input type="checkbox"/>                                                                                                                                      | Dishwasher                                                                                                            |                                                                           |
| <input type="checkbox"/>                                                                                                                                      | Garbage Disposal                                                                                                      |                                                                           |
| <input type="checkbox"/>                                                                                                                                      | Microwave (Built-In)                                                                                                  |                                                                           |
| <input type="checkbox"/>                                                                                                                                      | Kitchen Range (Built-In)                                                                                              | <input type="checkbox"/> Gas <input type="checkbox"/> Electric            |
| <input type="checkbox"/>                                                                                                                                      | Other                                                                                                                 |                                                                           |
| Items Specifically Excluded from The Sale: LIST:                                                                                                              |                                                                                                                       |                                                                           |
| sellers personal property, Coca Cola box,                                                                                                                     |                                                                                                                       |                                                                           |
| Ice Vending box                                                                                                                                               |                                                                                                                       |                                                                           |
| <b>Heat and Air:</b>                                                                                                                                          |                                                                                                                       |                                                                           |
| <input type="checkbox"/>                                                                                                                                      | Central Heat                                                                                                          | Gas <input type="checkbox"/> Electric <input type="checkbox"/>            |
| <input type="checkbox"/>                                                                                                                                      | Central Air                                                                                                           | Gas <input type="checkbox"/> Electric <input type="checkbox"/>            |
| <input checked="" type="checkbox"/>                                                                                                                           | Other:                                                                                                                | 3 window AC units                                                         |
| <input type="checkbox"/>                                                                                                                                      | Fireplace(s)                                                                                                          |                                                                           |
| <input type="checkbox"/>                                                                                                                                      | Wood Stove                                                                                                            |                                                                           |
| <input checked="" type="checkbox"/>                                                                                                                           | Water Heater(s):                                                                                                      | <input checked="" type="checkbox"/> Gas <input type="checkbox"/> Electric |
| <b>Utilities:</b>                                                                                                                                             |                                                                                                                       |                                                                           |
| Electricity Provider:                                                                                                                                         | Reliant Energy                                                                                                        |                                                                           |
| Gas Provider:                                                                                                                                                 | private propane dealer                                                                                                |                                                                           |
| Sewer Provider:                                                                                                                                               | on-site septic                                                                                                        |                                                                           |
| Water Provider:                                                                                                                                               | owner/ off-site                                                                                                       |                                                                           |
| Water Well: <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO                                                                               | Depth:                                                                                                                |                                                                           |
|                                                                                                                                                               | Year Drilled:                                                                                                         |                                                                           |
| Average Utility Bill:                                                                                                                                         | Monthly:                                                                                                              | \$250.00                                                                  |
| <b>Taxes:</b>                                                                                                                                                 |                                                                                                                       |                                                                           |
| School:                                                                                                                                                       | Year                                                                                                                  | 2010                                                                      |
| County:                                                                                                                                                       |                                                                                                                       | \$224.25                                                                  |
| FM/Rd/Br:                                                                                                                                                     |                                                                                                                       | \$131.63                                                                  |
| Fire Dist:                                                                                                                                                    |                                                                                                                       | \$49.05                                                                   |
| City:                                                                                                                                                         |                                                                                                                       | \$10.04                                                                   |
| Taxes:                                                                                                                                                        |                                                                                                                       | \$81.30                                                                   |
| School District:                                                                                                                                              | Sealy                                                                                                                 | \$496.27                                                                  |
| <b>Additional Information:</b>                                                                                                                                |                                                                                                                       |                                                                           |
| Tax valuation will change and may be subject to 5 year property tax recapture                                                                                 |                                                                                                                       |                                                                           |
| Kitchen equipent and owned store furniture and fixtures, and inventory included in sale                                                                       |                                                                                                                       |                                                                           |
| Water well servicing business not on property being sold, seller will make up to \$10,000.00 allowance for installation of water well with appropriate offer. |                                                                                                                       |                                                                           |

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#### SURVEY NOTES

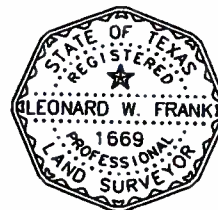
1. ALL BEARINGS ARE BASED ON THE LINE AS REFERENCED ON THIS PLAT AND DESCRIBED ON A SURVEY MADE BY D.R. MUZZY, DATED MAY 2, 1965.
2. THIS PROPERTY IS SHOWN TO BE INSIDE (ZONE X) OF THE FLOOD HAZARD BOUNDARY AREA AS SHOWN ON FEMA FIRM MAP NO. 48015C0200 C, EFFECTIVE DATE OF JANUARY 17, 1990.
3. APPARENT VISIBLE EASEMENTS HAVE BEEN SHOWN.
4. FIELD NOTES TO ACCOMPANY THIS PLAT.

#### SURVEY PLAT

OF A SURVEY OF 3.188 TOTAL ACRES, LESS 0.53 ACRE IN ROAD, LEAVING A NET ACREAGE OF 2.658 ACRES OF LAND, AND A 12.098 TOTAL ACRE TRACT, LESS 2.92 ACRES IN ROAD, LEAVING A NET ACREAGE OF 9.178 ACRES OUT OF THE OLD TOWN OF SAN FELIPE DE AUSTIN, AUSTIN COUNTY, TEXAS. SAID 3.188 ACRE TRACT BEING ALL OF LOTS 199-201, AND ALL OF LOTS 250-252, AND A PART OF FOURTH STREET, AS DESCRIBED IN A DEED DATED MAY 27, 1964, AND RECORDED IN VOLUME 274, PAGE 681, AUSTIN COUNTY DEED RECORDS. SAID 12.098 ACRE TRACT BEING ALL OF LOTS 139-144, ALL OF LOTS 181-186, AND ALL OF LOTS 202-204, ALL OF LOTS 247-249, AND ALL OF LOTS 268-270, AS DESCRIBED IN THE ABOVE SAID DEED AND ALSO IN A DEED DATED APRIL 5, 1958 TO DEWEY W. WALDEN, RECORDED IN VOLUME 231, PAGE 504, OF THE DEED RECORDS OF AUSTIN COUNTY, TEXAS.

I, LEONARD W. FRANK, DO HEREBY CERTIFY THAT THIS SURVEY WAS THIS DAY MADE ON THE GROUND, UNDER MY SUPERVISION AND IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE. THIS SURVEY SUBSTANTIALLY COMPLIES WITH THE CURRENT TEXAS SOCIETY OF PROFESSIONAL SURVEYORS STANDARDS AND SPECIFICATIONS FOR A CATEGORY 1A, CONDITION IV SURVEY.

FOR FRANK SURVEYING CO., INC.  
BY: LEONARD W. FRANK, RPLS  
REGISTRATION NO. 1669  
COLORADO COUNTY SURVEYOR



SCALE: 1" = 200 FEET

#### BOUNDARY SURVEY OF TWO TRACTS OUT OF THE OLD TOWN OF SAN FELIPE AUSTIN COUNTY, TEXAS

2205 WALNUT STREET  
COLUMBUS, TX 78934  
979.732.3114

FRANK SURVEYING  
COMPANY

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DRAWN BY: MATT LOESSIN REV:

SCALE: 1" = 200'

PROJECT NO: 05-143A

SHEET 1 OF 1

FIELD CREW: RJF/JWD

CHECKED BY: LWF

COMPUTATION: MWL



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© 2010 Google

Query Date: 1/27/2011

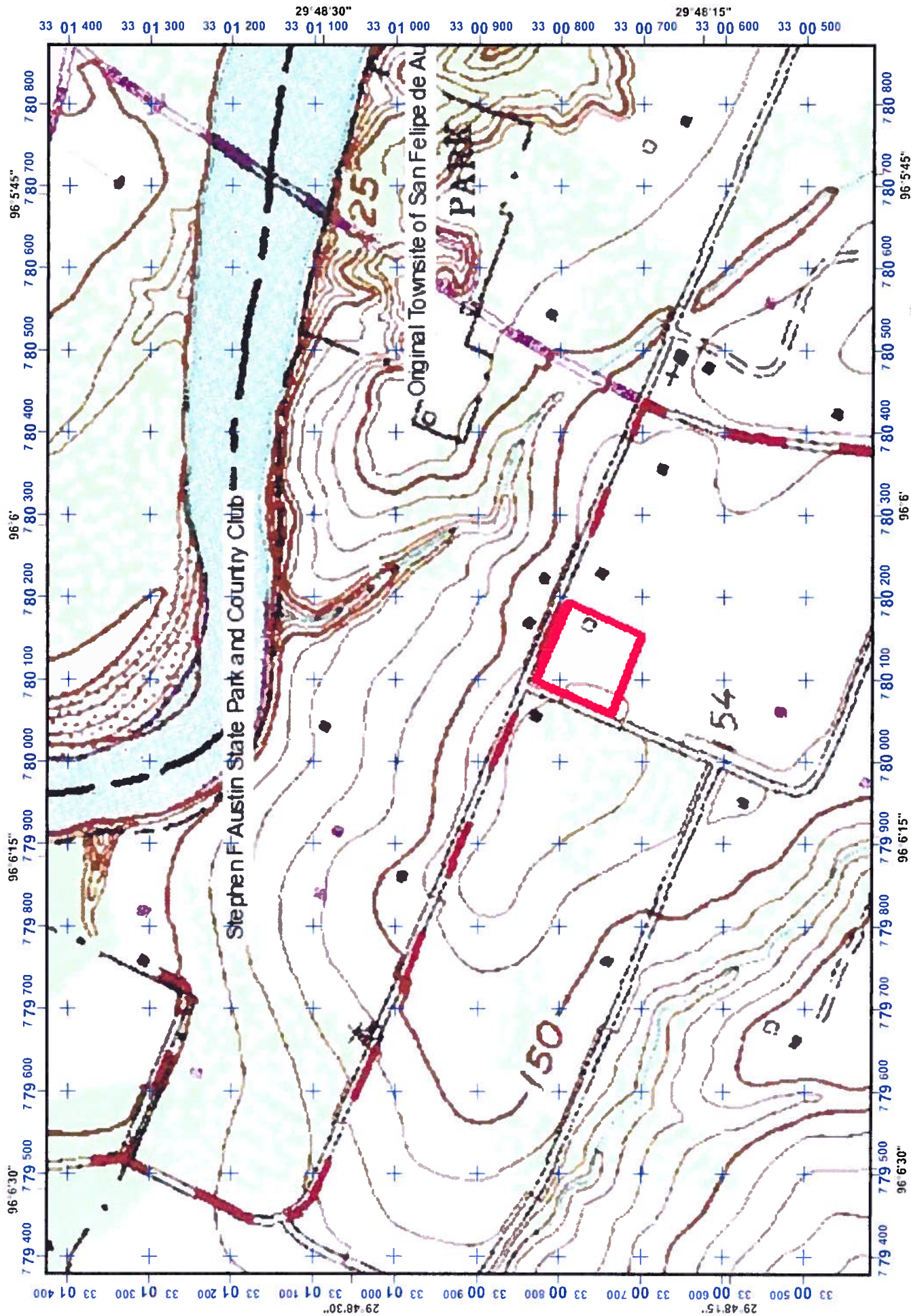
29°48'19.90"N 96°06'06.40"W elev 159 ft

Eye alt 865 ft



Universal Transverse Mercator (UTM) Projection, Zone 14  
North American Datum of 1983  
100 meter UTM - USNG: NGRS  
Grid Zone Designation: 14R  
100,000-m Squares QU

Map was digitized from the original map  
on March 17, 2011



Universal Transverse Mercator (UTM) Projection Zone 14  
 North American Datum of 1983  
 100-meter UTM / USNG / EGRS  
 Grid Zone Designation: 14K  
 100 000-m Squares QU

Map projection and datum information  
 on March 17, 2011

# Soil Map—Austin and Waller Counties, Texas (Little Texas)



## Map Unit Legend

| Austin and Waller Counties, Texas (TX600) |                                              |              |                |
|-------------------------------------------|----------------------------------------------|--------------|----------------|
| Map Unit Symbol                           | Map Unit Name                                | Acres in AOI | Percent of AOI |
| SiC                                       | Styx loamy fine sand, 1 to 5 percent slopes  | 2.8          | 95.8%          |
| TaC                                       | Tabor fine sandy loam, 1 to 5 percent slopes | 0.1          | 4.2%           |
| Totals for Area of Interest               |                                              | 2.9          | 100.0%         |

The Flood Insurance Study report for this jurisdiction.  
 ice is available in this community, contact your insurance  
 d Insurance Program at 1-800-638-6620.



MAP SCALE 1" = 2000'

0 600 1200

PANEL 0350E

# **FIRM** **FLOOD INSURANCE RATE MAP** **AUSTIN COUNTY,** **TEXAS** **AND INCORPORATED AREAS**

**PANEL 350 OF 475**  
 (SEE MAP INDEX FOR FIRM PANEL LAYOUT)

| CONTAINS:              | NUMBER | PANEL SUFFIX |
|------------------------|--------|--------------|
| AUSTIN COUNTY          | 480704 | 0350 E       |
| BRACOS COUNTY, CITY OF | 481693 | 0350 E       |
| SAN FELIPE, TOWN OF    | 480705 | 0350 E       |
| SEALY, CITY OF         | 480017 | 0350 E       |

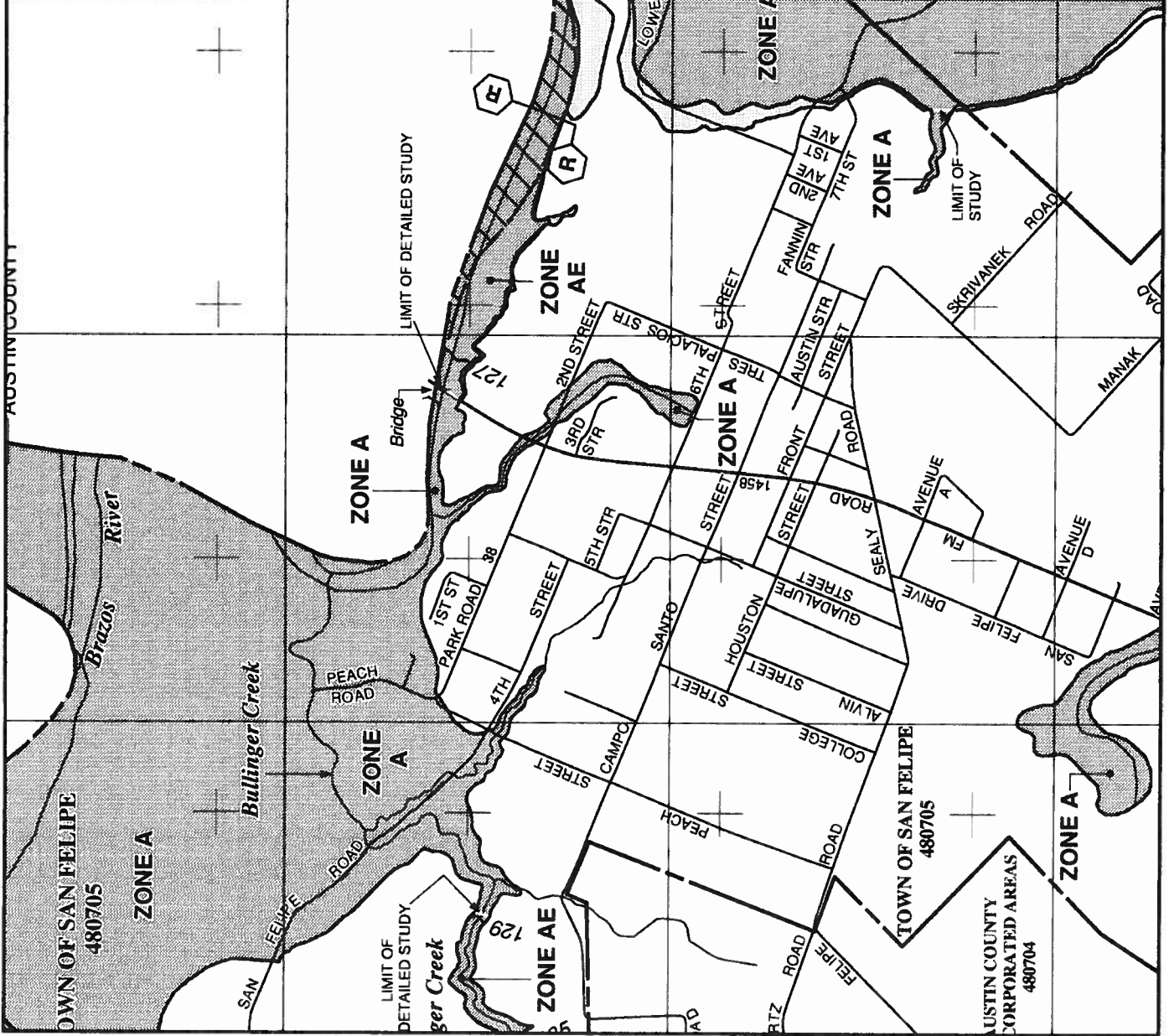
Notice to User: The Map Number shown below should be used when placing map orders; the Community Number shown above should be used on insurance applications for the subject community.



**MAP NUMBER**  
**48015C0350E**  
**MAP REVISED**  
**SEPTEMBER 3, 2010**

Federal Emergency Management Agency

This is an official copy of a portion of the above referenced flood map. It was extracted using F-MIT On-Line. This map does not reflect changes or amendments which may have been made subsequent to the date on the title block. For the latest product information about National Flood Insurance Program flood maps check the FEMA Flood Map Store at [www.mec.fema.gov](http://www.mec.fema.gov)





# TEXAS ASSOCIATION OF REALTORS®

## COMMERCIAL PROPERTY CONDITION STATEMENT

USE OF THIS FORM BY PERSONS WHO ARE NOT MEMBERS OF THE TEXAS ASSOCIATION OF REALTORS® IS NOT AUTHORIZED.  
©Texas Association of REALTORS®, Inc. 2010

CONCERNING THE PROPERTY AT: 223 Park Rd 38, Sealy, Texas 77474

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: \_\_\_\_\_ and Buyer or Tenant: \_\_\_\_\_ Page 1 of 4

Bill Johnson & Associates Real Estate 420 E Main Bellville, TX 77418

Phone: 979.885.9436

Fax: 979.865.5500

Ian Bader

McAllister, Kent

Produced with ZipForm® by zipLogix 18070 Fifteen Mile Road, Fraser, Michigan 48026 [www.ziplogix.com](http://www.ziplogix.com)

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

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

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

|                                                                                                                                                                    | <u>Aware</u>             | <u>Not Aware</u>                    | <u>Not Appl.</u>                    |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|-------------------------------------|-------------------------------------|
| (2) <u>Plumbing Systems:</u>                                                                                                                                       |                          |                                     |                                     |
| (a) water heaters or water softeners? .....                                                                                                                        | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| (b) supply or drain lines? .....                                                                                                                                   | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| (c) faucets, fixtures, or commodes? .....                                                                                                                          | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| (d) private sewage systems? .....                                                                                                                                  | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| (e) pools or spas and equipments? .....                                                                                                                            | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| (f) sprinkler systems? .....                                                                                                                                       | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| (g) water coolers? .....                                                                                                                                           | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| (h) private water wells? .....                                                                                                                                     | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> |
| (i) pumps or sump pumps? .....                                                                                                                                     | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| (3) <u>HVAC Systems:</u> any cooling, heating, or ventilation systems? .....                                                                                       | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| (4) <u>Electrical Systems:</u> service drops, wiring, connections, conductors, plugs, grounds, power, polarity, switches, light fixtures, or junction boxes? ..... | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| (5) <u>Other Systems or Items:</u>                                                                                                                                 |                          |                                     |                                     |
| (a) security or fire detection systems? .....                                                                                                                      | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| (b) porches or decks? .....                                                                                                                                        | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| (c) gas lines? .....                                                                                                                                               | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| (d) garage doors and door operators? .....                                                                                                                         | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| (e) loading doors or docks? .....                                                                                                                                  | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| (f) rails or overhead cranes? .....                                                                                                                                | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| (g) elevators or escalators? .....                                                                                                                                 | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| (h) parking areas, drives, steps, walkways? .....                                                                                                                  | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| (i) appliances or built-in kitchen equipment? .....                                                                                                                | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |

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

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

|                                                                                                        | <u>Aware</u>             | <u>Not Aware</u>                    |
|--------------------------------------------------------------------------------------------------------|--------------------------|-------------------------------------|
| (1) any of the following water or drainage conditions materially and adversely affecting the Property: |                          |                                     |
| (a) ground water? .....                                                                                | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| (b) water penetration? .....                                                                           | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| (c) previous flooding or water drainage? .....                                                         | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| (d) soil erosion or water ponding? .....                                                               | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

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

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

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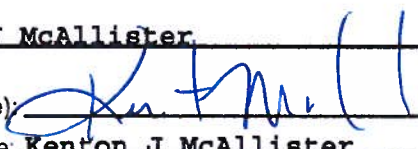
**The undersigned acknowledges receipt of the foregoing statement.**

**Seller or Landlord:** Kenton J McAllister

**Buyer or Tenant:** \_\_\_\_\_

By: Kenton J McAllister

By: \_\_\_\_\_

By (signature): 

By (signature): \_\_\_\_\_

Printed Name: Kenton J McAllister

Printed Name: \_\_\_\_\_

Title: Owner Date: 6-30-11

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

223 Park Rd 38  
Sealy, Tx 77474

#### 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 SYSTEM ☐ Unknown
- (3) Approximate Location of Drain Field or Distribution System: 30' OFF SW CORNER OF MAIN BUILDING ☐ Unknown
- (4) Installer: \_\_\_\_\_ ☒ Unknown
- (5) Approximate Age: \_\_\_\_\_ ☐ 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? CLEANED 6 MONTHS AGO
- (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.

| <u>Facility</u>                                           | <u>Usage (gal/day)<br/>without water-<br/>saving devices</u> | <u>Usage (gal/day)<br/>with water-<br/>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                                                        |

Signature of Seller

Signature of Seller \_\_\_\_\_ Date \_\_\_\_\_

Signature of Buyer \_\_\_\_\_ Date \_\_\_\_\_

Signature of Buyer \_\_\_\_\_ Date \_\_\_\_\_



# SEALY

Subject



- COUNTR
- BRAZ
- BEAR
- LAKEV
- SRIAR CI
- STANDING
- PECANS G
- COTTON
- BRIAR

*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 512-465-1111.

