



SELLER'S DISCLOSURE NOTICE

TO BE COMPLETED BY SELLER(S)

CONCERNING THE PROPERTY AT

Big Sandy

1901 Catalpa Road

Upshur

(STREET ADDRESS AND CITY)

COUNTY

NOTE: Effective January 1, 1994, Section 5.008 of the Texas Property Code (the "Code") requires a seller of residential real property of not more than one dwelling unit to deliver a copy of the Seller's Disclosure Notice, completed to the best of the seller's belief and knowledge, to a purchaser on or before the effective date of a contract for the sale of the Property. If a contract is entered into without the seller providing the notice, the buyer may terminate the contract for any reason within seven (7) days after receiving the notice. If information required by the notice is unknown to the seller, the seller may indicate that fact on the notice and thereby comply with the requirements of Section 5.008 of the Code. **This form complies with and contains additional disclosures which exceed the minimum disclosures required by the Code.**

THIS STATEMENT IS A DISCLOSURE OF SELLER'S KNOWLEDGE OF THE CONDITION OF THE PROPERTY AS OF THE DATE OF THE SELLER'S SIGNATURE INDICATED BELOW. THIS STATEMENT IS NOT A WARRANTY OF ANY KIND BY THE SELLER OR LISTING BROKER AND IS NOT A SUBSTITUTE FOR ANY INSPECTIONS OR WARRANTIES THE BUYER(S) MAY WISH TO OBTAIN. A BUYER IS URGED TO OBTAIN AN INSPECTION OF THE PROPERTY BY A QUALIFIED, LICENSED INSPECTOR. THE FOLLOWING STATEMENTS ARE REPRESENTATIONS MADE BY THE SELLER(S) BASED UPON SELLER'S KNOWLEDGE AND ARE NOT REPRESENTATIONS OF THE LISTING BROKER OR ANY OTHER BROKER PARTICIPATING IN A SALE TRANSACTION. THE METROTEX ASSOCIATION OF REALTORS®, INC., THE GREATER METRO MULTIPLE LISTING SERVICE OR ANY MULTIPLE LISTING SERVICE, AND THE LISTING BROKER HAVE RELIED UPON THE FOLLOWING INFORMATION IN DISSEMINATING INFORMATION ABOUT THE CONDITION OF THE PROPERTY.

GENERAL INFORMATION

- The Property is currently:
☒ Owner occupied ☐ Estate
☐ Leased ☐ Foreclosure
☐ Vacant since _____
- If owner occupied, for 1 years
- If not owner occupied, for _____ years
- If leased: Origination Date _____
Expiration Date _____
- Seller is the current owner of the Property and can sell the Property without being joined by any other person:
☒ Yes ☐ No
- If "No", explain: _____
- Is Seller a United States citizen?
☒ Yes ☐ No
- If "No", is Seller a "foreign person" as defined in the Internal Revenue Code?
☐ Yes ☐ No
- Check any of the following tax exemptions which Seller claims for the Property:
☐ Homestead ☐ Senior Citizen
☐ Disabled ☐ Disabled Veteran
☒ Agricultural ☐ Other _____
- Is there currently in force for the Property a written Builder's Warranty?
☐ Yes ☒ No ☐ Unknown
- If "Yes", identify the warranty by stating:
Name of Company issuing warranty: _____
Warranty Number: _____
- Except for manufacturer warranties, if any, on appliances, does there exist any other warranties for the Property?
☐ Yes ☒ No ☐ Unknown
- If "Yes", identify the warranties: _____
- Are there any pending or threatened condemnation proceedings which affect the Property?
☐ Yes ☒ No ☐ Unknown
- If "Yes", explain: _____
- Has the Seller asserted any claim under any insurance policy or against any person for any physical condition of the Property?
☐ Yes ☒ No ☐ Unknown
- If "Yes", explain: _____
- Has the Seller ever collected any insurance payments pursuant to a claim you have made for damage to the Property and then not used the proceeds to make the repairs for which the claim was submitted? ☐ Yes ☒ No
- If "Yes", explain: _____
- Does the Seller have a survey of the property? ☒ Yes ☐ No
If YES, please attach the survey and T-47 Residential Real Property Affidavit (if applicable) to this disclosure.
- A. Seller has not received any notices, either oral or written, regarding the need for repair or replacement of any portion of the Property from any governmental agency, appraiser, inspector, mortgage lender, repair service, or other except: _____

1901 Catalpa Road

PROPERTY ADDRESS: Big Sandy, TX

MetroTex Association of REALTORS® 7167 Jan 2021

Buyer's Initials _____

Buyer's Initials _____

SELLER'S DISCLOSURE NOTICE—PAGE 1 OF 9

Seller's Initials RS Seller's Initials RS

Re/Max Landmark, 113 North Frances Street Terrell TX 75160

Frank Roberts

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Kenneth Smith

11. B. List and attach any written inspection reports that Seller has received within the last five years that were completed by persons who regularly provide inspections and who are either licensed as inspectors or otherwise permitted by law to perform inspections.

Date of Inspection	Type of Inspection	Name of Inspector/Company	# Pages	Attached (Y/N)

Explanatory comments by Seller, if any: _____

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 of the buyer's own choice.

INFORMATION ABOUT EQUIPMENT AND SYSTEMS

12. For items listed below, check appropriate box if items are included in the sale of the Property and are presently in "Working Condition" and there are no known defects. Please check if item has been replaced (note date of replacement) or explain if the item is repaired or in need of repair. Check "N/A" for items that do not apply to the Property or not included in the sale. NOTE: THIS NOTICE DOES NOT ESTABLISH WHICH ITEMS ARE TO BE CONVEYED IN A SALE OF THE PROPERTY. THE TERMS OF A CONTRACT OF SALE WILL DETERMINE WHICH ITEMS ARE TO BE CONVEYED.

EQUIPMENT & SYSTEMS	N/A	WORKING CONDITION	HAS BEEN REPLACED	DATE REPLACED Month/Year	IN NEED OF REPAIR	DATE / DESCRIPTION OF COMPLETED OR NEEDED REPAIRS
Attic Fan	☒	☐	☐		☐	
Automatic Lawn Sprinkler System (Front ☐ / Back ☐ / Left Side ☐ / Right Side ☐ / Fully ☐)	☒	☐	☐		☐	
Carbon Monoxide Alarm	☐	☒	☐		☐	
Cable TV Wiring	☒	☐	☐		☐	
Ceiling Fan(s)	☐	☒	☐		☐	
Cooktop (Gas ☐ / Electric ☐)	☒	☐	☐		☐	
Cooling (Central Gas ☐ / Electric ☒) # Units <u>3</u>	☐	☒	☐		☐	
Cooling (Window ☐ / Wall ☐ / Evaporative Coolers ☐)	☒	☐	☐		☐	
Dishwasher	☐	☒	☐		☐	
Disposal	☐	☒	☐		☐	
Electrical System	☐	☒	☐		☐	
Emergency Escape Ladder(s)	☒	☐	☐		☐	
Exhaust Fan(s)	☒	☐	☐		☐	
Fire Detection Equipment (Electric ☐ / Battery Operated ☒)	☐	☒	☐		☐	
Garage Door Opener(s) & Controls (Automatic ☐ / Manual ☐) # Controls _____	☒	☐	☐		☐	
Gas Fixtures	☒	☐	☐		☐	
Gas Lines (Natural ☐ / Liquid Propane ☒)	☐	☒	☐		☐	
Heating (Central Gas ☐ / Electric ☒) # Units <u>3</u>	☐	☒	☐		☐	
Heating (Window ☐ / Wall ☐)	☒	☐	☐		☐	
Hot Tub	☒	☐	☐		☐	
Ice Maker	☐	☒	☐		☐	
Intercom System	☒	☐	☐		☐	
Lighting Fixtures	☐	☒	☐		☐	
Media Wiring & Equipment	☐	☒	☐		☐	
Microwave	☐	☒	☐		☐	
Outdoor Cooking Equipment	☐	☒	☐		☐	
Oven (Gas ☐ / Electric ☒)	☒	☒	☐		☐	
Oven - Convection	☒	☐	☐		☐	
Plumbing System	☐	☒	☐		☐	
Public Sewer & Water System	☒	☐	☐		☐	

1901 Catalpa Road

PROPERTY ADDRESS: **Big Sandy, TX**

MetroTex Association of REALTORS® 7167 Jan 2021

Buyer's Initials _____ Buyer's Initials _____

SELLER'S DISCLOSURE NOTICE - PAGE 2 OF 9

Seller's Initials KE Seller's Initials RS

EQUIPMENT & SYSTEMS	N/A	WORKING CONDITION	HAS BEEN REPLACED	DATE REPLACED	IN NEED OF REPAIR	DATE / DESCRIPTION OF COMPLETED OR NEEDED REPAIRS
Range (Gas ☒ / Electric ☐)	☐	☒	☐		☐	
Refrigerator (Built-In)	☐	☒	☐		☐	
Satellite Dish and Receiver	☒	☐	☐		☐	
Sauna	☒	☐	☐		☐	
Security System(s) (In Use ☐ / Abandoned ☐)	☒	☐	☐		☐	
Septic or other On-Site Sewer System	☐	☒	☐		☐	
Shower Enclosure & Pan	☐	☒	☐		☐	
Smoke Detector-Hearing Impaired ☐	☒	☐	☐		☐	
Stove (Free Standing) For Heating (Free Standing)	☒	☐	☐		☐	
Trash Compactor	☒	☐	☐		☐	
TV Antenna	☒	☐	☐		☐	
Water Heater (Gas ☒ / Electric ☐)	☐	☒	☐		☐	
Water Softener	☒	☐	☐		☐	
Wells	☒	☐	☐		☐	

INFORMATION ABOUT STRUCTURE / OTHER

STRUCTURE / OTHER	N/A	WORKING CONDITION	HAS BEEN REPLACED	DATE REPLACED	IN NEED OF REPAIR	DATE / DESCRIPTION OF COMPLETED OR NEEDED REPAIRS
Basement	☒	☐	☐		☐	
Carport (Attached ☒ / Not Attached ☐)	☐	☒	☐		☐	
Ceilings	☐	☒	☐		☐	
Doors	☐	☒	☐		☐	
Drains (French ☐ / Other ☐)	☐	☐	☐		☐	
Driveway	☐	☒	☐		☐	
Electrical Wiring	☐	☒	☐		☐	
Fences	☐	☒	☐		☐	
Fireplace(s)/Chimney (Mock)	☒	☐	☐		☐	
Fireplace(s)/Chimney (Wood burning)	☒	☐	☐		☐	
Fireplace(s)/with gas logs	☒	☐	☐		☐	
Floor	☐	☒	☐		☐	
Foundation	☐	☒	☐		☐	
Garage (Attached ☐ / Not Attached ☐)	☐	☐	☐		☐	
Lighting (Outdoor)	☐	☒	☐		☐	
Patio / Decking	☐	☒	☐		☐	
Retaining Wall	☐	☐	☐		☐	
Rain Gutters and Down Spouts	☐	☒	☐		☐	
Roof	☐	☒	☐		☐	
Sidewalk	☐	☒	☐		☐	
Skylight(s)	☒	☐	☐		☐	
Sump or Grinder Pump	☒	☐	☐		☐	
Walls (Exterior / Interior)	☐	☒	☐		☐	
Washer / Dryer Hookups (Gas ☐ / Electric ☒)	☐	☒	☐		☐	
Windows	☐	☒	☐		☐	
Window Screens	☐	☒	☐		☐	
Other	☐	☐	☐		☐	
Other	☐	☐	☐		☐	
Other	☐	☐	☐		☐	
Other	☐	☐	☐		☐	
Other	☐	☐	☐		☐	

1901 Catalpa Road
PROPERTY ADDRESS: **Big Sandy, TX**
MetroTex Association of REALTORS® 7167 Jan 2021

SELLER'S DISCLOSURE NOTICE-PAGE 3 OF 9

Buyer's Initials _____ Buyer's Initials _____ Seller's Initials KRS Seller's Initials KS

13. If stucco, what is the type of stucco? _____

14. The Shingles or roof covering is constructed of:
☐ Wood ☐ Composition ☐ Tile ☒ Other Metal
Is there an overlay covering?
☒ Yes ☐ No ☐ Unknown

15. The age of the shingles or roof covering:
1 Years ☐ Unknown
Is the roof paid for by the Property Owners Association?
☐ Yes ☒ No ☐ Unknown

16. The electrical wiring of the Property is:
☒ Copper ☐ Aluminum ☐ Unknown
☐ Other (specify) _____

17. Is there an alarm system? ☐ Yes ☒ No

- If "Yes", system is:

☐ Owned by Seller ☐ Leased by Seller

- If leased, is lease transferable? ☐ Yes ☐ No

Monitor Charge ☐ Mth ☐ Qtr ☐ Yr. \$ _____

Lease Charge ☐ Mth ☐ Qtr ☐ Yr. \$ _____

18. Is the heating and cooling controlled by the Property Owners Association? ☐ Yes ☒ No ☐ Unknown _____

19. Please identify other systems, if any, of the Property which are leased and not owned by the Seller: _____

20. Year the Property was constructed: 2014
☒ Per Owner ☐ Tax Rolls
(If before 1978 - complete, sign and attach TAR 1906 concerning lead-based paint hazards.)

MISCELLANEOUS INFORMATION ABOUT PROPERTY

21. Is the Seller aware of any of the following conditions? (Visible or Not)

	YES	NO	UNKNOWN	IF "YES", EXPLAIN
ASBESTOS Components?	☐	☒	☐	
Any personal or business BANKRUPTCY pending which would affect the sale of the Property?	☐	☒	☐	
Carpet Stains / Damage?	☐	☒	☐	
Located on or near CORP OF ENGINEERS Property?	☐	☒	☐	
Any DEATH on the property (except for those deaths caused by natural causes, suicide, or accident unrelated to the condition of the Property)?	☐	☒	☐	
Unplatted EASEMENTS?	☐	☒	☐	
FAULT Lines?	☐	☒	☐	
Previous FIRES?	☐	☒	☐	
Any FORECLOSURES pending or threatened with respect to the Property?	☐	☒	☐	
Urea formaldehyde INSULATION?	☐	☒	☐	
LANDFILL?	☐	☐	☒	
Any NOTICES of violation of deed restrictions or governmental ordinances affecting the condition or use of the Property?	☐	☒	☐	
Lead-based PAINT?	☐	☒	☐	
Room additions, structural modification, or other alterations or repairs made without necessary PERMITS or not in compliance with building codes in effect at that time?	☐	☒	☐	
Any PROPERTY CONDITION which materially affects the physical health or safety of an individual?	☐	☒	☐	
RADON gas?	☐	☒	☐	
House SETTLING?	☐	☒	☐	
SOIL Movement?	☐	☒	☐	
Subsurface STRUCTURES , Tanks, or Pits?	☒	☐	☐	<u>Septic tanks, propane tanks</u>
Hazardous or TOXIC WASTE affecting the Property?	☐	☒	☐	
Holes in WALLS?	☐	☒	☐	
WOOD ROT Damage Needing Repair?	☐	☒	☐	

1901 Catalpa Road

PROPERTY ADDRESS: **Big Sandy, TX**

MetroTex Association of REALTORS® 7167 Jan 2021

Buyer's Initials _____ Buyer's Initials _____

SELLER'S DISCLOSURE NOTICE - PAGE 4 OF 9

Seller's Initials KRS Seller's Initials RS

	YES	NO	UNKNOWN	IF "YES", EXPLAIN
Property covered by flood insurance? (If "Yes", attach "Information About Special Flood Hazard Area". TAR 1414)	☐	☒	☐	
Located in 100 year FLOOD PLAIN?	☐	☒	☐	
Located in Floodway?	☐	☒	☐	
Located in a city flood plain?	☐	☒	☐	
Tax or judgment liens?	☐	☒	☐	
In an ETJ district? (Extra Territorial Jurisdiction)	☐	☒	☐	
Diseased TREES?	☐	☒	☐	
Liquid Propane Gas?	☒	☐	☐	
- LP Community (Captive)?	☐	☒	☐	
- LP on Property?	☒	☐	☐	

Swimming Pool/Spa Information							
Swimming Pool/Spa Equipment	Yes/No	N/A	WORKING CONDITION	HAS BEEN REPLACED	DATE REPLACED Month/Year	IN NEED OF REPAIR	DATE / DESCRIPTION OF COMPLETED OR NEEDED REPAIRS
Pool Type ☐ Above Ground ☐ In Ground ☐ Fiberglass Insert ☐ Gunitite ☐ Vinyl Liner		☒	☐	☐		☐	
Swimming Pool Built-In Cleaning Equipment? ☐ Chlorine ☐ Salt Water		☒	☐	☐		☐	
Swimming Pool Heater ☐ Gas ☐ Electric ☐ Solar		☒	☐	☐		☐	
Water Feature		☒	☐	☐		☐	
Spa ☐ Attached to Pool ☐ Separate ☐ Heated ☐ Gas ☐ Electric ☐ Solar		☒	☐	☐		☐	

Miscellaneous Swimming Pool Information	YES	NO	UNKNOWN	IF "YES", EXPLAIN
Single Blockable Main Drain in Pool/Hot Tub/Spa*? *A Single Blockable Main Drain may cause suction entrapment hazard for an individual.	☐	☐	☐	
Above-Ground Impediment to Swimming Pool?	☐	☐	☐	
Under-Ground Impediment to Swimming Pool?	☐	☐	☐	
In-Ground Swimming Pool Previously on Property that is now filled in?	☐	☐	☐	

1901 Catalpa Road		SELLER'S DISCLOSURE NOTICE - PAGE 5 OF 9	
PROPERTY ADDRESS: Big Sandy, TX	Buyer's Initials	Buyer's Initials	Seller's Initials
MetroTex Association of REALTORS® 7167 Jan 2021			AKS KS

22. If the Property is part of a Property Owner's Association, state the following information:
- Association Name: _____
 - Association Management Company: _____
 - Association Email: _____
 - Association Phone Number: _____
 - Amount of dues or assessments: \$ _____
 - Assessment amount is: Monthly \$ _____
 - Quarterly \$ _____
 - Annually \$ _____
 - Payment of dues/assessments is:
 - ☐ Mandatory ☐ Voluntary
 - Amount of Unpaid Dues or Assessments, if any: \$ _____
 - Optional Membership: \$ _____
23. Has the Property (or the Property Owner's Association of which the Property is a part) been the subject of any pending or concluded litigation? ☐ Yes ☒ No ☐ Unknown
If "Yes", attach an explanation _____
24. Is the Property in an overlay, proposed overlay, historic or conservation district that may have special restrictions? ☐ Yes ☒ No ☐ Unknown
If "Yes", explain: _____
25. The Property is currently serviced by the following utilities or systems (check as applicable):
☒ Water ☐ Sewer ☐ Septic
☒ Electricity ☐ Gas ☐ Cable TV
 High Speed Internet Availability: ☐ Cable ☐ DSL ☐ Unknown
☒ Other Cellular
- Are any of these paid for by the Property Owner's Association ☐ Yes ☒ No ☐ Unknown
If yes, explain: _____
26. The water service to the Property is provided by (check as applicable): ☐ City ☐ Well ☐ MUD ☒ Coop
 Are any of these paid for by the Property Owner's Association ☐ Yes ☒ No ☐ Unknown
 If yes, explain: _____
27. Is Property Owner's Association parking:
☐ Assigned ☐ Unassigned _____ # Spaces
 Space Number(s) are: _____
☐ Carport ☐ Uncovered ☐ Garage
28. Is there any rainwater harvesting system connected to the property? ☐ Yes ☒ No ☐ Unknown
 -Is the system connected to the property's public water supply that is able to be used for indoor potable purposes?
☐ Yes ☐ No ☐ Unknown
 -Is the system larger than 500 gallons?
☐ Yes ☐ No ☐ Unknown
 If Yes; explain: _____

29. Any "common area" (facilities such as pools, tennis courts, walkways, or other areas) co-owned in undivided interest with others? ☐ Yes ☒ No
 If yes, explain: _____
30. Are there any outstanding mechanics and Material Man's liens or lis pendens against the Property?
☐ Yes ☒ No ☐ Unknown

INFORMATION ABOUT FOUNDATION

31. Has the Seller ever obtained a written report about the condition of the foundation from any engineer, contractor, inspector, or expert? ☐ Yes ☒ No ☐ Unknown
 If "Yes", please attach the report _____
32. Have repairs been made to the foundation of the Property since its original construction? ☐ Yes ☒ No ☐ Unknown
 If "Yes", please attach the report _____

INFORMATION ABOUT DRAINAGE

33. Has the Seller ever obtained a written report about any improper drainage condition from any engineer, contractor, inspector, or expert? ☐ Yes ☒ No ☐ Unknown
 If "Yes", identify the report by stating the date of the report, the person or company who made the report, and its content: _____
34. Have repairs been made to the drainage of the Property since its original construction? ☐ Yes ☐ No ☐ Unknown
 If "Yes", explain what repairs you know or believe to have been made: _____
35. Does the Seller know of any currently defective condition to the drainage of the Property? ☐ Yes ☒ No ☐ Unknown
 If "Yes", explain: _____
36. Have there been any previous incidents of flooding or other water penetration into the house, garage, or accessory buildings of the Property? ☐ Yes ☒ No ☐ Unknown
 If "Yes", when did the incident(s) occur and describe the extent of flooding or water penetration: _____

INFORMATION ABOUT TERMITES / WOOD DESTROYING INSECTS

37. Has the Seller ever obtained a written report about active termites or other wood destroying insects?
☐ Yes ☒ No ☐ Unknown
 If "Yes", identify the report by stating the date of the report, the person or company who made the report, and its contents: _____

1901 Catalpa Road
 PROPERTY ADDRESS: Big Sandy, TX
 MetroTex Association of REALTORS® 7167 Jan 2021

Buyer's Initials _____ Seller's Initials _____
 Seller's Initials KRS Seller's Initials KRS

38. Has the Property been treated for termites or other wood destroying insects?

☐ Yes ☐ No ☐ Unknown

If "Yes", please state the date of treatment: Preventative Quarterly

39. Have there been any repairs made to damage caused by termites or other wood destroying insects?

☐ Yes ☒ No ☐ Unknown

If "Yes", explain what repairs you know or believe to have been made:

40. Do active termites or other wood destroying insects currently infest the Property?

☐ Yes ☒ No ☐ Unknown

If "Yes", explain:

41. Is there any existing termite damage in need of repair?

☐ Yes ☒ No ☐ Unknown

If "Yes", explain:

42. Is the Property currently covered by a termite policy?

☐ Yes ☐ No ☐ Unknown ☐ POA Maintained

If "Yes", identify the policy by stating:

Name of Company issuing the policy:

Policy Number:

Date of policy renewal:

Phone Number:

INFORMATION ABOUT ENVIRONMENTAL CONDITIONS

43. Is the Seller aware of any repairs or treatment, other than routine maintenance, for the following environmental conditions?

The presence or removal of asbestos? ☐ Yes ☒ No

The presence of radon gas? ☐ Yes ☒ No

The presence or treatment of mold? ☐ Yes ☒ No

The presence of lead based paint? ☐ Yes ☒ No

If "Yes", explain:

44. If the answer to any part of Question #43 is "Yes", has the Seller ever obtained a written report for addressing such environmental hazards?

☐ Yes ☐ No

If "Yes", explain:

(Identify any reports by stating the date of the report, the person or company who made the report, and its contents.)

45. Is the Seller aware of previous use of premises for manufacture of Methamphetamine?

☐ Yes ☒ No

46. Is the Seller aware of any condition not previously addressed in this Disclosure Statement which, in Seller's opinion, is a defective condition or adversely affects the Property?:

☐ Yes ☒ No ☐ Unknown

If "Yes", explain:

ACKNOWLEDGEMENT BY SELLER

47. I, the Seller, state that the information in this disclosure is complete and accurate to the best of my knowledge and belief.

Seller(s) Initials _____ Seller(s) Initials _____

48. I, the Seller, understand the information in this statement will be disseminated by Listing Broker to prospective buyers and other brokers.

Seller(s) Initials _____ Seller(s) Initials _____

49. The listing agent has not instructed Seller how to answer any question in this disclosure or suggested any answer to Seller or in any way sought to influence Seller to provide any information or answers which are not absolutely true so far as the Seller knows.

Seller(s) Initials _____ Seller(s) Initials _____

DISCLOSURES

Municipal Utility District Disclosures

Check All That Apply:

(Attach additional MUD Disclosure Notice provided by Chapter 49, Texas Water Code)

☐ The Property is located in a Municipal Utility District (MUD) which is either:

☐ Located in whole or in part within the corporate boundaries of a municipality (MUD Disclosure Form #1)

☐ Not located in whole or in part within the corporate boundaries of a municipality (MUD Disclosure Form #2)

☐ Located in whole or in part within the extraterritorial jurisdiction of the corporate boundaries of a municipality. (MUD Disclosure Form #3)

On-Site Sewer Facility

If the Property has a septic or other on-site sewer facility

☒ Attached is Information About On-Site Sewer Facility (TAR #1407)

☐ Property is located in a Public Improvement District (PID)

1901 Catalpa Road

PROPERTY ADDRESS: Big Sandy, TX

MetroTex Association of REALTORS® 7167 Jan 2021

Buyer's Initials _____

Buyer's Initials _____

SELLER'S DISCLOSURE NOTICE - PAGE 7 OF 9

Seller's Initials _____

Seller's Initials _____

SMOKE DETECTION EQUIPMENT

50. Does the property have working smoke detectors installed in accordance with the smoke detector requirements of Chapter 766 of the Health and Safety Code?*

☒ Yes ☐ No ☐ Unknown

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 the installation. The parties may agree who will bear the cost of installing the smoke detectors and which brand of smoke detectors to install.

INFORMATION ABOUT FLOODING AND FLOOD INSURANCE

51. Are you (Seller) aware of any of the following conditions? Write Yes(Y) if you are aware, write No (N) if you are not aware.

☒ Present flood insurance coverage

☒ Previous flooding due to a failure or breach of a reservoir or a controlled or emergency release of water from a reservoir

☒ Previous water penetration into a structure on the property due to a natural flood event

Write Yes (Y) if you are aware, and check wholly or partly as applicable, write No (N) if you are not aware.

☒ Located ☐ wholly ☐ partly in a 100-year floodplain (Special Flood Hazard Area-Zone A, V, A99, AE, AO, AH, VE, or AR)

☒ Located ☐ wholly ☐ partly in a 500-year floodplain (Moderate Flood Hazard Area-Zone X (shaded))

☒ Located ☐ wholly ☐ partly in a floodway

☒ Located ☐ wholly ☐ partly in a flood pool

☒ Located ☐ wholly ☐ partly in a reservoir

If the answer to any of the above is yes, explain (attach additional sheets if necessary):

*For purposes of this notice:

"100-year floodplain" means any area of land that:

(A) is identified on the flood insurance rate map as a special flood hazard area, which is designated as Zone A, V, A99, AE, AO, VE, or AR on the map;

(B) has a one percent annual chance of flooding, which is considered to be a high risk of flooding; and

(C) may include a regulatory floodway, flood pool, or reservoir.

"500-year floodplain" means any area of land that:

(A) is identified on the flood insurance rate map as a moderate flood hazard area, which is designated on the map as Zone X (shaded); and

(B) has a two-tenths of one percent annual chance of flooding, which is considered to be a moderate risk of flooding.

"Flooding Pool" means the area adjacent to a reservoir that lies above the normal maximum operating level of the reservoir and that is subject to controlled inundation under the management of the United States Army Corps of Engineers.

"Flood insurance rate map" means the most recent flood hazard map published by the Federal Emergency Management Agency under the National Flood Insurance Act of 1968 (42 U.S.C. Section 4001 et seq.)

"Floodway" means an area that is identified on the flood insurance rate map as a regulatory floodway, which includes the channel of a river or other watercourse and the adjacent land areas that must be reserved for the discharge of a base flood, also referred to as a 100-year flood, without cumulatively increasing the water surface elevation of more than a designated height.

"Reservoir" means a water impoundment project operated by the United States Army Corps of Engineers that is intended to retain water or delay the runoff of water in a designated surface area of land.

52. Have you (Seller) ever filed a claim for flood damage to the property with any insurance provider, including the National Flood Insurance Program (NFIP)? ☐ Yes ☒ No. If yes, explain (attach additional sheets as necessary):

*Homes in high risk flood zones with mortgages from federally regulated or insured lenders are required to have flood insurance. Even when not required, the Federal Emergency Management Agency (FEMA) encourages homeowners in high risk, moderate risk, and low risk flood zones to purchase flood insurance that covers the structure(s) and the personal property within the structure(s).

53. Have you (Seller) ever received assistance from FEMA or the U.S Small Business Administration (SBA) for flood damage to the property ☐ Yes ☒ No. If yes, explain (attach additional sheets as necessary):

1901 Catalpa Road

PROPERTY ADDRESS: Big Sandy, TX

MetroTex Association of REALTORS® 7167 Jan 2021

Buyer's Initials

Buyer's Initials

SELLER'S DISCLOSURE NOTICE PAGE 8 OF 9

Seller's Initials

Seller's Initials

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Kenneth Smith

INDEMNIFICATION

SELLER(S) HEREBY AGREE(S) TO INDEMNIFY LISTING BROKER AND ALL OTHER BROKERS PARTICIPATING IN ANY SALE OF THE PROPERTY OF AND FROM ANY CLAIM, LOSS, OR DAMAGE ARISING FROM ANY FALSE REPRESENTATION CONTAINED IN THIS DISCLOSURE STATEMENT.

SELLER (SIGN AS NAME APPEARS ON TITLE)

YMO Properties LLC

DATE

SELLER (SIGN AS NAME APPEARS ON TITLE)

DATE

NOTICE TO BUYER

1. The Texas Department of Public Safety maintains a database that consumers 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. Such written information in this Seller's Disclosure Notice for the Property does not constitute the representations of the Listing Broker and other Broker participating in a sale transaction of their sales associates, employees or agents who are relying upon the written information provided by the Seller in this disclosure notice. Buyer is not relying upon any statement or representation by the Listing Broker and any other broker and their sales associates, employees, and agents concerning the condition of the Property. **THIS IS NOT A WARRANTY. YOU ARE ENCOURAGED TO HAVE AN INSPECTOR OF YOUR CHOICE INSPECT THE PROPERTY PRIOR TO CLOSING.**
3. Buyer may be provided information about the size of the property, either of the real property or the improvements. All such information has been obtained by Broker or Seller from third parties, including information obtained from official tax records. Such information is not always accurate.
4. If the Buyer bases an offer on square footage, measurement or boundaries, Buyer should have those items independently measured to verify any reported information which is often unreliable.
5. If the property is located in a coastal area that is seaward of the Gulf Intracoastal Waterway or within 1000 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.
6. 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.

The undersigned Buyer(s) hereby acknowledge(s) receipt of this Seller's Disclosure Notice for the Property:

BUYER

DATE

BUYER

DATE

PRINT NAME

PRINT NAME

1901 Catalpa Road

PROPERTY ADDRESS: **Big Sandy, TX**

MetroTex Association of REALTORS® 7167 Jan 2021

Buyer's Initials _____

Buyer's Initials _____

SELLER'S DISCLOSURE NOTICE-PAGE 2 OF 3

Seller's Initials **KCS**

Seller's Initials **KS**



INFORMATION ABOUT ON-SITE SEWER FACILITY

USE OF THIS FORM BY PERSONS WHO ARE NOT MEMBERS OF THE TEXAS ASSOCIATION OF REALTORS®, INC. IS NOT AUTHORIZED.
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CONCERNING THE PROPERTY AT

1901 Catalpa Road
Big Sandy, TX

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: Approx. 40 ft. behind building ☐ Unknown
- (4) Installer: McGee Construction ☐ Unknown
- (5) Approximate Age: 7 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: McGee Construction
Phone: 903 454-3618 contract expiration date: 1-16-23
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? _____
- (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:

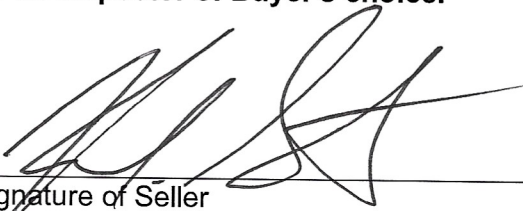
- (1) The following items concerning the on-site sewer facility are attached:
☐ planning materials ☐ permit for original installation ☐ final inspection when OSSF was installed
☐ maintenance contract ☐ manufacturer information ☐ warranty information
- (2) "Planning materials" are the supporting materials 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.**

Information about On-Site Sewer Facility concerning _____

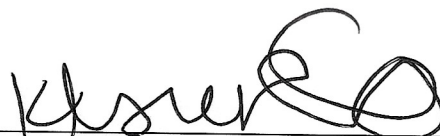
D. INFORMATION FROM GOVERNMENTAL AGENCIES: Pamphlets describing on-site sewer facilities are available from the Texas Agricultural Extension Service. Information in the following table was obtained from Texas Commission on Environmental Quality (TCEQ) on 10/24/2002. The table estimates daily wastewater 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
YMO Properties LLC
Date



Signature of Seller
Date

Receipt acknowledged by:

Signature of Buyer
Date

Signature of Buyer
Date