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4001 SCR 1140

MIDLAND, TX 79706

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.

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

| 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               |   |   | ✓ |
| Natural Gas Lines          |   |   | ✓ |

| Item                    | Y | N | L |
|-------------------------|---|---|---|
| Liquid Propane Gas:     |   | ✓ |   |
| -LP Community (Captive) |   | ✓ |   |
| -LP on Property         |   | ✓ |   |
| Hot Tub                 |   | ✓ |   |
| Intercom System         |   | ✓ |   |
| Microwave               | ✓ |   |   |
| Outdoor Grill           |   | ✓ |   |
| Patio/Decking           | ✓ |   |   |
| Plumbing System         | ✓ |   |   |
| Pool                    | ✓ |   |   |
| Pool Equipment          | ✓ |   |   |
| Pool Maint. Accessories | ✓ |   |   |
| Pool Heater             |   | ✓ |   |

| 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                    | ✓ |   |   |
| Public Sewer System               |   |   | ✓ |

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

Initialed by: Buyer: \_\_\_\_\_, \_\_\_\_\_ and Seller: \_\_\_\_\_

Phone: (432) 683-1000

Fax:

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4001 SCR 1140

RO-owned but not used currently, not warranted.

**4001 SCR 1140**  
**MIDLAND, TX 79706**

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: 5 yrs (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): \_\_\_\_\_

**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"/> |
| Doors              |   | <input checked="" type="checkbox"/> |
| Driveways          |   | <input checked="" type="checkbox"/> |
| Electrical Systems |   | <input checked="" type="checkbox"/> |
| Exterior Walls     |   | <input checked="" type="checkbox"/> |

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

**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: <u>oak wilt</u>                                |   | <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<br>(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"/> |
| Located in Historic District                                   |   | <input checked="" type="checkbox"/> |
| Historic Property Designation                                  |   | <input checked="" type="checkbox"/> |
| Previous Use of Premises for Manufacture<br>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                                                                 |   | <input checked="" type="checkbox"/> |
| Active infestation of termites or other wood<br>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"/> |
| Previous Fires                                                           |   | <input checked="" type="checkbox"/> |
| Termite or WDI damage needing repair                                     |   | <input checked="" type="checkbox"/> |
| Single Blockable Main Drain in Pool/Hot<br>Tub/Spa*                      |   | <input checked="" type="checkbox"/> |

(TAR-1406) 01-01-16

Initialed by: Buyer: \_\_\_\_\_ and Seller: W. J. M.

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4001 SCR 1140

Page 2 of 5

4001 SCR 1140  
MIDLAND, TX 79706

Concerning the Property at \_\_\_\_\_

If the answer to any of the items in Section 3 is yes, explain (attach additional sheets if necessary): \_\_\_\_\_

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

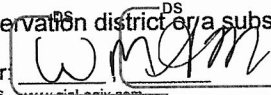
**Section 4. Are you (Seller) aware of any item, equipment, or system in or on the Property that is in need of repair, which has not been previously disclosed in this notice?** ☐ yes ☒ no If yes, explain (attach additional sheets if necessary): \_\_\_\_\_

**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: \_\_\_\_\_ Phone: \_\_\_\_\_  
 Manager's name: \_\_\_\_\_  
 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).
- ☒ Any rainwater harvesting system located on the Property that is larger than 500 gallons and that uses a public water supply as an auxiliary water source.
- ☒ The Property is located in a propane gas system service area owned by a propane distribution system retailer.
- ☒ Any portion of the Property that is located in a groundwater conservation district or a subsidence district.

(TAR-1406) 01-01-16

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Page 3 of 5

4001 SCR 1140

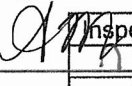
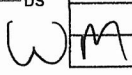
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Concerning the Property at \_\_\_\_\_

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

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:

| DS                                                                               | Inspection Date | Type      | Name of Inspector | No. of Pages |
|----------------------------------------------------------------------------------|-----------------|-----------|-------------------|--------------|
|  | 8/16/17         | Home Ins. | Brett Watkins     | 56           |
| DS                                                                               |                 |           |                   |              |
|  |                 |           |                   |              |

8/25/2017 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 filed a claim for damage to the Property with any insurance provider? ☐ yes ☒ no

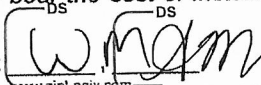
Section 10. Have you (Seller) ever received proceeds for a claim for damage to the Property (for example, an insurance claim or a settlement or award in a legal proceeding) and not used the proceeds to make the repairs for which the claim was made? ☐ yes ☒ no If yes, explain: \_\_\_\_\_

Section 11. 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.*

(TAR-1406) 01-01-16

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4001 SCR 1140

Page 4 of 5

**4001 SCR 1140**  
**MIDLAND, TX 79706**

Concerning the Property at \_\_\_\_\_

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.

|                                                                                                                                                   |                                                                                                                                                  |
|---------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>DocuSigned by: _____<br/>         Signature of Seller: _____<br/>         Date: 8/10/2017<br/>         Printed Name: <u>James W Miller</u></p> | <p>DocuSigned by: _____<br/>         Signature of Seller: _____<br/>         Date: 8/10/2017<br/>         Printed Name: <u>Alicia Miller</u></p> |
|---------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------|

**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](http://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: _____      | 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 _____ | Signature of Buyer _____ |
| Date _____               | Date _____               |
| Printed Name: _____      | Printed Name: _____      |