



**TEXAS ASSOCIATION OF REALTORS®**  
**COMMERCIAL PROPERTY CONDITION STATEMENT**  
USE OF THIS FORM BY PERSONS WHO ARE NOT MEMBERS OF THE TEXAS ASSOCIATION OF REALTORS® IS NOT AUTHORIZED.  
 ©Texas Association of REALTORS®, Inc. 2014

CONCERNING THE PROPERTY AT: 108 E. 5th Street Rusk TX 75785

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

**PART 1 – Complete if Property is Improved or Unimproved**

Are you (Seller or Landlord) aware of:

**Aware** **Not**  
**Aware**

- |   |                          |                                     |
|---|--------------------------|-------------------------------------|
| (1) any of the following environmental conditions on or affecting the Property:   |                          |                                     |
| (a) radon gas? .....  | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| (b) asbestos components:  |                          |                                     |
| (i) friable components? .....   | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| (ii) non-friable components? .....  | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| (c) urea-formaldehyde insulation? .....   | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| (d) endangered species of their habitat? .....  | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| (e) wetlands? .....   | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| (f) underground storage tanks? .....  | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| (g) leaks in any storage tanks (underground or above-ground)? .....   | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| (h) lead-based paint? .....   | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| (i) hazardous materials or toxic waste? .....   | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| (j) open or closed landfills on or under the surface of the Property? .....   | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| (k) external conditions materially and adversely affecting the Property such as nearby landfills, smelting plants, burners, storage facilities of toxic or hazardous materials, refiners, utility transmission lines, mills, feed lots, and the like? ..... | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| (l) any activity relating to drilling or excavation sites for oil, gas, or other minerals? .....  | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| (2) previous environmental contamination that was on or that materially and adversely affected the Property, including but not limited to previous environmental conditions listed in Paragraph 1(a)-(l)? .....   | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| (3) any part of the Property lying in a special flood hazard area (A or V Zone)? .....  | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| (4) any improper drainage onto or away from the Property? .....   | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| (5) any fault line or near the Property that materially and adversely affects the Property? ....  | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| (6) air space restrictions or easements on or affecting the Property? .....   | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| (7) unrecorded or unplatted agreements for easements, utilities, or access on or to the Property? .....   | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

(TAR-1408) 4-1-14 Initialed by Seller or Landlord: [Signature] and Buyer or Tenant: [Signature]

**Not  
Aware    Aware**

- (8) special districts in which the Property lies (for example, historical districts, development districts, extraterritorial jurisdictions, or others)?..... ☐ ☒
- (9) pending changes in zoning, restrictions, or in physical use of the Property?..... ☐ ☒  
The current zoning of the Property is: \_\_\_\_\_
- (10) your receipt of any notice concerning any likely condemnation, planned streets, highways, railroads, or developments that would materially and adversely affect the Property (including access or visibility)?..... ☐ ☒
- (11) lawsuits affecting title to or use or enjoyment of the Property? ..... ☐ ☒
- (12) your receipt of any written notices of violations of zoning, deed restrictions, or government regulations from EPA, OSHA, TCEQ, or other government agencies?..... ☐ ☒
- (13) common areas or facilities affiliated with the Property co-owned with others? ..... ☐ ☒
- (14) an owners' or tenants' association or maintenance fee or assessment affecting the Property?..... ☐ ☒  
If aware, name of association: \_\_\_\_\_  
Name of manager: \_\_\_\_\_  
Amount of fee or assessment: \$ \_\_\_\_\_ per \_\_\_\_\_  
Are fees current through the date of this notice? ☐ yes ☐ no ☐ unknown
- (15) subsurface structures, hydraulic lifts, or pits on the Property?..... ☐ ☒
- (16) intermittent or weather springs that affect the Property? ..... ☐ ☒
- (17) any material defect in any irrigation system, fences, or signs on the Property?..... ☐ ☒
- (18) conditions on or affecting the Property that materially affect the health or safety of an ordinary individual?..... ☐ ☒
- (19) any of the following rights vested in others:
- (a) outstanding mineral rights? ..... ☐ ☒
- (b) timber rights? ..... ☐ ☒
- (c) water rights? ..... ☐ ☒
- (d) other rights? ..... ☐ ☒

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

**PART 2 – Complete only if Property is Improved**

A. Are you (Seller or Landlord) aware of any material defects in any of following on the Property?

	<u>Aware</u>	<u>Not Aware</u>	<u>Not Appl.</u>
<b>(1) <u>Structural Items:</u></b>			
(a) foundation systems (slabs, columns, trusses, bracing, crawl spaces, piers, beams, footings, retaining walls, basement, grading)? .....	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(b) exterior walls? .....	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(c) fireplaces and chimneys? .....	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(d) roof, roof structure, or attic (covering, flashing, skylights, insulation, roof penetrations, ventilation, gutters and downspouts, decking)? .....	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(e) windows, doors, plate glass, or canopies .....	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>(2) <u>Plumbing Systems:</u></b>			
(a) water heaters or water softeners? .....	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(b) supply or drain lines? .....	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(c) faucets, fixtures, or commodes? .....	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(d) private sewage systems? .....	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(e) pools or spas and equipments? .....	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(f) sprinkler systems? .....	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(g) water coolers? .....	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(h) private water wells? .....	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(i) pumps or sump pumps? .....	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(3) <u>HVAC Systems:</u> any cooling, heating, or ventilation systems? .....	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(4) <u>Electrical Systems:</u> service drops, wiring, connections, conductors, plugs, grounds, power, polarity, switches, light fixtures, or junction boxes? .....	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>(5) <u>Other Systems or Items:</u></b>			
(a) security or fire detection systems? .....	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(b) porches or decks? .....	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(c) gas lines? .....	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(d) garage doors and door operators? .....	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(e) loading doors or docks? .....	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(f) rails or overhead cranes? .....	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(g) elevators or escalators? .....	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(h) parking areas, drives, steps, walkways? .....	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(i) appliances or built-in kitchen equipment? .....	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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

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

**Not  
Aware Aware**

(1) any of the following water or drainage conditions materially and adversely affecting the Property:

(a) ground water? ☐ ☒(b) water penetration? ☐ ☒(c) previous flooding or water drainage? ☐ ☒(d) soil erosion or water ponding? ☐ ☒(2) previous structural repair to the foundation systems on the Property? ☐ ☒(3) settling or soil movement materially and adversely affecting the Property? ☐ ☒(4) pest infestation from rodents, insects, or other organisms on the Property? ☐ ☒(5) termite or wood rot damage on the Property needing repair? ☐ ☒(6) mold to the extent that it materially and adversely affects the Property? ☐ ☒(7) mold remediation certificate issued for the Property in the previous 5 years? ☐ ☒  
*if yes, attach a copy of the mold remediation certificate.*(8) previous termite treatment on the Property? ☒ ☐(9) previous fires that materially affected the Property? ☐ ☒(10) modifications made to the Property without necessary permits or not in compliance with building codes in effect at the time? ☐ ☒(11) any part, system, or component in or on the Property not in compliance with the Americans with Disabilities Act or the Texas Architectural Barrier Statute? ☐ ☒

If you are aware of any of conditions described under Paragraph B, explain. (Attach additional information, if needed.) Previous treatment for termites and other wood-destroying insects was of a preventive nature.

The undersigned acknowledges receipt of the foregoing statement.

Seller or Landlord: Marvin J. Angle, Steven R. Guy

D. Brett Brewer

By: (SIGNATURE) By (signature): Printed Name: Marvin J. Angle, Steven R. GuyTitle: OwnerBy: By (signature): Printed Name: D. Brett BrewerTitle: Owner

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

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

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

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

Title: \_\_\_\_\_

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

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

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

Title: \_\_\_\_\_

**NOTICE TO BUYER OR TENANT:** The broker representing Seller or Landlord, and the broker representing you advise you that this statement was completed by Seller or Landlord, as of the date signed. The brokers have relied on this statement as true and correct and have no reason to believe it to be false or inaccurate. YOU ARE ENCOURAGED TO HAVE AN INSPECTOR OF YOUR CHOICE INSPECT THE PROPERTY.