



\$99,900

Motivated Seller!!! - 1031 Fowlkes St SEALY, Austin County

ID: 64993



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@bire.com



MOTIVATED SELLER!!!

Cozy cottage in established section of town just blocks from schools, shopping, churches, and healthcare. 3 bedrooms, 2 bathrooms, central heat and air, fenced back yard, large metallic garage/shop with full bath.

Bill Johnson and Associates Real Estate Company will co-broker if buyer is accompanied by his/her agent at all property showings...

Improvements

3 Bedrooms
2 Bathrooms
Approx. 1662 Sq F
Const. Type: Standard
Frame
Single Floor
Vinyl Exterior
Composition Roof
Year Built: 1950
Age Range: Over 20 Yrs
Public Water
Sewer
Garage/Carport
CHA

Land Features

Approx. 0.26 Acres
Maint. Fees: \$0
Paved Road Frontage
Minerals Conveyed: None

Other

Residential (Town-S/D)
Status: Active
School District: Sealy
Taxes: \$2,352.20
Tax ID: R12780

Financing

Cash
Conventional

Directions: from intersection of Hwy 36 and 10th St, turn east on 10th to intersection with Fowlkes St, turn south on Fowlkes St and look for BJRE on west side of Fowlkes.

Disclaimer: All information contained in this site is provided by members of TxLS. Information is deemed reliable but not guaranteed. All information should be independently verified and neither TxLS nor its members assume any liability for information obtained through the use of this site.



Bill Johnson and Associates Real Estate Co.

420 E. Main St., Bellville TX 77418

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

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

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

www.bjre.com

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

HOME LISTING

Address of Home: 1031 Fowlkes St, Sealy, Texas 77474 Listing #64993
Location of Home: south of downtown near intersection of 10th St and Fowlkes
County or Region: Austin For Sale Sign on Property? ☒ YES ☐ NO
Subdivision: South End Addition Property Size: 0.258ac
Subdivision Restricted: ☐ YES ☒ NO Mandatory Membership in Property Owners' Assn. ☐ YES ☒ NO

Listing Price:

\$99,900.00

Terms of Sale

Cash: ☒ YES ☐ NO

Seller-Finance: ☐ YES ☒ NO

Sell.-Fin. Terms:

Down Payment:

Note Period:

Interest Rate:

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

Balloon Note: ☐ YES ☐ NO

Number of Years:

Size and Construction:

Year Home was Built: 1950

Lead Based Paint Addendum Required if prior to 1978: ☒ YES

Bedrooms: 3 Bath: 2

Size of Home (Approx.) 1,662 Living Area

1,662 Total

Foundation: ☒ Slab ☐ Pier/Beam ☐ Other

Roof Type: composition Year Installed:

Exterior Construction: wood frame/siding

Room Measurements: APPROXIMATE SIZE:

Living Room: 13x23

Dining Room: 9x17

Kitchen: 9x17

Family Room:

Utility: 6x12

Bath: ☐ Tub ☐ Shower

Bath: 6x13 ☐ Tub ☒ Shower

Mster Bath: 8x9 ☒ Tub ☒ Shower

Mstr Bdrm: 13x14

Bedroom: 13x13

Bedroom: 13x13

Office

Other:

Garage: ☒ Carport: ☐ No. of Cars: 2

Size: 30x30 ☐ Attached ☒ Detached

Porches:

Front: Size: 5x6 covered

Back: Size: 4x14 covered

Deck: Size: ☐ Covered

Deck: Size: ☐ Covered

Fenced Yard: back/chain link

Outside Storage: ☐ Yes ☒ No Size:

Construction:

TV Antenna ☐ Dish ☒ Cable ☐

Home Features

☒ Ceiling Fans No. 5

☐ Dishwasher

☐ Garbage Disposal

☐ Microwave (Built-In)

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

☐ Refrigerator

Items Specifically Excluded from The Sale: LIST:

all sellers personal property

Heat and Air:

☒ Central Heat Gas ☒ Electric ☐

☒ Central Air Gas ☐ Electric ☒

☐ Other:

☐ Fireplace(s)

☐ Wood Stove

☒ Water Heater(s): ☒ Gas ☐ Electric

Utilities:

Electricity Provider: Green Mountain Energy

Gas Provider: City of Sealy

Sewer Provider: City of Sealy

Water Provider: City of Sealy

Water Well: ☐ YES ☒ NO Depth:

Year Drilled:

Average Utility Bill: Monthly: \$200.00

Taxes:

2010 Year

School: \$1,137.79

County: \$498.15

FM/Rd/Br: \$185.63

Fire Dist: \$88.64

City: \$441.99

Taxes: \$2,352.20

School District: Sealy

Additional Information:

some floors unfinished, tile in kitchen and bath

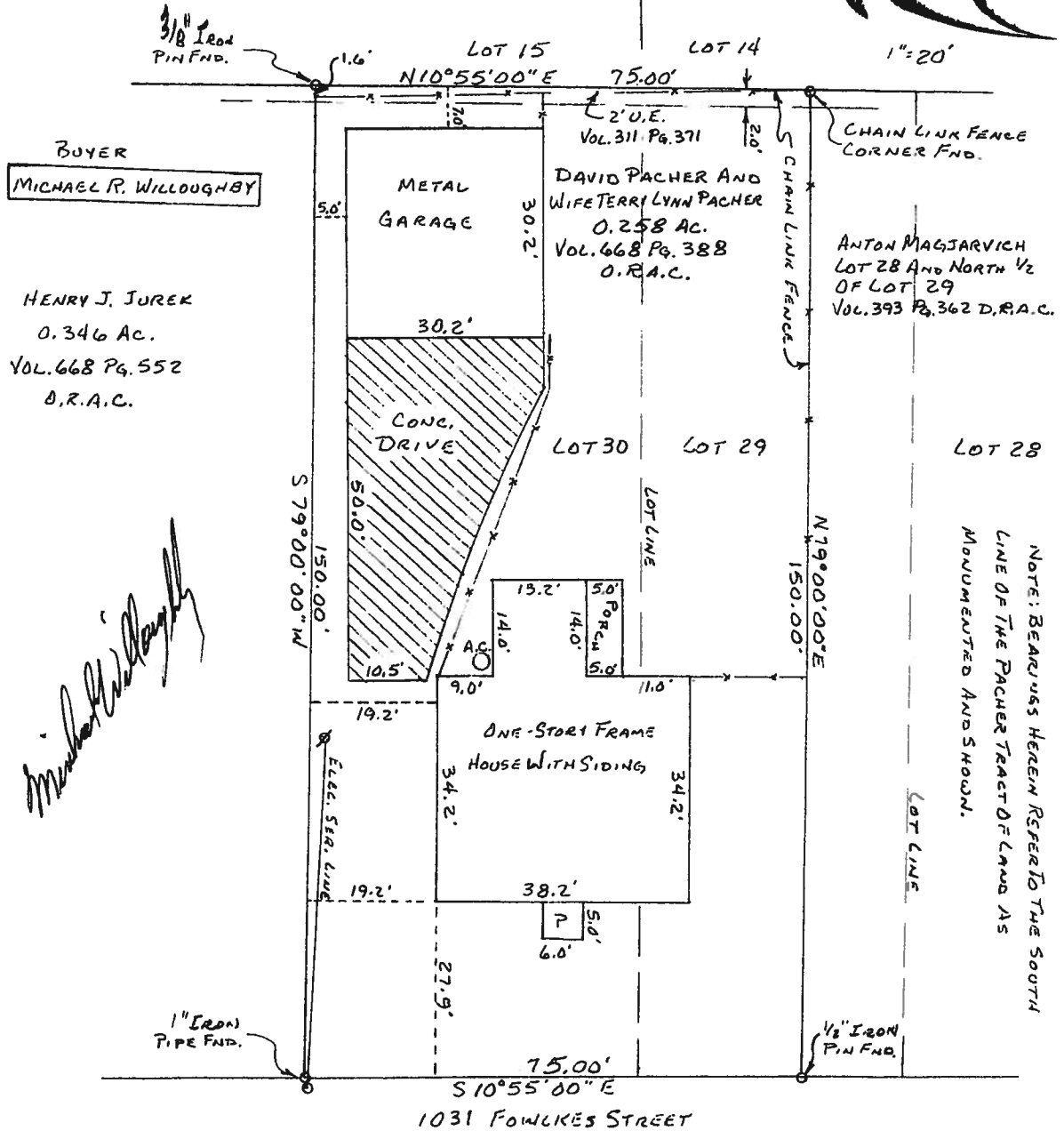
two 9' doors on 30x30 shop/garage with full bath

no appliances included.

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

SAN FELIPE DE AUSTIN TOWN TRACT, A-5
 SOUTH END ADDITION - LOT 79 - VOL. 35 PG. 244 D.R.A.C.
 VADA E. & C.O. FARRINGTON SUB.
 VOL. 42 PG. 400 D.R.A.C.

LOT 29-30



PLAT SHOWING A SURVEY OF THE DAVID PACHER AND WIFE TERRI LYNN PACHER 0.258 ACRE TRACT OF LAND AND THE IMPROVEMENTS THEREON, BEING LOT 30 AND SOUTH ONE HALF OF LOT 29 OF THE VADA E. & C.O. FARRINGTON SUBDIVISION, A PART OF LOT 79 OF THE SOUTH END ADDITION TO THE TOWN OF SEALY, SAN FELIPE DE AUSTIN TOWN TRACT, ABSTRACT NO. 5, AUSTIN COUNTY, TEXAS.

THERE ARE NO DISCREPANCIES, CONFLICTS OR ENCROACHMENTS APPARENT ON THE GROUND EXCEPT AS SHOWN HEREON.



SURVEYED MAY 23, 2006
 FWH
 FRANK W. HLUCHAN
 R.P.L.S. No. 1769

HLUCHAN LAND SURVEYING
 733 SEVENTH ST.
 SEALY, TEXAS 77474
 870 885 2482





TEXAS ASSOCIATION OF REALTORS® SELLER'S DISCLOSURE NOTICE

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Section 5.008, Property Code requires a seller of residential property of not more than one dwelling unit to deliver a Seller's Disclosure Notice to a buyer on or before the effective date of a contract. This form complies with and contains additional disclosures which exceed the minimum disclosures required by the Code.

CONCERNING THE PROPERTY AT 1031 Fowlkes St
Sealy, Tx 77474

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

Seller ☒ is ☐ is not occupying the Property. If unoccupied (by Seller), how long since Seller has occupied the Property?
☐ _____ or ☐ never occupied the Property

Section 1. The Property has the items marked below: (Mark Yes (Y), No (N), or Unknown (U).)

This notice does not establish the items to be conveyed. The contract will determine which items will & will not convey.

Item	Y	N	U
Cable TV Wiring	☒		
Carbon Monoxide Det.		☒	
Ceiling Fans	☒		
Cooktop	☒		
Dishwasher		☒	
Disposal		☒	
Emergency Escape Ladder(s)		☒	
Exhaust Fans	☒		
Fences	☒		
Fire Detection Equip.	☒		
French Drain		☒	
Gas Fixtures	☒		

Item	Y	N	U
Gas Lines (Nat/LP)	☒		
Hot Tub		☒	
Intercom System		☒	
Microwave		☒	
Outdoor Grill		☒	
Patio/Decking		☒	
Plumbing System	☒		
Pool		☒	
Pool Equipment		☒	
Pool Maint. Accessories		☒	
Pool Heater		☒	
Public Sewer System	☒		

Item	Y	N	U
Pump: ☐ sump ☐ grinder		☒	
Rain Gutters		☒	
Range/Stove		☒	
Roof/Attic Vents	☒		
Sauna		☒	
Smoke Detector	☒		
Smoke Detector - Hearing Impaired		☒	
Spa		☒	
Trash Compactor		☒	
TV Antenna	☒		
Washer/Dryer Hookup	☒		
Window Screens	☒		

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

(TAR-1406) 1-01-10

Initialed by: Seller: [Signature] and Buyer: _____

Page 1 of 5

1031 Fowlkes St
Sealy, Tx 77474

Concerning the Property at _____

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

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

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

Roof Type: Composition Age: _____ (approximate)

Is there an overlay roof covering on the Property (shingles or roof covering placed over existing shingles or roof covering)?

☐ yes ☒ no ☐ unknown

Are you (Seller) aware of any of the items listed in this Section 1 that are not in working condition, that have defects, or are need of repair? ☒ yes ☐ no If yes, describe (attach additional sheets if necessary): GARAGE OPENER.

Section 2. Are you (Seller) aware of any defects or malfunctions in any of the following?: (Mark Yes (Y) if you are aware and No (N) if you are not aware.)

Item	Y	N
Basement		☒
Ceilings	☒	
Doors	☒	
Driveways		☒
Electrical Systems	☒	
Exterior Walls		☒

Item	Y	N
Floors		☒
Foundation / Slab(s)		☒
Interior Walls	☒	
Lighting Fixtures		☒
Plumbing Systems		☒
Roof		☒

Item	Y	N
Sidewalks		☒
Walls / Fences		☒
Windows		☒
Other Structural Components		☒

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

Section 3. Are you (Seller) aware of any of the following conditions: (Mark Yes (Y) if you are aware and No (N) if you are not aware.)

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

Condition	Y	N
Previous Foundation Repairs		☒
Previous Roof Repairs		☒
Other Structural Repairs		☒
Radon Gas		☒
Settling	☒	
Soil Movement		☒
Subsurface Structure or Pits		☒
Underground Storage Tanks		☒
Unplatted Easements		☒
Unrecorded Easements		☒
Urea-formaldehyde Insulation		☒
Water Penetration		☒
Wetlands on Property		☒
Wood Rot		☒
Active infestation of termites or other wood- destroying insects (WDI)		☒
Previous treatment for termites or WDI		☒
Previous termite or WDI damage repaired		☒
Termite or WDI damage needing repair		☒

Concerning the Property at _____

If the answer to any of the items in Section 3 is yes, explain (attach additional sheets if necessary): FR T Side
NORTH SIDE DECK 3/4"

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

Section 5. Are you (Seller) aware of any of the following (Mark Yes (Y) if you are aware. Mark No (N) if you are not aware.)

- Y N**
- ☐ ☒ Room additions, structural modifications, or other alterations or repairs made without necessary permits or not in compliance with building codes in effect at the time.
- ☐ ☒ Homeowners' associations or maintenance fees or assessments. If yes, complete the following:
Name of association: _____
Manager's name: _____ Phone: _____
Fees or assessments are: \$ _____ per _____ and are: ☐ mandatory ☐ voluntary
Any unpaid fees or assessment for the Property? ☐ yes (\$ _____) ☐ no
If the Property is in more than one association, provide information about the other associations below or attach information to this notice.
- ☐ ☒ Any common area (facilities such as pools, tennis courts, walkways, or other) co-owned in undivided interest with others. If yes, complete the following:
Any optional user fees for common facilities charged? ☐ yes ☐ no If yes, describe: _____
- ☐ ☒ Any notices of violations of deed restrictions or governmental ordinances affecting the condition or use of the Property.
- ☐ ☒ Any lawsuits or other legal proceedings directly or indirectly affecting the Property. (Includes, but is not limited to: divorce, foreclosure, heirship, bankruptcy, and taxes.)
- ☐ ☒ Any death on the Property except for those deaths caused by: natural causes, suicide, or accident unrelated to the condition of the Property.
- ☐ ☒ Any condition on the Property which materially affects the health or safety of an individual.
- ☐ ☒ Any repairs or treatments, other than routine maintenance, made to the Property to remediate environmental hazards such as asbestos, radon, lead-based paint, urea-formaldehyde, or mold.
If yes, attach any certificates or other documentation identifying the extent of the remediation (for example, certificate of mold remediation or other remediation).

If the answer to any of the items in Section 5 is yes, explain (attach additional sheets if necessary): _____

Concerning the Property at 1031 Fowlkes St
Sealy, Tx 77474

Section 6. Seller ☐ has ☐ has not attached a survey of the Property.

Section 7. Within the last 4 years, have you (Seller) received any written inspection reports from persons who regularly provide inspections and who are either licensed as inspectors or otherwise permitted by law to perform inspections? ☐ yes ☒ no If yes, attach copies and complete the following:

Inspection Date	Type	Name of Inspector	No. of Pages

Note: A buyer should not rely on the above-cited reports as a reflection of the current condition of the Property. A buyer should obtain inspections from inspectors chosen by the buyer.

Section 8. Check any tax exemption(s) which you (Seller) currently claim for the Property:

- ☒ Homestead ☐ Senior Citizen ☐ Disabled
☐ Wildlife Management ☐ Agricultural ☐ Disabled Veteran
☐ Other: _____ ☐ Unknown

Section 9. Have you (Seller) ever received proceeds for a claim for damage to the Property (for example, an insurance claim or a settlement or award in a legal proceeding) and not used the proceeds to make the repairs for which the claim was made? ☒ yes ☐ no If yes, explain: \$200.00 for AC over Flow.

Section 10. Does the property have working smoke detectors installed in accordance with the smoke detector requirements of Chapter 766 of the Health and Safety Code? ☐ unknown ☐ no ☒ yes. If no or unknown, explain. (Attach additional sheets if necessary): _____

**Chapter 766 of the Health and Safety Code requires one-family or two-family dwellings to have working smoke detectors installed in accordance with the requirements of the building code in effect in the area in which the dwelling is located, including performance, location, and power source requirements. If you do not know the building code requirements in effect in your area, you may check unknown above or contact your local building official for more information.*

A buyer may require a seller to install smoke detectors for the hearing impaired if: (1) the buyer or a member of the buyer's family who will reside in the dwelling is hearing-impaired; (2) the buyer gives the seller written evidence of the hearing impairment from a licensed physician; and (3) within 10 days after the effective date, the buyer makes a written request for the seller to install smoke detectors for the hearing-impaired and specifies the locations for installation. The parties may agree who will bear the cost of installing the smoke detectors and which brand of smoke detectors to install.

Seller acknowledges that the statements in this notice are true to the best of Seller's belief and that no person, including the broker(s), has instructed or influenced Seller to provide inaccurate information or to omit any material information.

Michael R. Willoughby 11/13/11
Signature of Seller Date Signature of Seller Date
Printed Name: Michael R Willoughby Printed Name: _____

Concerning the Property at _____

ADDITIONAL NOTICES TO BUYER:

- (1) The Texas Department of Public Safety maintains a database that the public may search, at no cost, to determine if registered sex offenders are located in certain zip code areas. To search the database, visit www.txdps.state.tx.us. For information concerning past criminal activity in certain areas or neighborhoods, contact the local police department.
- (2) If the property is located in a coastal area that is seaward of the Gulf Intracoastal Waterway or within 1,000 feet of the mean high tide bordering the Gulf of Mexico, the property may be subject to the Open Beaches Act or the Dune Protection Act (Chapter 61 or 63, Natural Resources Code, respectively) and a beachfront construction certificate or dune protection permit may be required for repairs or improvements. Contact the local government with ordinance authority over construction adjacent to public beaches for more information.
- (3) If you are basing your offers on square footage, measurements, or boundaries, you should have those items independently measured to verify any reported information.
- (4) The following providers currently provide service to the property:

Electric: Green Mountain
Sewer: City of Sealy
Water: City of Sealy
Cable: Directv
Trash: City of Sealy
Natural Gas: City of Sealy
Phone Company: ATT
Propane: NONE

phone #: (964) 301-3120
phone #: (979) 885-3511
phone #: (979) 885-3511
phone #: (888) 777-2454
phone #: (979) 885-3511
phone #: (979) 885-3511
phone #: (800) 288-2020
phone #: _____

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

The undersigned Buyer acknowledges receipt of the foregoing notice.

Michael R. W. Houghby 11/13/11
Signature of Buyer Date
Printed Name: Michael Ray W. Houghby

Signature of Buyer Date
Printed Name: _____

**ADDENDUM FOR SELLER'S DISCLOSURE OF INFORMATION
ON LEAD-BASED PAINT AND LEAD-BASED PAINT HAZARDS
AS REQUIRED BY FEDERAL LAW**CONCERNING THE PROPERTY AT 1031 Fowlkes StSealy

(Street Address and City)

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

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

B. SELLER'S DISCLOSURE:

1. PRESENCE OF LEAD-BASED PAINT AND/OR LEAD-BASED PAINT HAZARDS (check one box only):

☐ (a) Known lead-based paint and/or lead-based paint hazards are present in the Property (explain): _____

☒ (b) Seller has no actual knowledge of lead-based paint and/or lead-based paint hazards in the Property.

2. RECORDS AND REPORTS AVAILABLE TO SELLER (check one box only):

☐ (a) Seller has provided the purchaser with all available records and reports pertaining to lead-based paint and/or lead-based paint hazards in the Property (list documents): _____

☒ (b) Seller has no reports or records pertaining to lead-based paint and/or lead-based paint hazards in the Property.

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

☐ 1. Buyer waives the opportunity to conduct a risk assessment or inspection of the Property for the presence of lead-based paint or lead-based paint hazards.

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

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

☐ 1. Buyer has received copies of all information listed above.

☐ 2. Buyer has received the pamphlet *Protect Your Family from Lead in Your Home*.

E. BROKERS' ACKNOWLEDGMENT: Brokers have informed Seller of Seller's obligations under 42 U.S.C. 4852d to:

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

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

Buyer _____

Date _____

Michael R. Willoughby 11/3/11
Seller **Michael R Willoughby** _____ Date _____

Buyer _____

Date _____

Seller _____

Date _____

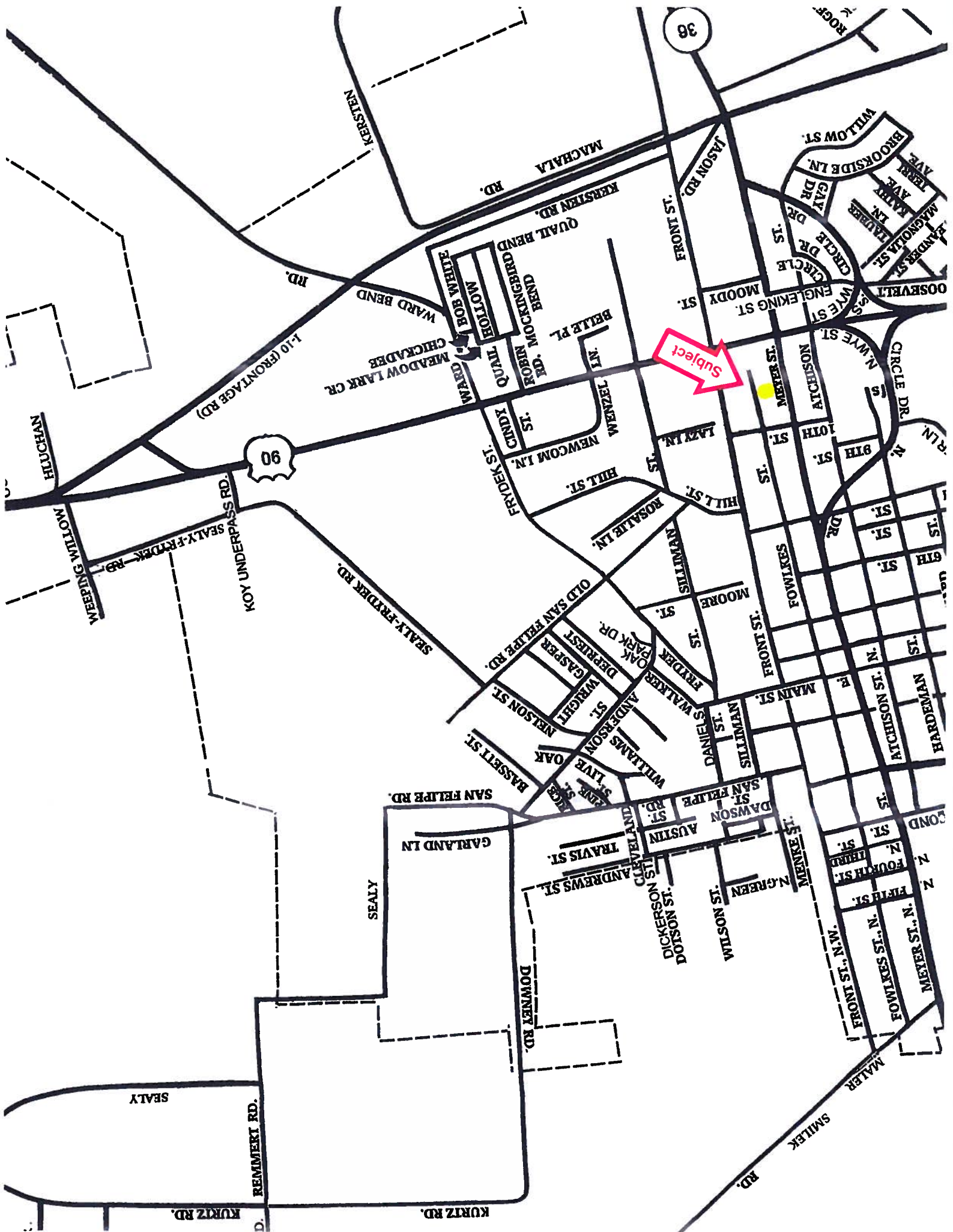
Other Broker _____

Date _____

Listing Broker _____

Date _____

The form of this addendum has been approved by the Texas Real Estate Commission for use only with similarly approved or promulgated forms of contracts. Such approval relates to this contract form only. TREC forms are intended for use only by trained real estate licensees. No representation is made as to the legal validity or adequacy of any provision in any specific transactions. It is not suitable for complex transactions. Texas Real Estate Commission, P. O. Box 12188, Austin, TX 78711-2188, 1-800-250-8732 or (512) 459-6544 (<http://www.trec.state.tx.us>)



Texas law requires all real estate licensees to give the following information about brokerage services to prospective buyers, tenants, sellers and landlords.

Information About Brokerage Services

Before working with a real estate broker, you should know that the duties of a broker depend on whom the broker represents. If you are a prospective seller or landlord (owner) or a prospective buyer or tenant (buyer), you should know that the broker who lists the property for sale or lease is the owner's agent. A broker who acts as a subagent represents the owner in cooperation with the listing broker. A broker who acts as a buyer's agent represents the buyer. A broker may act as an intermediary between the parties if the parties consent in writing. A broker can assist you in locating a property, preparing a contract or lease, or obtaining financing without representing you. A broker is obligated by law to treat you honestly.

IF THE BROKER REPRESENTS THE OWNER:

The broker becomes the owner's agent by entering into an agreement with the owner, usually through a written listing agreement, or by agreeing to act as a subagent by accepting an offer of subagency from the listing broker. A subagent may work in a different real estate office. A listing broker or subagent can assist the buyer but does not represent the buyer and must place the interests of the owner first. The buyer should not tell the owner's agent anything the buyer would not want the owner to know because an owner's agent must disclose to the owner any material information known to the agent.

IF THE BROKER REPRESENTS THE BUYER:

The broker becomes the buyer's agent by entering into an agreement to represent the buyer, usually through a written buyer representation agreement. A buyer's agent can assist the owner but does not represent the owner and must place the interests of the buyer first. The owner should not tell a buyer's agent anything the owner would not want the buyer to know because a buyer's agent must disclose to the buyer any material information known to the agent.

IF THE BROKER ACTS AS AN INTERMEDIARY:

A broker may act as an intermediary between the parties if the broker complies with The Texas Real Estate License

Act. The broker must obtain the written consent of each party to the transaction to act as an intermediary. The written consent must state who will pay the broker and, in conspicuous bold or underlined print, set forth the broker's obligations as an intermediary. The broker is required to treat each party honestly and fairly and to comply with The Texas Real Estate License Act. A broker who acts as an intermediary in a transaction:

- (1) shall treat all parties honestly;
- (2) may not disclose that the owner will accept a price less than the asking price unless authorized in writing to do so by the owner;
- (3) may not disclose that the buyer will pay a price greater than the price submitted in a written offer unless authorized in writing to do so by the buyer; and
- (4) may not disclose any confidential information or any information that a party specifically instructs the broker in writing not to disclose unless authorized in writing to disclose the information or required to do so by The Texas Real Estate License Act or a court order or if the information materially relates to the condition of the property.

With the parties' consent, a broker acting as an intermediary between the parties may appoint a person who is licensed under The Texas Real Estate License Act and associated with the broker to communicate with and carry out instructions of one party and another person who is licensed under that Act and associated with the broker to communicate with and carry out instructions of the other party.

If you choose to have a broker represent you,

you should enter into a written agreement with the broker that clearly establishes the broker's obligations and your obligations. The agreement should state how and by whom the broker will be paid. You have the right to choose the type of representation, if any, you wish to receive. Your payment of a fee to a broker does not necessarily establish that the broker represents you. If you have any questions regarding the duties and responsibilities of the broker, you should resolve those questions before proceeding.

• Bill Johnson and Associates Real Estate Company will represent the Seller-Owner in all real estate sales transactions, unless prior provisions with the Buyer have been agreed to and acknowledged in writing by all parties.

☐ If you wish to be represented by a Buyer's Agent, please notify the Bill Johnson and Associates Real Estate Company sales agent with whom you are working, prior to looking at any properties.

Real estate licensee asks that you acknowledge receipt of this information about brokerage services for the licensee's records.

Buyer, Seller, Landlord or Tenant

Date

Texas Real Estate Brokers and Salespersons are licensed and regulated by the Texas Real Estate Commission (TREC). If you have a question or complaint regarding a real estate licensee, you should contact TREC at P.O. Box 12168, Austin, Texas 78711, 2168 or 512-465-

