



\$340,000

Serene Inspiration - 548 Hillcrest Rd BELLVILLE, Austin County

ID: 61456



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



From concept to completion, this property was designed and constructed with an eye to convenience and enjoyment of nature's gifts. This home has closets, cabinets, and built-ins filling every nook and cranny. House was oriented to take the best advantage of natural light all day long. Morning, noon, and night explore nearly a mile of trails meandering through the woods with bridges crossing trickling streams, and fish from the gazebo that overlooks the stocked lake. Oaks, Pines, Cypress and many other varieties of trees cover the landscape. Don't forget, there is a "Barndominium" for guests, that also has a shop for the craftsman, RV storage, and two additional garage bays. If you are looking for a home that offers serenity, inspiration, and enough work space to enjoy your hobbies, this is the one. Call today, make an appointment, you won't be disappointed.

The adjoining 9.007 acres are available for purchase if additional acreage is desired.

.***BILL JOHNSON REAL ESTATE WILL COBROKER IF BUYER'S AGENT ACCOMPANIES ALL SHOWINGS***...

Improvements

3 Bedrooms
2.5 Bathrooms
Approx. 2966 Sq F
Const. Type: Standard
Frame
Single Floor
Brick Exterior
Composition Roof
Year Built: 1985
Age Range: Over 20 Yrs
Well
Septic

Land Features

Approx. 8.57 Acres
Restricted
Maint. Fees: \$0
Paved Road Frontage
County Road Frontage
Minerals Conveyed: None
Pond
Seasonal Creek
Heavily Wooded
Rolling
Sandy Soil

Other

Residential (Town-S/D)
Status: Active
School District: Bellville
Taxes: \$3,069.51
Tax ID: R03934

Financing

Cash
Conventional

Fireplace
Garage/Carport
CHA
Barns
Additional House

Directions: from Bellville, take FM 1456 and travel north to the railroad tracks. as soon as you cross the RR tracks veer left onto Center Hill Road. travel about a mile and you come to the intersection of Center Hill Rd and Stokes Rd. veer left on Stokes Rd and go about 2 miles to the intersection of Stokes Rd and Piney Creek Rd. turn left on Piney Creek Rd and go about .1 mile to High Meadow Rd. turn left on High Meadow and go .27 miles to Oak Forest Rd. veer right on Oak Forest and go .34 mile to Hillcrest Rd. turn left on Hillcrest and go .23 mile to 548 Hillcrest Rd.

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HOME LISTING

Address of Home:	548 Hillcrest Rd, Bellville, Texas 77418		Listing	61456
Location of Home:	6 miles north of Bellville in Piney Creek S/D			
County or Region:	Austin County	For Sale Sign on Property?	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO
Subdivision:	Piney Creek	Property Size:	8.57 acres	
Subdivision Restricted:	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	Mandatory Membership in Property Owners' Assn.	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO
Listing Price:	\$340,000.00			
Terms of Sale				
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:				
Size and Construction:				
Year Home was Built:	1985			
Lead Based Paint Addendum Required if prior to 1978:	<input type="checkbox"/> YES			
Bedrooms:	3	Bath:	3	
Size of Home (Approx.)	2966sf/ACAD	Living Area		
		Total		
Foundation:	<input checked="" type="checkbox"/> Slab <input type="checkbox"/> Pier/Beam <input type="checkbox"/> Other			
Roof Type:	Composition	Year Installed:	2004	
Exterior Construction:	brick veneer			
Room Measurements:	APPROXIMATE SIZE:			
Living Room:				
Breakfast:	8x12			
Kitchen:	14x14			
Family Room:	14x31 includes area for dining table			
Utility:	6x13			
Bath:	5x5	<input type="checkbox"/> Tub	<input type="checkbox"/> Shower	
Bath:	6x12	<input checked="" type="checkbox"/> Tub	<input type="checkbox"/> Shower	
Mster Bath:	11x12	<input type="checkbox"/> Tub	<input checked="" type="checkbox"/> Shower	
Mstr Bdrm:	12x16			
Bedroom:	11x14			
Bedroom:	12x13			
Office:	17x18			
Other:				
Garage:	<input checked="" type="checkbox"/> Carport: <input type="checkbox"/>	No. of Cars:	2	
	Size: 22x22	<input checked="" type="checkbox"/> Attached <input type="checkbox"/> Detached		
Porches:				
Front: Size:	78 sf			
Back: Size:	407 sf			
Deck: Size:	<input type="checkbox"/> Covered			
Deck: Size:	<input type="checkbox"/> Covered			
Fenced Yard:				
Outside Storage:	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Size:	12x30	
	Construction:	wood frame		
TV Antenna	<input checked="" type="checkbox"/> Dish <input checked="" type="checkbox"/> Cable <input type="checkbox"/>			

Home Features

- | | | | |
|-------------------------------------|--------------------------|---|----|
| <input checked="" type="checkbox"/> | Ceiling Fans | No. | 10 |
| <input checked="" type="checkbox"/> | Dishwasher | | |
| <input checked="" type="checkbox"/> | Garbage Disposal | | |
| <input checked="" type="checkbox"/> | Microwave (Built-In) | | |
| <input checked="" type="checkbox"/> | Kitchen Range (Built-In) | <input type="checkbox"/> Gas <input checked="" type="checkbox"/> Electric | |
| <input checked="" type="checkbox"/> | Refrigerator | | |

Items Specifically Excluded from The Sale: LIST:

all sellers personal property

Heat and Air:

- | | | | | |
|-------------------------------------|------------------|---|--|---|
| <input checked="" type="checkbox"/> | Central Heat | Gas <input type="checkbox"/> | Electric <input checked="" type="checkbox"/> | 1 |
| <input checked="" type="checkbox"/> | Central Air | Gas <input type="checkbox"/> | Electric <input checked="" type="checkbox"/> | 1 |
| <input type="checkbox"/> | Other: | | | |
| <input checked="" type="checkbox"/> | Fireplace(s) | | | |
| <input type="checkbox"/> | Wood Stove | | | |
| <input checked="" type="checkbox"/> | Water Heater(s): | <input type="checkbox"/> Gas <input checked="" type="checkbox"/> Electric | | |

Utilities:

- | | |
|-----------------------|--|
| Electricity Provider: | San Bernard |
| Gas Provider: | none |
| Sewer Provider: | on-site sewer system |
| Water Provider: | on-site well |
| Water Well: | <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO Depth: unknown |
| | Year Drilled: 1985 |
| Average Utility Bill: | Monthly: \$150.00 |

Taxes:

- | | |
|-----------|------------|
| | 2009 Year |
| School: | \$1,168.22 |
| County: | \$1,243.68 |
| FM/Rd/Br: | \$464.54 |
| Hospital: | \$193.07 |
| City: | |
| Taxes: | \$3,069.51 |

School District:

Bellville

Additional Information:

- Barndominium with 400 sf living area, 12x28 RV storage, and 11x23 air conditioned shop area
- 1 acre pond with overlooking gazebo and bathhouse, extensive nature trails, trickling stream
- lots of closets, cabinets, and other storage in home
- home oriented to take advantage of natural light
- over 65 exemption on property taxes

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BARNDOMINIUM

Address of Home: 548 Hillcrest Rd, Bellville, Texas 77418 Listing #: 61456
Location of Home: 6 miles north of Bellville in Piney Creek S/D
County or Region: Austin For Sale Sign on Property? ☒ YES ☐ NO
Subdivision: Piney Creek Property Size: 8.57 acres
Subdivision Restricted: ☒ YES ☐ NO Mandatory Membership in Property Owners' Assn. ☒ YES ☐ NO

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:

Size and Construction:

Year Home was Built: 1985

Lead Based Paint Addendum Required if prior to 1987 ☐ YES

Bedrooms: 1 Baths: 1

Size of Home (Approx.) 400sf/ACAD Living Area

Total

Foundation: ☒ Slab ☐ Pier/Beam ☐ Other

Roof Type: metal Year Installed: 1985

Exterior Construction wood frame

Room Measurements: APPROXIMATE SIZE:

Living 6x12

Kitchen 6x9

Family

Utility Room:

Bath: 5x9 ☐ Tub ☒ Shower

Bath: ☐ Tub ☐ Shower

Bath: Master ☐ Tub ☐ Shower

Bedroom: 9x9

Shop 11x23 air conditioned and heated

RV Storage 12x28 plus additional storage

Bedroom:

Other:

Garage: ☒ Carport: ☐ No. of Cars: 2

Size: 11x19 and 11x19 ☒ Attached ☐ Detached

Porches:

Front: Size: 60 sf

Back: Size:

Deck: Size: ☐ Covered

Deck: Size: ☐ Covered

Fenced Yard:

Outside Storage: ☐ Yes ☐ No Size:

Construction:

TV Antenna ☒ Dish ☒ Cable ☐

Home Features:

☒ Ceiling Fans No. 2

☐ Dishwasher

☐ Garbage Disposal

☒ Microwave (Built-In)

☒ Kitchen Range ☐ Gas ☒ Electric

☒ Other washer/dryer, frig.

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: San Bernard Electric Coop

Gas Provider:

Sewer Provider: on-site sewer system

Water Provider: on-site well

Water Well: ☒ YES ☐ NO Depth: unknown

Year Drilled: 1985

Average Utility Bill: Monthly: \$150.00

Taxes:

2009 Year

School: \$1,168.22

County: \$1,243.68

FM/Rd/Br: \$464.54

Hospital: \$193.07

City:

Taxes: \$3,069.51

School District: Bellville

Additional Information:

over 65 exemption on property taxes

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ACREAGE LISTING

Location of Property: 6 miles north of Bellville in Piney Creek S/D Listing #: 61456
Address of Property: 548 Hillcrest Rd, Bellville, Texas 77418 Road Frontage: _____
County: Austin Paved Road: ☒ YES ☐ NO For Sale Sign on Property? ☒ YES ☐ NO
Subdivision: Piney Creek Lot Size or Dimensions: 8.57 acres
Subdivision Restricted: ☒ YES ☐ NO Mandatory Membership in Property Owners' Assn. ☒ YES ☐ NO

Number of Acres: 8.57 acra

Price per Acre (or) _____

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:

School: \$ _____ 2009
County: \$ _____
FM/Rd/Br.: \$ _____
Hospital: \$ _____
City: _____
TOTAL: \$ _____ 3,069.51

Agricultural Exemption: ☐ Yes ☒ No

School District: Bellville I.S.D.

Minerals and Royalty:

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

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: _____

Electric: San Bernard Elec Coop

Telephone: _____

Water: _____

Other: _____

Improvements on Property:

Home: ☒ YES ☐ NO See HOME listing if Yes

Buildings: Barndominum

Barns: _____

Others: storage shed

Approx. % Wooded: _____

Type Trees: Oak, Pine, Cypress, others

Fencing: Perimeter ☐ YES ☒ NO

Condition: _____

Cross-Fencing: ☐ YES ☒ NO

Condition: _____

Ponds: Number of Ponds: 1

Sizes: about an acre

Creek(s): Name(s):unnamed

River(s): Name(s):

Water Well(s): How Many? 1

Year Drilled: 1985 Depth unknown

Community Water Available: ☐ YES ☒ NO

Provider: _____

Electric Service Provider (Name): _____

San Bernard Elec Coop

Gas Service Provider

none

Septic System(s): How Many: 1

Year Installed: 1985

Soil Type: _____

Grass Type(s): native and St Augustine

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

Nearest Town to Property: Bellville

Distance: 6 miles

Driving time from Houston about an hour

Items specifically excluded from the sale: _____

all sellers personal property

Additional Information: _____

over 65 exemption on property taxes

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96°17'45" 96°17'30" 96°17'15" 96°17'0"

762000

761000

3322000

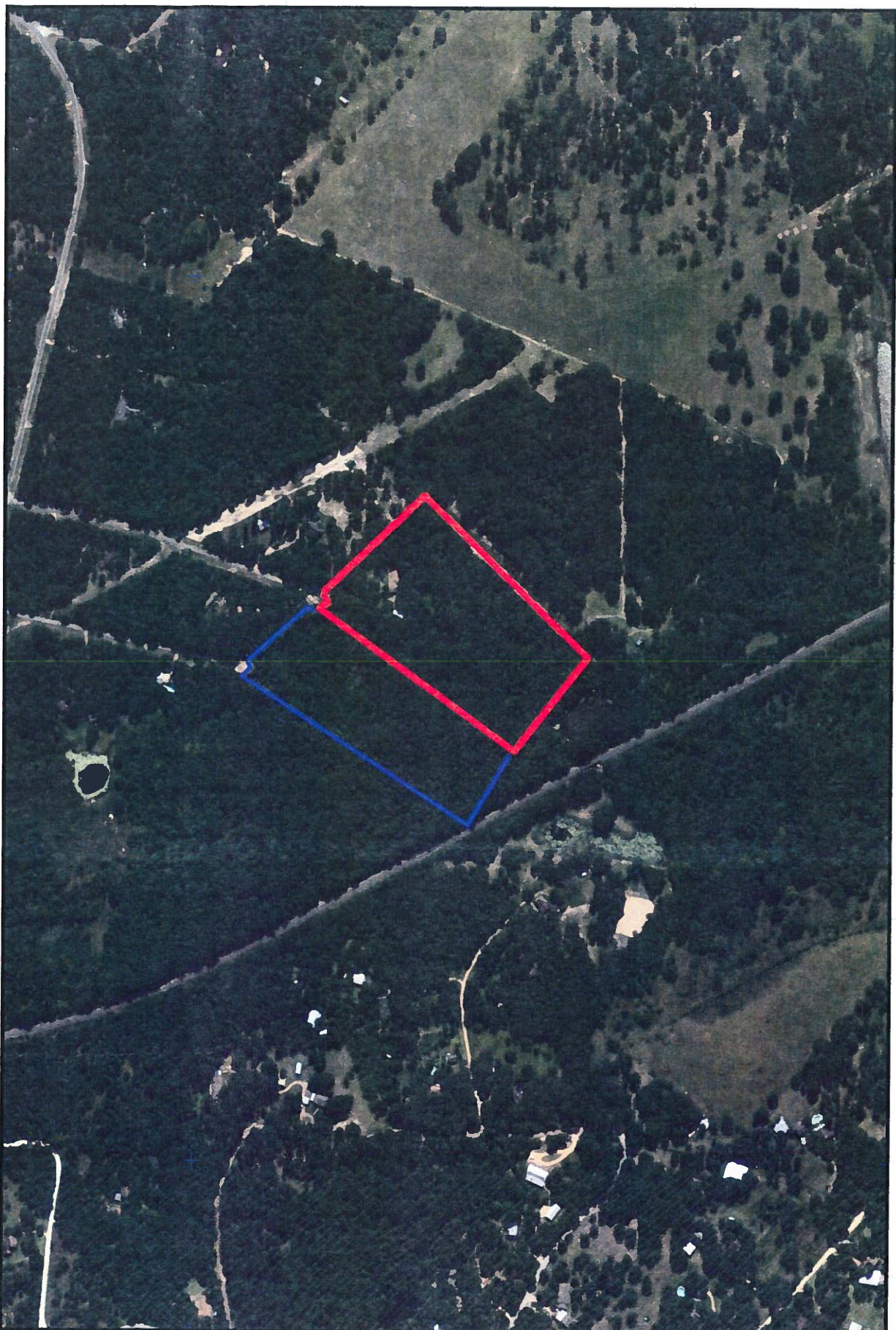
3322000

30°0'00"

30°0'00"

29°59'45"

29°59'45"



762000

761000

96°17'15"

96°17'30"

96°17'45"

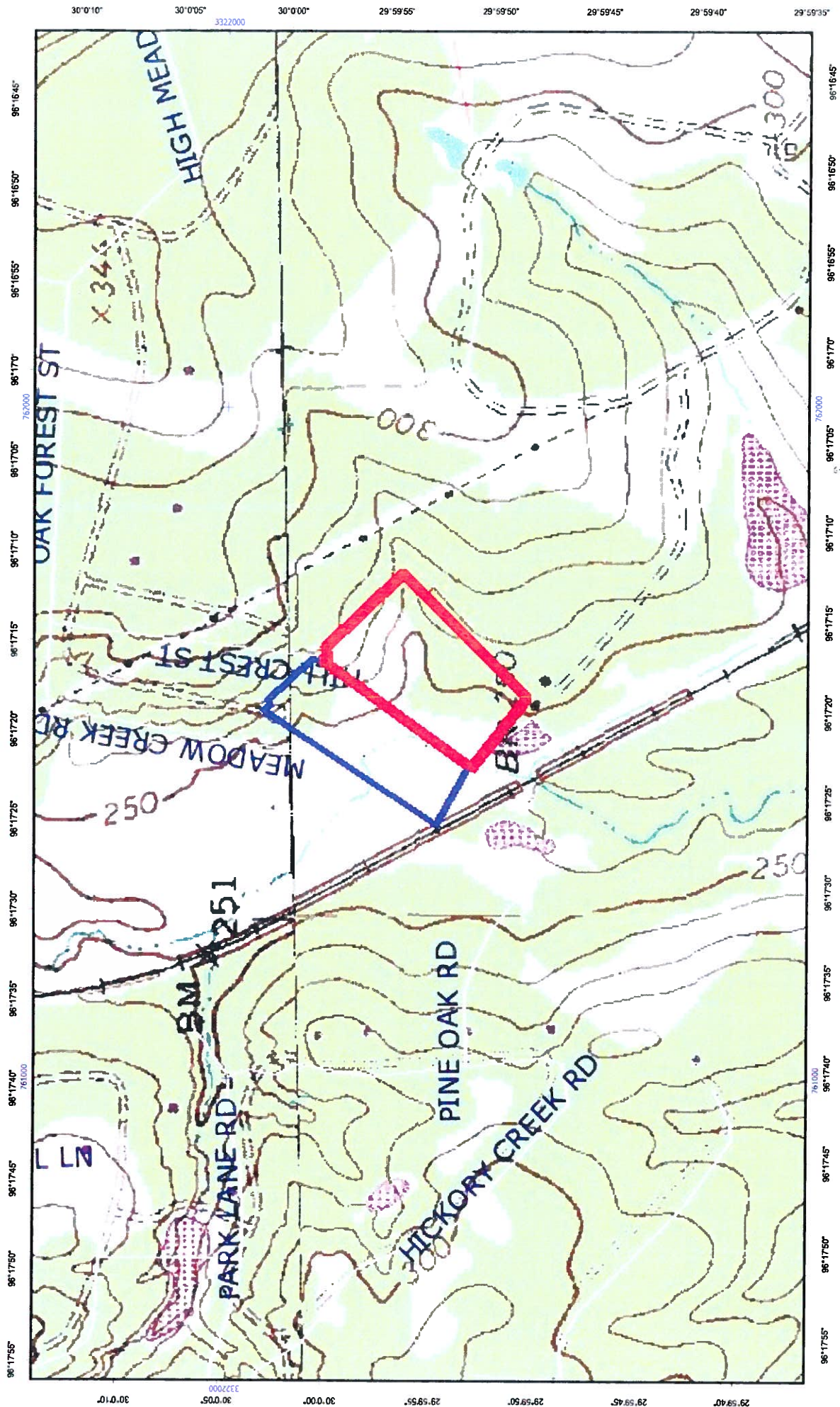
96°17'0"



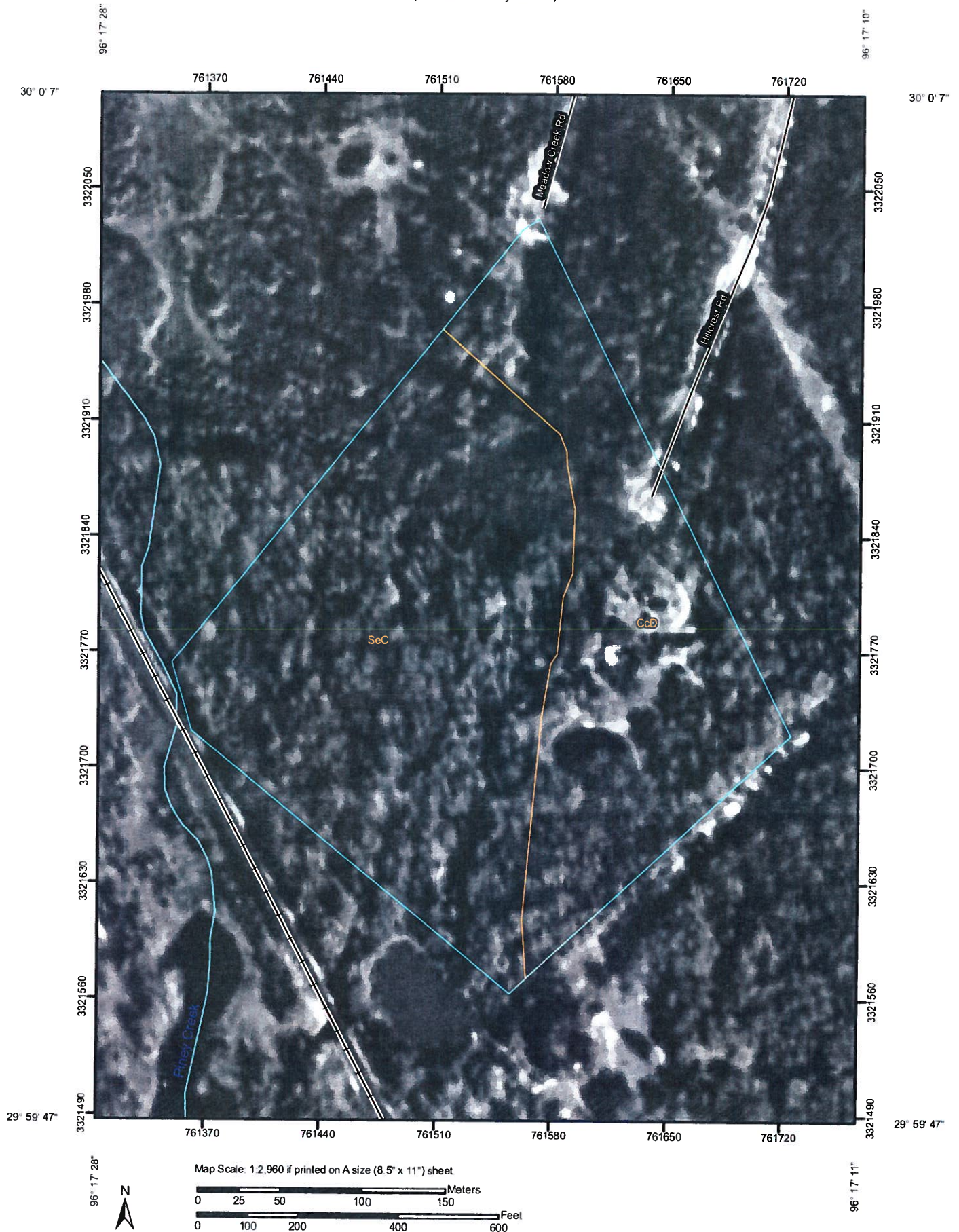
Universal Transverse Mercator (UTM) Projection Zone 14
North American Datum of 1983 (NAD83)
UTM Grid shown in Blue



Magnetic declination at center of map on
June 29, 2010



Soil Map—Austin and Waller Counties, Texas
(Wilcox in Piney Creek)



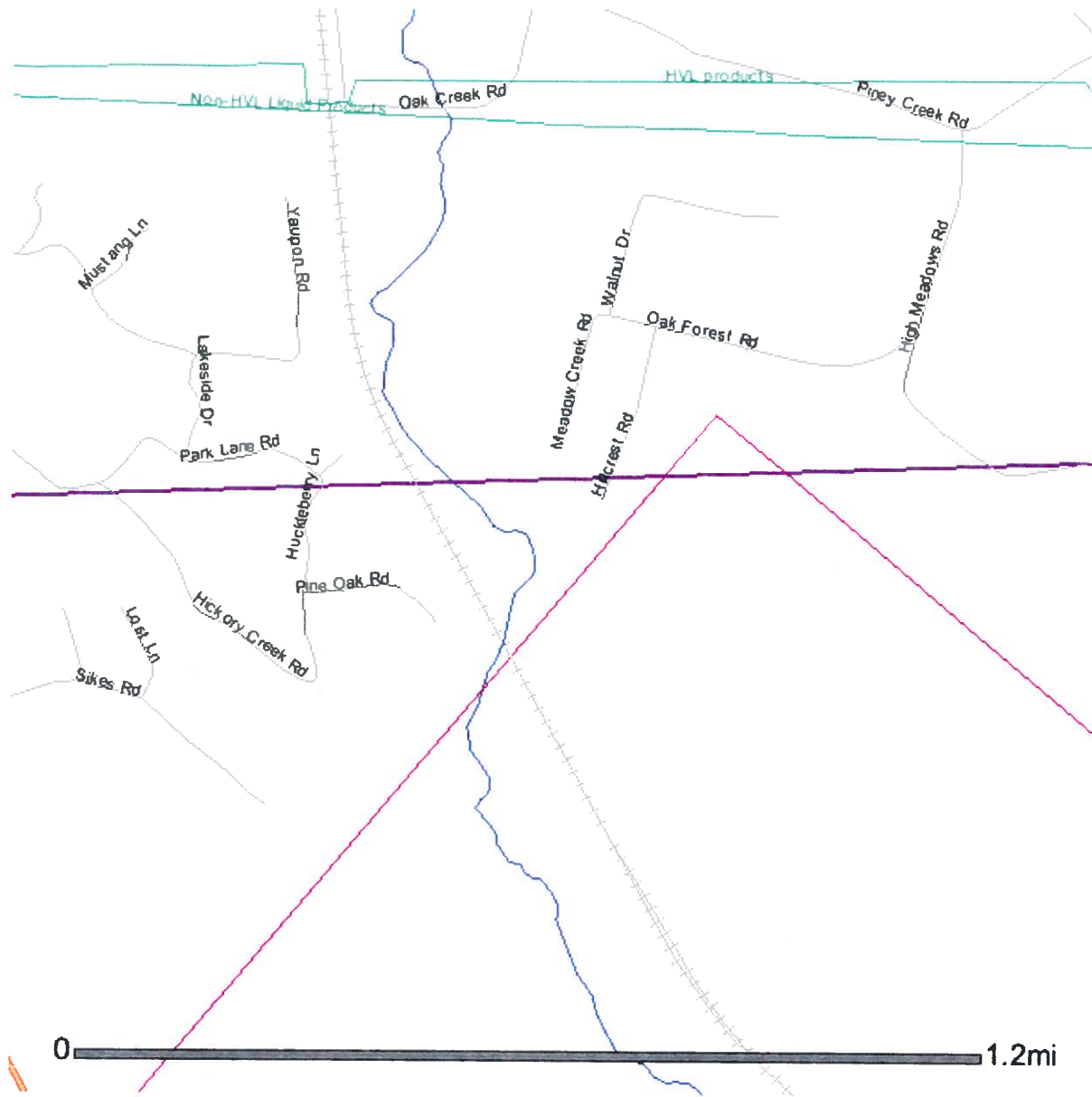
Natural Resources
Conservation Service

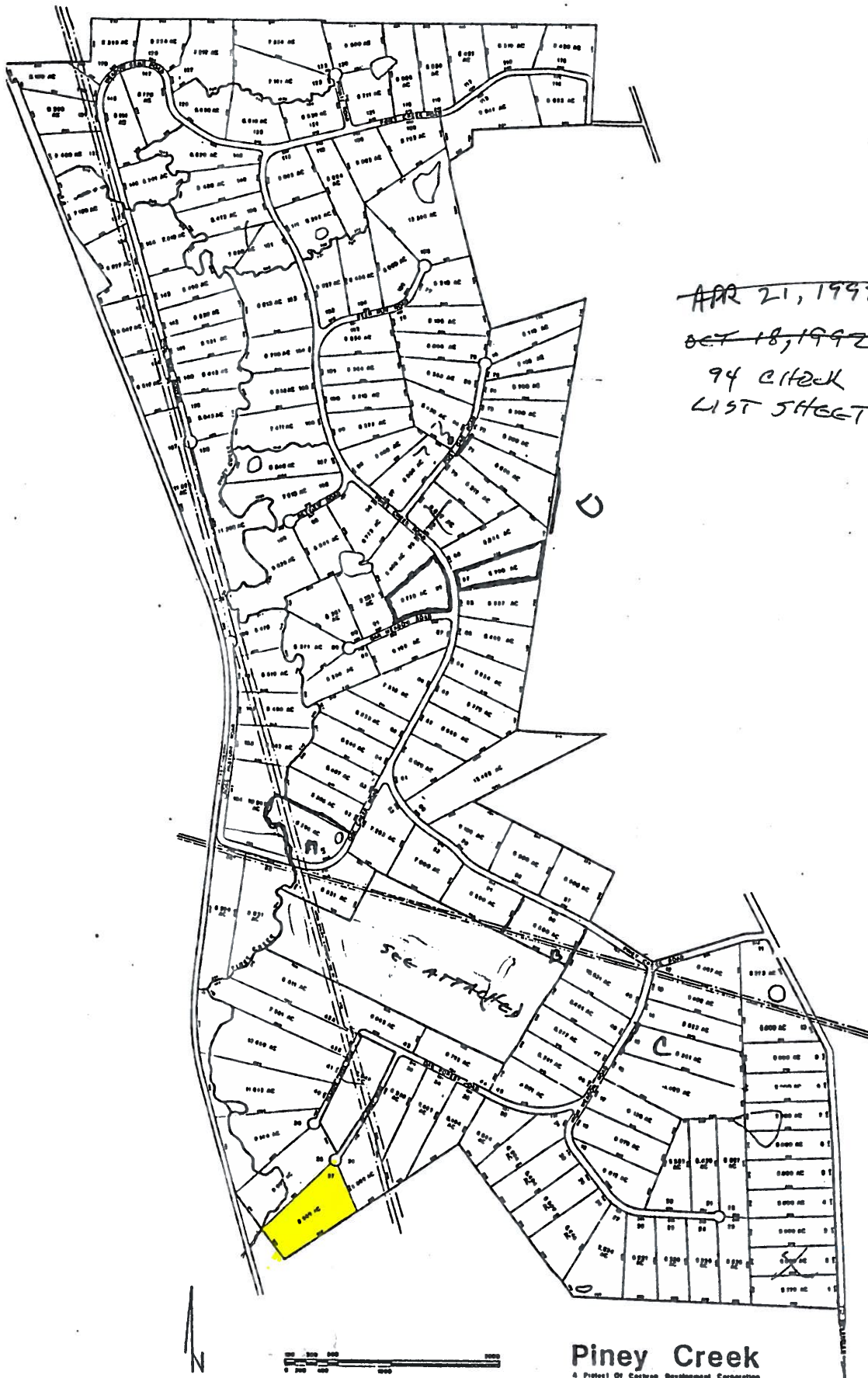
Web Soil Survey
National Cooperative Soil Survey

6/29/2010
Page 1 of 3

Map Unit Legend

Austin and Waller Counties, Texas (TX600)			
Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
CcD	Catilla loamy fine sand, 0 to 8 percent slopes	9.0	39.6%
SeC	Sealy loamy fine sand, 0 to 5 percent slopes	13.7	60.4%
Totals for Area of Interest		22.7	100.0%



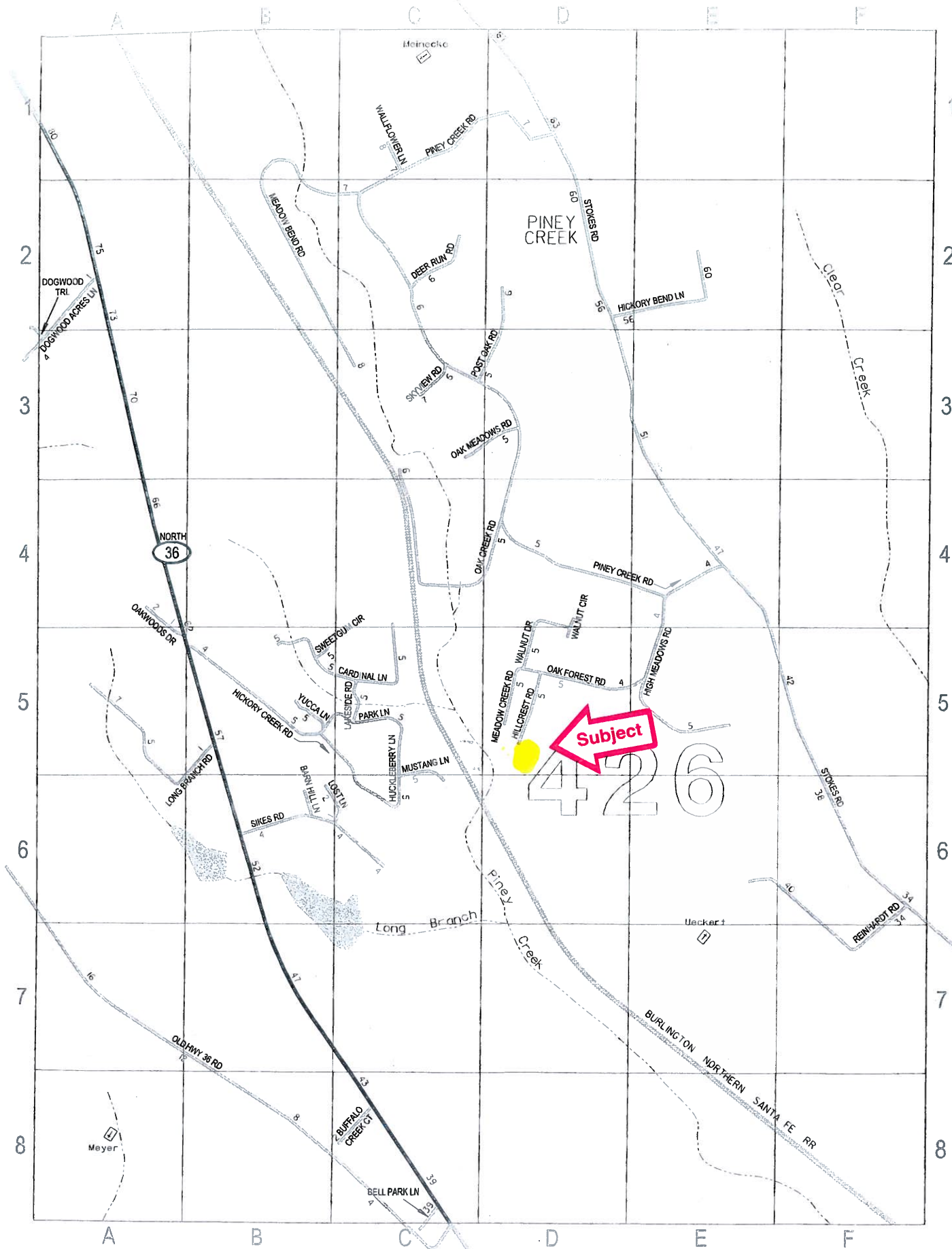


~~APR 21, 1992~~

~~OCT 18, 1992~~

94 CHECK
LIST SHEET

Piney Creek
A Project Of Cochran Development Corporation



SEE MAP 375



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 548 Hillcrest Road
Bellville, Tx 77418

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	X		
Carbon Monoxide Det.		X	
Ceiling Fans	X		
Cooktop	X		
Dishwasher	X		
Disposal	X		
Emergency Escape Ladder(s)		X	
Exhaust Fans	X		
Fences	X		
Fire Detection Equip.		X	
French Drain		X	
Gas Fixtures		X	

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

Item	Y	N	U
Pump: <input type="checkbox"/> sump <input type="checkbox"/> grinder		X	
Rain Gutters	X		
Range/Stove	X		
Roof/Attic Vents	X		
Sauna		X	
Smoke Detector		X	
Smoke Detector - Hearing Impaired		X	
Spa		X	
Trash Compactor		X	
TV Antenna	X		
Washer/Dryer Hookup	X		
Window Screens	X		

Item	Y	N	U	Additional Information
Central A/C	X			<input checked="" type="checkbox"/> electric <input type="checkbox"/> gas number of units: <u>3 HEAT PUMPS</u>
Evaporative Coolers		X		number of units: <u>-</u>
Wall/Window AC Units		X		number of units: <u>-</u>
Attic Fan(s)		X		if yes, describe: <u>-</u>
Central Heat	X			<input checked="" type="checkbox"/> electric <input type="checkbox"/> gas number of units: <u>3 HEAT PUMPS</u>
Other Heat	X			if yes, describe: <u>IN BATHROOMS (4)</u>
Oven	X			number of ovens: <u>2</u> <input type="checkbox"/> electric <input type="checkbox"/> gas <input type="checkbox"/> other: <u>-</u>
Fireplace & Chimney	X			<input checked="" type="checkbox"/> wood <input type="checkbox"/> gas logs <input type="checkbox"/> mock <input type="checkbox"/> other: <u>-</u>
Carport		X		<input type="checkbox"/> attached <input type="checkbox"/> not attached
Garage	X			<input checked="" type="checkbox"/> attached <input type="checkbox"/> not attached <u>2-MAN HOUSE 2-STORAGE BLDG</u>
Garage Door Openers	X			number of units: <u>2</u> number of remotes: <u>4</u>
Satellite Dish & Controls	X			<input type="checkbox"/> owned <input checked="" type="checkbox"/> leased from <u>DIRECT TV</u>
Security System		X		<input type="checkbox"/> owned <input type="checkbox"/> leased from <u>-</u>
Water Heater	X			<input checked="" type="checkbox"/> electric <input type="checkbox"/> gas <input type="checkbox"/> other: <u>-</u> number of units: <u>3</u>
Water Softener	X			<input checked="" type="checkbox"/> owned <input type="checkbox"/> leased from <u>CAN BE SERVICED BY INSTALLED</u>
Underground Lawn Sprinkler	X			<input checked="" type="checkbox"/> automatic <input checked="" type="checkbox"/> manual areas covered: <u>ABOUT 2 ACRES</u>
Septic / On-Site Sewer Facility	X			if yes, attach information about On-Site Sewer Facility (TAR-1407)

(TAR-1406) 1-01-10

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

Page 1 of 5

Concerning the Property at _____

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

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

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

Roof Type: COMPOSITION Age: 6 - YRS (MAIN HOUSE) 25 YRS OTHER BUILDINGS (approximate)

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

☒ yes ☐ no ☐ unknown ON MAIN HOUSE

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): ROOF LEAKS IN

LARGE STORAGE / APARTMENT BUILDING (HAVE A BID TO FIX)

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

Item	Y	N
Basement		<input checked="" type="checkbox"/>
Ceilings	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Doors		<input checked="" type="checkbox"/>
Driveways		<input checked="" type="checkbox"/>
Electrical Systems		<input checked="" type="checkbox"/>
Exterior Walls	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>

Item	Y	N
Floors	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Foundation / Slab(s)		<input checked="" type="checkbox"/>
Interior Walls	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Lighting Fixtures		<input checked="" type="checkbox"/>
Plumbing Systems		<input checked="" type="checkbox"/>
Roof	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>

Item	Y	N
Sidewalks		<input checked="" type="checkbox"/>
Walls / Fences		<input checked="" type="checkbox"/>
Windows		<input checked="" type="checkbox"/>
Other Structural Components		<input checked="" type="checkbox"/>

If the answer to any of the items in Section 2 is yes, explain (attach additional sheets if necessary): WALLS & CEILING IN APARTMENT NEED REPAIR DU TO ROOF LEAKS (HAVE A BID TO FIX) - SOME DETEGRATION ON OUT BUILDING WALLS - DEN FLOOR NEEDS REPAIR OR REPLACEMENT - SOME PLASTIC ROOF PANELS IN LARGE STORAGE/APARTMENT BUILDING, NEED TO BE REPLACED (HAVE BID TO FIX)

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

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

Condition	Y	N
Previous Foundation Repairs		<input checked="" type="checkbox"/>
Previous Roof Repairs	<input checked="" type="checkbox"/>	
Other Structural Repairs		<input checked="" type="checkbox"/>
Radon Gas		<input checked="" type="checkbox"/>
Settling		<input checked="" type="checkbox"/>
Soil Movement		<input checked="" type="checkbox"/>
Subsurface Structure or Pits		<input checked="" type="checkbox"/>
Underground Storage Tanks		<input checked="" type="checkbox"/>
Unplatted Easements		<input checked="" type="checkbox"/>
Unrecorded Easements		<input checked="" type="checkbox"/>
Urea-formaldehyde Insulation		<input checked="" type="checkbox"/>
Water Penetration		<input checked="" type="checkbox"/>
Wetlands on Property		<input checked="" type="checkbox"/>
Wood Rot <u>MINIMAL IN OUTBUILDINGS</u>	<input checked="" type="checkbox"/>	
Active infestation of termites or other wood-destroying insects (WDI)		<input checked="" type="checkbox"/>
Previous treatment for termites or WDI	<input checked="" type="checkbox"/>	
Previous termite or WDI damage repaired	<input checked="" type="checkbox"/>	
Termite or WDI damage needing repair		<input checked="" type="checkbox"/>

Concerning the Property at _____

If the answer to any of the items in Section 3 is yes, explain (attach additional sheets if necessary): SOME SIDING ON OUT BUILDINGS HAVE MINIMAL SPOTS OF ROTTING THAT COULD BE REPAIRED OR LIVED WITH. TERMINIX HAS TREATED ALL BUILDINGS TO PREVENT DAMAGE - SOME MAJOR DAMAGE HAS BEEN REPAIRED. TERMINIX HAS BEEN REGULARLY TREATING ALL BUILDINGS FOR PEST CONTROL

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.)

- ☒ ☒ 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: PINEY CREEK PROPERTY OWNERS ASSOCIATION
Manager's name: BOARD OF DIRECTORS Phone: _____
Fees or assessments are: \$ 35.00 per YEAR/LOT 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 _____

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

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

Inspection Date	Type	Name of Inspector	No. of Pages

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

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

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

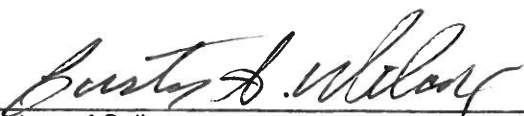
Section 9. Have you (Seller) ever received proceeds for a claim for damage to the Property (for example, an insurance claim or a settlement or award in a legal proceeding) and not used the proceeds to make the repairs for which the claim was made? ☐ yes ☒ no If yes, explain: _____

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

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

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

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


Signature of Seller

Printed Name: Curtis A Wilcox


Signature of Seller

Printed Name: Roxie R Wilcox

Concerning the Property at _____

548 Hillcrest Road
Bellville, Tx 77418

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: *(SEE ATTACHED LISTING)*
- | | |
|----------------------|----------------|
| Electric: _____ | phone #: _____ |
| Sewer: _____ | phone #: _____ |
| Water: _____ | phone #: _____ |
| Cable: _____ | phone #: _____ |
| Trash: _____ | phone #: _____ |
| Natural Gas: _____ | phone #: _____ |
| Phone Company: _____ | phone #: _____ |
| Propane: _____ | phone #: _____ |
- (5) This Seller's Disclosure Notice was completed by Seller as of the date signed. The brokers have relied on this notice as true and correct and have no reason to believe it to be false or inaccurate. YOU ARE ENCOURAGED TO HAVE AN INSPECTOR OF YOUR CHOICE INSPECT THE PROPERTY.

The undersigned Buyer acknowledges receipt of the foregoing notice.

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

Services now in use at 548 Hillcrest Road (Updated 6/26/'09)

Medical or other Emergencies: 911

Appliance Service: <u>Ken Moore Appliance Repair</u>	1-(979) 421-3969
Building Materials & Hardware: <u>Vincik's Building Supply</u>	(979) 865-3674
Carpentry Etc.: <u>B&S Home Repair-(Harry Smith)</u> cell (713) 569-9046	(979) 992-2660
Pet & Racoon feeding: - <u>Rachel Girts</u> 627 Piney Creek (979) 992-2660	(979) 865-4247
Concrete: <u>Pfeffer Concrete Construction, Inc.</u>	(979) 865-9708
<u>Huebner Concrete</u> - Ready Mix, Sand, Gravel, Fill Dirt, Mulch, Top Soil	(979) 865-2274
Direct TV: <u>Customer Service</u>	1-(800) 347-3288
Electrical Power: <u>San Bernard Electric Co-op</u> (power out call - 865-9843)	(979) 865-3171
Electrical: (small jobs) <u>Bobby Neumann</u> (979) 865-2955 (general) <u>Janish Electric</u>	(979) 865-2129
Flooring: <u>Wendt Floor & Wall Covering</u>	(979) 865-3737
Heating/Air Conditioning: <u>Brazos Valley Services</u> Nick Shelly (281) 682-5175	(979) 885-0055
Home Owners Insurance: <u>State Farm</u> - Kevin Campbell	(979) 865-3617
Houston Chronicle: <u>Paul Daniel</u> , Distributer	(979) 865-0166
Irrigation System & Lanscaping: <u>Dan Dykes</u>	(979) 836-3151
Lake (Pond) Weed Control: <u>Total Lake Management</u> (Paul Dorcet)	(979) 279-2946
Mortgage: <u>GMAC Mortgage</u>	1-(800) 766-4622
Overhead Doors & Closers: <u>American Overhead Door</u>	(979) 836-4442
Pest Control: <u>Terminix International</u>	(979) 822-6007
Plumbing: <u>Bellville Plumbing</u>	(979) 865-1999
Sage Telecom & Internet ISP: (esagelink.com)	1-(888) 972-7243
Trash Pickup: <u>A & K</u> Waste Removal, Inc.	(979) 885-1483
Tree Pruning Service: - <u>Brenham Trees</u> - <u>Mark</u> (forman) cell-(713) 805-8623	1-(281) 362-7622
Water Well: <u>Flentge Water Well Drilling</u>	(979) 865-9942
Water Softener: <u>Kinetico Water Processing Systems</u> - Texas Watermill	1-(800) 304-7716

RRW



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

548 Hillcrest Road
Bellville, Tx 77418

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

- (1) Type of Treatment System: ☒ Septic Tank ☐ Aerobic Treatment ☐ Unknown
☐ 3-500 GAL. TANKS - 2 FOR HOUSE, 1 FOR APARTMENT
- (2) Type of Distribution System: DRAIN FIELD (2) ☐ Unknown
- (3) Approximate Location of Drain Field or Distribution System: SOUTH OF MAIN HOUSE IN MEADOW (EAST TO WEST)
S.W. OF APARTMENT IN TRAIL (EAST TO WEST) ☐ Unknown
- (4) Installer: _____ ☒ Unknown
- (5) Approximate Age: 25 YEARS ☐ Unknown

B. MAINTENANCE INFORMATION:

- (1) Is Seller aware of any maintenance contract in effect for the on-site sewer facility? ☐ Yes ☒ No
If yes, name of maintenance contractor: _____
Phone: _____ contract expiration date: _____
Maintenance contracts must be in effect to operate aerobic treatment and certain non-standard on-site sewer facilities.)
- (2) Approximate date any tanks were last pumped? NEVER - NOT NEEDED
- (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 ☐ _____
UNAVAILABLE - PERMITTED & INSPECTED BY AUSTIN COUNTY
- (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.
PLANNED (DESIGNED) BY A LICENSED CIVIL ENGINEER
- (3) It may be necessary for a buyer to have the permit to operate an on-site sewer facility transferred to the buyer.

(TAR-1407) 1-7-04

Initialed for Identification by Buyer _____, _____ and Seller John, KR II

Page 1 of 2

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

Phone: 979.885.9436

Fax: 979.8655500

Ian Bader

Produced with ZipForm® by zipLogix 18070 Fifteen Mile Road, Fraser, Michigan 48026

www.zipLogix.com

Curtis Wilcox

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

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

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

Curtis A. Wilcox
Signature of Seller

Curtis A Wilcox

6/25/2010
Date

Roxie R. Wilcox
Signature of Seller

Roxie R Wilcox

6/25/2010
Date

Receipt acknowledged by:

Signature of Buyer

Date

Signature of Buyer

Date

DECLARATION OF RESTRICTIONS

FOR

PINEY CREEK

SECTIONS I, II and III

THE ATTACHED DECLARATION OF RESTRICTIONS FOR PINEY CREEK, SECTION I,
ARE EQUALLY APPLICABLE TO LOTS IN SECTIONS II and III, AS SAID RES-
TRICTIONS ARE DUPLICATED IN ALL THREE SECTIONS. SECTION IV IS CON-
TAINED IN SEPARATE DECLARATIONS.

PINEY CREEK PROPERTY OWNERS ASSOCIATION



FOR

PINEY CREEK, SECTION I

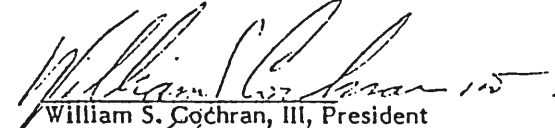
STATE OF TEXAS

COUNTY OF AUSTIN

)
) KNOW ALL MEN BY THESE PRESENTS:
)

THAT PINEY CREEK, a development of COCHRAN DEVELOPMENT CORPORATION, a Texas corporation, sometimes hereinafter referred to as "Developer", being the agent and attorney-in-fact of the owner, James B. Bumgardner, Sr., of a tract of land containing 1,038.961 acres of land out of a portion of the Arthur Lott League, A-254, a portion of the B. M. Hatfield Survey, A-184, a portion of the Davis Chandler League, A-254, and a portion of the J. Fitzgibbons one-half League, A-36, in Austin County, Texas, and having platted a portion of said land into a residential and recreational subdivision to be known as Piney Creek, Section I, as described in Exhibit "A" attached hereto, does hereby establish, adopt and set forth certain conditions, covenants, assessments, protective provisions and restrictions, as contained in Exhibits "B", "C" and "D" attached hereto, which shall be applicable to the said Piney Creek, Section I, land and shall be binding upon any purchaser, grantee, owner or lessee of any land in the said Piney Creek, Section I, and upon the respective heirs, executors, administrators, devisees, successors and assigns of such purchaser, grantee, owner or lessee. It is the intention of Developer that Piney Creek shall be maintained as a residential and recreational subdivision in which the owners of the various tracts or lots may be protected in the enjoyment of their property. These covenants have been set forth with the view toward allowing a maximum of activity insofar as the residential and recreational uses and related matters are concerned, while at the same time assuring to every purchaser of land in this subdivision that the appearance, sanitation and permissive activity shall be controlled and safeguarded.

EXECUTED this 13th day of September, 1978.


 William S. Cochran, III, President
 COCHRAN DEVELOPMENT CORPORATION


STATE OF TEXAS

COUNTY OF HARRIS

BEFORE ME, the undersigned authority, on this day personally appeared WILLIAM S. COCHRAN, III, President of COCHRAN DEVELOPMENT CORPORATION, the agent and attorney-in-fact for JAMES B. BUMGARDNER, SR., known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same as the act of COCHRAN DEVELOPMENT CORPORATION, a Texas corporation, for the purposes and consideration therein expressed, and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL of office on the 13th day of September, 1978.




 Notary Public in and for
 Harris County, TEXAS

TOM E. SMALLEY
 Notary Public in and for Harris County, Texas
 My Commission Expires February 1, 1980
 Bonded by American Surety Company of Texas, Inc.

EXHIBIT B TO DECLARATION OF RESTRICTIONS
FOR
PINEY CREEK, SECTION I
ORGANIZATIONS

I. PROPERTY OWNERS ASSOCIATION

There is hereby created the Piney Creek Property Owners Association, hereinafter called "Association", for the purpose of protecting and promoting the residential and recreational environment of all of Piney Creek through maintenance and enforcement of the property restrictions adopted for each Section of the Subdivision. The Association shall consist of all the purchasers, grantees, lessees and owners of the tracts which are a part of Section I and all subsequent Sections of said Piney Creek with the owner of each lot being entitled to one (1) vote per lot contained within the subdivision. The Association shall act by and through a Board of Directors, composed of five (5) of its members, elected annually for terms of one (1) year by the majority in votes of those Association members voting in each election; however, the initial Board of Directors shall be William S. Cochran, III, James B. Bumgardner, Sr. and Tom E. Smalley, and shall assume and retain control of the Property Owners Association until that point in time when seventy-five percent (75%) of all lots within the entire subdivision have been conveyed by Developer, subject however, Owner shall be entitled to three (3) votes per lot contained within the subdivision which have not been conveyed. If any member of the initial Board of Directors dies, resigns, or becomes unable to act, the other members of the initial Board of Directors are authorized to appoint a new Director to serve.

The initial Board of Directors shall perform the following functions:

- (a) act as representatives of all of the property owners in Piney Creek to insure against depreciation of property values;
- (b) collect and expend, in the interest of the subdivision as a whole, the maintenance charges as hereinafter created;
- (c) enforce, by appropriate legal proceedings, these covenants and restrictions in the manner set out hereinbelow;
- (d) approve or reject plans and specifications for improvements to be erected in Piney Creek in the manner set out hereinbelow;
- (e) keep financial records with respect to maintenance charges collected, which records shall be available for inspection by any lot owner in Piney Creek at all reasonable times; and
- (f) do all other acts necessary to preserve, protect and promote the recreational and residential environment of Piney Creek, Section I, through maintenance and enforcement of the property restrictions.

2. BUILDING CONTROL COMMITTEE

The Board of Directors shall also be known as the Building Control Committee (hereinafter elsewhere called the "Committee"). No member of the Committee or its designated representatives, as hereinafter defined, shall be entitled to any compensation for services performed pursuant to this instrument.



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3. DUTIES OF THE BUILDING CONTROL COMMITTEE

No building shall be erected, placed or altered on any residential and recreational building site or tract in Piney Creek, Section I, until the construction plans and specifications therefor and the plat plan of the building site showing the locations of all buildings and sidewalks to be erected thereon have been approved by the Committee as to use, quality of workmanship and materials, conformity and harmony with the external features of existing structures in Piney Creek, Section I, and as to location of the building and improvements with respect to topography and finished grade elevation. A majority of the Committee may designate a representative with authority to approve the design and location of any building. Any approval or disapproval by the Committee of any matters herein required or permitted shall be in writing. If the Committee or its designated representative fails to give written approval or disapproval within thirty (30) days after any plans or specifications have been submitted to it, or in any event, if no suit to enjoin the construction under such plans and specifications has commenced prior to the completion of the improvements, approval will not be required and the provisions of this paragraph shall be deemed to have been fully satisfied. The Committee, at its sole discretion is hereby permitted to approve deviations in building area and location in instances where, in their judgment, such deviation will result in a more commonly beneficial use. Such approval must be granted in writing.

The Committee shall also have the right and duty to enforce these conditions, covenants, assessments, protective provisions, and restrictions in any court of law or equity having jurisdiction to hear such action.

4. MAINTENANCE

Each tract sold by Developer shall NOT be subject to an annual maintenance charge; however, at such time as the Board of Directors of the Association shall decide that maintenance expenses are necessary for the maintenance and improvement of the property in Piney Creek, there shall be charged to the property owners a reasonable and necessary amount to cover expenses incurred for any or all of the following purposes: enforcement and administration of the maintenance funds; enforcement of all covenants and restrictions by the Building Control Committee; and doing any other things necessary or desirable in the opinion of the Board of Directors of the Association to keep, maintain and improve the Piney Creek, or which it considers to be of general benefit to the owners or occupants of the property covered by these restrictions, it being understood that the judgment of the Board of Directors of the Association in expenditure of such funds shall be final as long as such judgment is exercised in good faith. Any maintenance charge shall be collected by the Board of Directors of the Association, its successors and assigns annually.

Any contingent maintenance charge shall remain effective until January 1, 1989, and shall automatically be extended thereafter for successive periods of ten (10) years; provided, however, that the owners of a majority of the acreage in the tracts covered by this instrument may revoke such contingent maintenance charge on either January 1, 1989, or at the end of any successive ten-year period thereafter by executing and acknowledging an appropriate agreement or agreements in writing for such purpose and filing the same for record in the office of the County Clerk, Austin County, Texas, at any time prior to January 1, 1989, or at any time prior to the expiration of any ten-year period thereafter.



EXHIBIT C TO DECLARATION OF RESTRICTIONS
FOR
PINEY CREEK, SECTION I
RESTRICTIONS

1. LAND USE AND BUILDING TYPE

No tract shall be used for any purpose except for single family residential or recreational purposes; provided that until the Developer, its successors and assigns, has sold all of the tracts in Piney Creek, Section I, any tract may be used by Developer, its successors and assigns, for the erection and operation of a sales office, construction office, or model home. The term "residential purposes" as used herein shall be held and construed to exclude hospitals, clinics, duplex houses, apartment houses, multiple family dwellings, boarding houses and hotels, and to exclude commercial, business and professional uses whether from homes, residences or otherwise, and the above described uses of the above described property are hereby expressly prohibited. The term "recreational uses" as used herein shall be held and construed to exclude commercial, business and professional activities of any nature, whether from homes, residences or otherwise, and the above described uses of such property are hereby expressly prohibited. The term "building" or buildings" as used herein shall be held and construed to mean those permissible buildings and structures which are or will be erected and constructed on the property in Piney Creek. No building shall be erected, altered, placed or permitted to remain on any tract other than:

- (a) one (1) detached single family dwelling not to exceed two (2) stories in height, together with a private garage or carport for not more than three (3) cars, which may be occupied by an integral part of the family occupying the main residence on the building site or by servants employed on the premises; and
- (b) tool sheds or workshops for the personal use of the purchaser, grantee, lessee or owner, and his immediate family; and
- (c) one (1) or more shelters for pets or domestic animals kept on the premises for non-commercial purposes.

All mobile homes and trailer houses are absolutely forbidden to be permanently located on the land. A trailer house or mobile home is permanently located upon the land when it is blocked, or connected to fresh water and sewage disposal connections on the land, or underpinned, or has been in a fixed location in excess of thirty (30) days, except when necessary during the construction of a permanent dwelling, and then, when in a fixed location, in excess of one hundred twenty (120) days.

2. LOT AREA AND WIDTH

No tract may be resubdivided into lots or tracts of less than two (2) acres unless the prior written approval of the Committee is first obtained.

3. DWELLING SIZE AND CONSTRUCTION

No residential or recreational dwelling shall be placed on any tract unless its living area has a minimum of one thousand five hundred (1,500) square feet of floor area, exclusive of porches, and garages. All residential and recreational dwellings shall have a concrete foundation or foundation built of materials and by a method approved in writing by the Building Control Committee. All residential and recreational dwellings shall be equipped with fresh water well or in the event of construction by Owner or Developer of an underground water system, connection to such underground water system, and septic tank connections in accordance with County minimum requirements, and exterior walls of all residential and recreational dwellings shall be completed with a suitable grade of metal, asbestos, wood, brick, or masonry siding so as to present a suitable appearance, provided however, that the Committee has the authority in its sole discretion to approve residential and recreational construction utilizing other siding materials, where, in its judgment, such deviation will result in a structure of suitable appearance. Such approval must be granted in writing, and when given, will become a part of these



restrictions. All roofs on any residential or recreational dwelling shall be constructed and maintained with wood shingles, composition shingles, or aluminum shingles. Roofing of tool sheds, garages, carports and animal shelters may be made of any suitable material, subject however, to the approval of the Committee.

4. BUILDING LOCATION

No building shall be located on any tract within 130 feet of the center line of the road or within twenty (20) feet of the sidelot property line unless approved by the Committee in writing.

5. CONSTRUCTION AND COMPLETION

Written approval of the Committee shall be required before any single family dwelling, whether residential or recreational, may be occupied prior to the entire completion of the exterior of such dwelling including all additions or expansions. Entire completion additionally shall include but not be limited to removal from the construction site of all unused construction materials and cleaning of the construction site so that the general appearance of the area meets the standards set by the Association.

6. RECREATIONAL VEHICLES AND SHELTERS

Nothing herein shall be construed or held to exclude the use of recreational vehicles, including house, camping, and hunting trailers, motor homes, tents, or other portable camping structures, when used temporarily for camping and recreational, but not for residential purposes. A trailer, mobile home, motor home, tent or other camping shelter shall be deemed to be in use for residential purposes if the same remains in a fixed spot upon the land in excess of thirty (30) days, except when necessary during the construction of a permanent dwelling, and then, when in a fixed spot in excess of one hundred twenty (120) days.

7. TEMPORARY STRUCTURES

Structures which do not comply with the land use and building type restrictions contained elsewhere herein shall be prohibited, whether temporary or permanent in character.

8. FENCES

The minimum type fence accepted shall be a four-wire fence with four-inch top posts, such posts being a minimum of ten (10) feet apart and all corners shall be properly guy-wired and braced. Corner posts shall be six inch top posts. No fence shall be constructed of what is commonly known as "chicken wire".

9. SIGNS

No signs, advertisement, billboard or advertising structure of any kind may be erected or maintained on any residential or recreational tract without the consent in writing of the Committee, except one (1) sign not more than forty-eight (48) inches square, advertising the property for sale or rent, or signs used by a builder to advertise the property during the construction or sales period as established by Developer. Developer or members of the Committee shall have the right to remove any such sign, advertisement or billboard, or structure which is placed on any tract in violation of these restrictions, and in so doing, shall not be liable, and are hereby expressly relieved from any liability for trespass or other tort in connection therewith, or arising from such removal.

10. LIVESTOCK AND POULTRY

Dogs, cats, and other household pets and exhibition animals may be kept on any tract, provided they are not kept, bred or maintained in excessive numbers or for any commercial purpose. Furthermore, horses, cows, goats, chickens and other domestic fowl may be kept for the use and pleasure of the owner of any tract, but not for commercial purposes; provided, further that all such animals be kept in a suitable enclosure for the number and type of animal. Nothing herein shall exempt or except the keeping of animals, livestock, or poultry from the covenant against nuisances elsewhere herein. Any livestock enclosure which is overcrowded, or not adequately maintained and cleaned, or which presents an unkempt appearance or produces noxious



odors may be declared a nuisance by the Committee and ordered removed from the land, which action if taken in good faith, shall be conclusive upon the question of nuisance. Notwithstanding the preceding, swine may not be kept on any tract unless they are for exhibition purposes and do not total more than two (2).

11. NUISANCES

No noxious or offensive trade or activity shall be permitted upon any tract, nor shall anything be done thereon which is or may become an annoyance or a nuisance to the neighborhood, is illegal, dangerous or immoral, or which shall have the effect of degrading the residential and recreational environment of Piney Creek, Section I.

12. GARBAGE AND REFUSE DISPOSAL

No tract shall be used or maintained as a dumping ground for rubbish. All trash, garbage and other wastes shall be kept in sanitary containers until disposition.

13. REMOVAL OF DIRT AND OTHER MINERALS/DRILLING AND EXCAVATION

No oil drilling, development, refining, quarrying or mining operation shall be permitted upon or in any lot by any purchaser, grantee, or lessee of any purchaser or grantee. Except in conjunction with construction and drainage work, the removal of dirt, stone, gravel or other minerals from any tract for any purpose is forbidden without permission in writing from the Committee.

14. WATER AND SEWAGE DISPOSAL SYSTEMS

Water wells and septic tanks may be utilized and maintained on any tract for the personal use of any purchaser, grantee, lessee, or owner, his immediate family, and non-commercial invitees, but not for commercial purposes and all such systems must meet minimum County specifications currently in force.

15. ABANDONED OR JUNKED MOTOR VEHICLES

No tract shall be used as a depository for abandoned or junked motor vehicles. An abandoned motor vehicle is one without a current state inspection sticker. No junk of any kind or character, or any accessories, parts or objects used with cars, boats, buses, trucks, trailers, housetrainers, or the like, shall be kept on any lot other than in a garage, or other structure approved by the Committee.

16. HUNTING

Absolutely no hunting shall be allowed on Piney Creek.

17. STORAGE

No lot shall be used for temporary or permanent storage of equipment, material or vehicles except such as may be used in direct connection with the use or enjoyment of any lot as residential or recreational property.

18. STRUCTURES ON EASEMENTS

No structure, planting or other material shall be placed or permitted to remain within the easements of record in Austin County, Texas, to which Piney Creek is subject, which may damage or interfere with the installation and maintenance of utilities, or which may change the direction or flow of drainage channels in the easements. The easement area of each lot and all improvements in it shall be maintained continuously by the owner of the lot, except for those improvements for which Developer, a public authority or utility company is responsible. Grantor expressly reserves the right to use utility easements dedicated to the public as shown on the recorded plat of the subdivision for the construction, addition, maintenance and operation of all utility systems now or hereafter deemed necessary by Grantor for all public or private utility purposes, including systems for utilization of services resulting from advances in science and technology.



19. SEWAGE FACILITIES

All lavatories, toilets and bath facilities shall be installed indoors and shall be connected with adequate grease traps, septic tanks and lateral lines constructed to comply with the specifications as set out in the guidelines prepared by the health department adopted November 30, 1977, a copy of which shall be available at the office of Developer and the Association, and no outside or surface toilets shall be permitted under any circumstances. All lavatories, toilets and bath facilities shall be completely installed and functioning before any residence is occupied.

20. UNSOLD LOTS

Notwithstanding anything to the contrary herein, Developer reserves for itself and its designated agent or agents the right to use any unsold lot or lots for a temporary office locating and the right to place a sign or signs on any unsold lot or lots.

21. INTERPRETATION

In the event of any dispute over the proper interpretation of any of the provisions of this declaration, the determination of the Developer shall be final and binding on all interested persons.

22. GENERAL APPEARANCE

Each tract shall be mowed at six-month intervals and the general appearance of such tract shall be maintained in a manner beneficial to the environment of the development and in conformance to the standards set by the Association.

EXHIBIT D TO DECLARATION OF RESTRICTIONS

FOR

PINEY CREEK, SECTION 1

ADMINISTRATION

1. TERM

These covenants and restrictions are to run with the land and shall be binding upon and inure to the benefit of all owners of tracts in Piney Creek, Section 1, and all persons claiming under them until January 1, 1989, after which time such covenants and restrictions shall be automatically extended for successive periods of ten (10) years unless an instrument signed by the majority in votes of the then owners of tracts in Piney Creek, Section 1, is filed for record in Austin County, Texas, altering, rescinding or modifying said covenants and restrictions in whole or in part with the purchaser of each tract being entitled to one (1) vote and Owner being entitled to three (3) votes for each unconveyed tract.



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

