



TEXAS ASSOCIATION OF REALTORS® SELLER'S DISCLOSURE NOTICE

©Texas Association of REALTORS®, Inc. 2018

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 _____

5601 Killarney Close Loop
Mathis, TX 78368-4631

(Main house)

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? _____ (approximate date) 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	☐	☒	☒
Natural Gas Lines	☐	☒	☒

Item	Y	N	U
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	☒	☐	☐	☒ electric ☐ gas number of units: <u>2</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: _____
Other Heat	☒	☐	☐	if yes, describe: _____
Oven	☒	☐	☐	number of ovens: <u>2</u> ☒ electric ☐ gas other: _____
Fireplace & Chimney	☒	☐	☐	<u>2</u> wood ☐ gas logs ☐ mock other: _____
Carport	☐	☒	☐	☐ attached ☐ not attached
Garage	☒	☐	☐	<u>2</u> attached ☐ not attached
Garage Door Openers	☒	☐	☐	number of units: <u>2</u> number of remotes: <u>4</u>
Satellite Dish & Controls	☐	☒	☐	☐ owned ☐ leased from: _____
Security System	☒	☐	☐	☒ owned ☐ leased from: <u>Vivint</u>
Solar Panels	☐	☒	☐	☐ owned ☐ leased from: _____
Water Heater	☒	☐	☐	☒ electric ☐ gas other: _____ number of units: _____
Water Softener	☒	☐	☐	☒ owned ☐ leased from: _____
Other Leased Items(s)	☐	☐	☐	if yes, describe: _____

(TAR-1406) 02-01-18

Initialed by: Buyer: _____ and Seller: _____

Holtzclaw Herrmann Real Estate, 4250 Five Points Rd Corpus Christi, TX 78410

Sharon M Lowman-Bodine

Phone: (361) 555-5555 Fax: _____

Produced with zipForm® by zipLogix 18070 Fifteen Mile Road, Fraser, Michigan 48026 www.ziplogix.com

Page 1 of 5

Cindy Floyd

**5601 Killarney Close Loop
Mathis, TX 78368-4631**

Concerning the Property at _____

Underground Lawn Sprinkler	☒	☐	☒ automatic	☐ manual	areas covered: _____
Septic / On-Site Sewer Facility	☒	☐	if yes, attach Information About On-Site Sewer Facility (TAR-1407)		

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: metal Age: 4yr (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	Item	Y	N	Item	Y	N
Basement		☒	Floors		☒	Sidewalks		☒
Ceilings		☒	Foundation / Slab(s)		☒	Walls / Fences		☒
Doors		☒	Interior Walls		☒	Windows		☒
Driveways		☒	Lighting Fixtures		☒	Other Structural Components		☒
Electrical Systems		☒	Plumbing Systems		☒			
Exterior Walls		☒	Roof		☒			

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	Condition	Y	N
Aluminum Wiring		☒	Previous Foundation Repairs		☒
Asbestos Components		☒	Previous Roof Repairs		☒
Diseased Trees: <u>oak wilt</u>		☒	Previous Other Structural Repairs		☒
Endangered Species/Habitat on Property		☒	Radon Gas		☒
Fault Lines		☒	Settling		☒
Hazardous or Toxic Waste		☒	Soil Movement		☒
Improper Drainage		☒	Subsurface Structure or Pits		☒
Intermittent or Weather Springs		☒	Underground Storage Tanks		☒
Landfill		☒	Unplatted Easements		☒
Lead-Based Paint or Lead-Based Pt. Hazards		☒	Unrecorded Easements		☒
Encroachments onto the Property		☒	Urea-formaldehyde Insulation		☒
Improvements encroaching on others' property		☒	Water Penetration		☒
Located in 100-year Floodplain (If yes, attach TAR-1414)			Wetlands on Property		☒
Located in Floodway (If yes, attach TAR-1414)			Wood Rot		☒
Present Flood Ins. Coverage (If yes, attach TAR-1414)			Active infestation of termites or other wood destroying insects (WDI)		☒
Previous Flooding into the Structures		☒	Previous treatment for termites or WDI		☒
Previous Flooding onto the Property		☒	Previous termite or WDI damage repaired		☒
Located in Historic District	☒		Previous Fires		☒

(TAR-1406) 02-01-18

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

Page 2 of 5

Concerning the Property at _____

Historic Property Designation	☒	Termite or WDI damage needing repair	☒
Previous Use of Premises for Manufacture of Methamphetamine	☒	Single Blockable Main Drain in Pool/Hot Tub/Spa*	☒

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, with unresolved 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).

☒ 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.

5601 Killarney Close Loop
Mathis, TX 78368-4631

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:

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 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.

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 _____

Date _____

Signature of Seller _____

Date _____

Printed Name: Roger Floyd

Printed Name: Cynthia Floyd

(TAR-1406) 02-01-18

Initialed by: Buyer: _____ and Seller: _____

Page 4 of 5

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 the Property is located in a seacoast territory of this state designated as a catastrophe area by the Commissioner of the Texas Department of Insurance, the Property may be subject to additional requirements to obtain or continue windstorm and hail insurance. A certificate of compliance may be required for repairs or improvements to the Property. For more information, please review *Information Regarding Windstorm and Hail Insurance for Certain Properties* (TAR 2518) and contact the Texas Department of Insurance or the Texas Windstorm Insurance Association.
- (4) This Property may be located near a military installation and may be affected by high noise or air installation compatible use zones or other operations. Information relating to high noise and compatible use zones is available in the most recent Air Installation Compatible Use Zone Study or Joint Land Use Study prepared for a military installation and may be accessed on the Internet website of the military installation and of the county and any municipality in which the military installation is located.
- (5) If you are basing your offers on square footage, measurements, or boundaries, you should have those items independently measured to verify any reported information.
- (6) The following providers currently provide service to the Property:

Electric: San Pat Electric
Sewer: septic
Water: water well (2)
Cable: spectrum
Trash: _____
Natural Gas: _____
Phone Company: _____
Propane: _____
Internet: G-tac

phone #: _____
phone #: _____
phone #: _____
phone #: _____
phone #: _____
phone #: _____
phone #: _____
phone #: _____

- (7) 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: _____



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.
©Texas Association of REALTORS®, Inc., 2004

CONCERNING THE PROPERTY AT

5601 Killarney Close Loop
Mathis, TX 78368-4631

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

- (1) Type of Treatment System: ☒ Septic Tank ☐ Aerobic Treatment ☐ Unknown
- (2) Type of Distribution System: _____ ☐ Unknown
- (3) Approximate Location of Drain Field or Distribution System: between both houses in the field ☐ Unknown
- (4) Installer: _____ ☐ Unknown
- (5) Approximate Age: 4 yrs ☐ 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? N/A
- (3) Is Seller aware of any defect or malfunction in the on-site sewer facility? ☐ Yes ☒ No
If yes, explain: _____
- (4) Does Seller have manufacturer or warranty information available for review? ☐ Yes ☒ No

C. PLANNING MATERIALS, PERMITS, AND CONTRACTS:

- (1) The following items concerning the on-site sewer facility are attached:
☐ planning materials ☐ permit for original installation ☐ final inspection when OSSF was installed
☐ maintenance contract ☐ manufacturer information ☐ warranty information _____
- (2) "Planning materials" are the supporting materials that describe the on-site sewer facility that are submitted to the permitting authority in order to obtain a permit to install the on-site sewer facility.
- (3) **It may be necessary for a buyer to have the permit to operate an on-site sewer facility transferred to the buyer.**

CFK

Information about On-Site Sewer Facility concerning

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	300
Single family dwelling (5 bedrooms; less than 4,500 sf)	450	360
Single family dwelling (6 bedrooms; less than 5,500 sf)	525	420
Mobile home, condo, or townhouse (1-2 bedroom)	225	180
Mobile home, condo, or townhouse (each add'l bedroom)	75	60

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.

Signature of Seller _____ Date _____
ROGER WALTER FLOYD

Receipt acknowledged by:

Signature of Seller _____ Date _____
CYNTHIA FLOYD, WILLIAM NATHAN SIMON

Signature of Buyer _____ Date _____

Signature of Buyer _____ Date _____



ADDENDUM FOR AUTHORIZING HYDROSTATIC TESTING

CONCERNING THE PROPERTY AT: 5601 Killarney Close LoopMathis

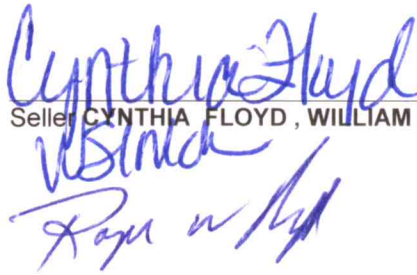
(Street Address and City)

Consult a licensed plumber about the risks associated with hydrostatic testing before signing this form.

A. **AUTHORIZATION:** Seller authorizes Buyer, at Buyer's expense, to engage a licensed plumber to perform a hydrostatic plumbing test on the Property.

B. **ALLOCATION OF RISK:**

- ☒ (1) Seller shall be liable for damages caused by the hydrostatic plumbing test.
- ☐ (2) Buyer shall be liable for damages caused by the hydrostatic plumbing test.
- ☐ (3) Buyer shall be liable for damages caused by the hydrostatic plumbing test in an amount not to exceed \$ _____.

Buyer
Seller **ROGER WALTER FLOYD**_____
Buyer
Seller **CYNTHIA FLOYD, WILLIAM NATHAN SIMON**

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 license holders. No representation is made as to the legal validity or adequacy of any provision in any specific transactions. It is not intended for complex transactions. Texas Real Estate Commission, P.O. Box 12188, Austin, TX 78711-2188, (512) 936-3000 (www.trec.texas.gov) TREC No. 48-0.

TAR 1949

Holtzclaw Herrmann Real Estate, 4250 Five Points Rd Corpus Christi, TX 78410
Sharon M Lowman-Bodine

Phone: (555)555-5555

Fax:

Produced with zipForm® by zipLogix 18070 Fifteen Mile Road, Fraser, Michigan 48026 www.zipLogix.com

TREC NO. 48-0

Cindy Floyd

Survey

MAP RECORDED CLERK'S FILE NO. 476241, REAL PROPERTY RECORDS
SAN PATRICIO COUNTY, TEXAS
SCALE 1" = 100 FEET
(PAGE 1 OF 2)

- - no corner set
- - indicates found 5/8" iron rod unless otherwise noted.

Bearings are record bearings from the recorded map of Glen Erin Estates.

The FEMA Flood Maps show that the property described herein is located in Flood Zones A and C.

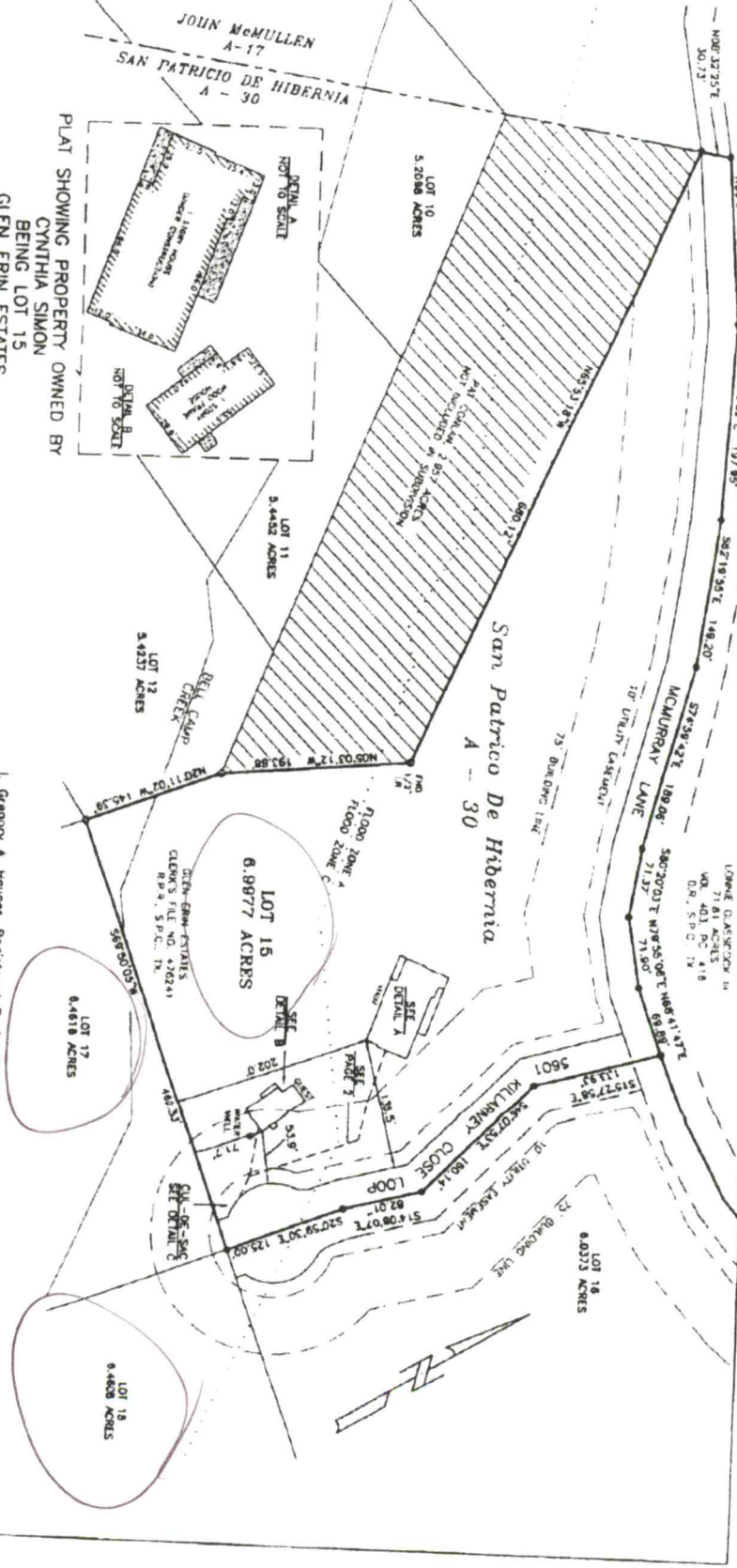
There may be existing pipelines not shown on this map. Use the Texas One Call System to locate existing pipelines before performing any excavation on this property.

PLAT SHOWING PROPERTY OWNED BY

GLEN ERIN ESTATES

BEING LOT 15

CYNTHIA SIMON



I, Gregory A. Hauger, Registered Professional Land Surveyor of Texas, do hereby state that the above plat represents an actual survey made on the ground, under my supervision, and that there are no apparent visible encroachments or intrusions of buildings or adjoining property, and that all buildings are wholly located on this property, except as shown above, this 9th day of July, 2013.

REVISED August 9, 2013

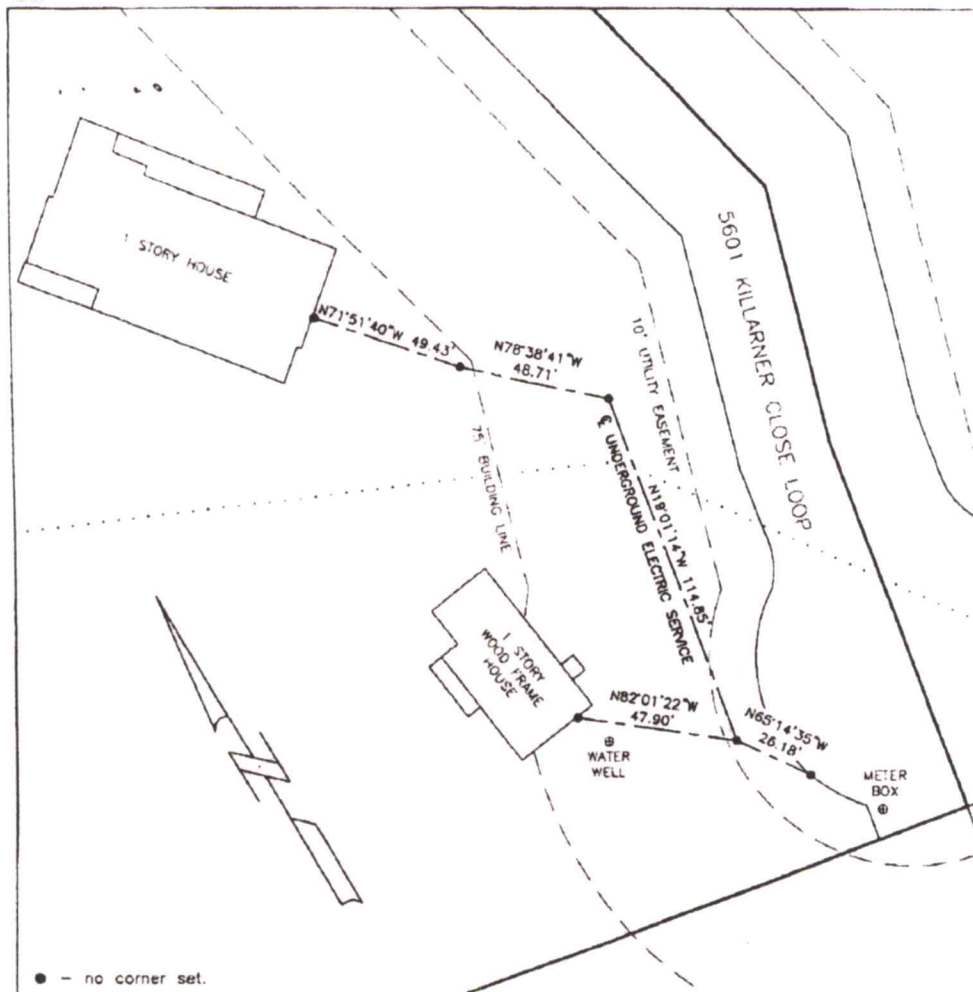
King & Petrus, Inc.
P.O. Box 606
Sinton, Texas 78387
Phone 361-364-2622
Fax 361-364-2641
C:\NOT\22472



Registered Professional Land Surveyor
Texas Registration No. 5639



Survey



● - no corner set.

Bearings are record bearings from the recorded map of Glen Erin Estates.

The FEMA Flood Maps show that the property described herein is located in Flood Zones A and C. Community Panel No. 485506 0310C. Map Revised: March 18, 1985.

There may be existing pipelines not shown on this map. Use the Texas One Call System to locate existing pipelines before performing any excavation on this property.

PLAT SHOWING PROPERTY OWNED BY
CYNTHIA SIMON
BEING LOT 15
SHOWING DETAIL OF UNDERGROUND ELECTRIC SERVICE
GLEN ERIN ESTATES
MAP RECORDED CLERK'S FILE NO. 476241, REAL PROPERTY RECORDS
SAN PATRICIO COUNTY, TEXAS
SCALE 1" = 100 FEET
(PAGE 2 OF 2)

I, Gregory A. Hauger, Registered Professional Land Surveyor of Texas, do hereby state that the above plat represents an actual survey made on the ground, under my supervision, and that there are no apparent visible easements or intrusions of buildings on adjoining property, and that all buildings are wholly located on this property, except as shown above, this the 9th day of July, 2013.

REVISED: August 9, 2013

King & Petrus, Inc.
P. O. Box 606
Sinton, Texas 78387
Phone 361-364-2622
Fax 361-364-2641
C:\AOT\22472



Registered Professional Land Surveyor
Texas Registration No. 5639

