



INFORMATION ABOUT ON-SITE SEWER FACILITY

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CONCERNING PROPERTY AT 1148 Mission Way, Canyon Lake, Texas 78133

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

- (1) Type of Treatment System: ☐ Septic Tank ☒ Aerobic Treatment ☐ Unknown
☐ _____
- (2) Type of Distribution System: Sprinkler heads ☐ Unknown
- (3) Approximate Location of Drain Field or Distribution System: ☐ Unknown
North of house approximately 100' down the hill
- (4) Installer: _____ ☒ Unknown
- (5) Approximate Age: 8 years ☐ Unknown

B. MAINTENANCE INFORMATION:

- (1) Is Seller aware of any maintenance contract in effect for the on-site sewer facility? ☐ Yes ☒ No
If yes, name of maintenance contractor: _____
Phone: _____ contract expiration date: _____
(Maintenance contracts must be in effect to operate aerobic treatment and certain "non-standard" on-site sewer facilities.)
- (2) Approximate date any tanks were last pumped? April 12, 2022
- (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 ☐ other



(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.**

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.

Mark E Nagle

05/04/2022

Signature of Seller

Date

Catherine E Nagle

05/04/2022

Signature of Seller

Date

Receipt acknowledged by:

Signature of Buyer

Date

Signature of Buyer

Date





SELLER'S DISCLOSURE NOTICE

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Section 5.008, Property Code requires a seller of residential property of not more than one dwelling unit to deliver a Seller's Disclosure Notice to a buyer on or before the effective date of a contract. **This form complies with and contains additional disclosures which exceed the minimum disclosures required by the Code.**

CONCERNING THE PROPERTY AT: **1148 Mission Way, Canyon Lake, Texas 78133**

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	Item	Y	N	U	Item	Y	N	U
Cable TV Wiring		X		Liquid Propane Gas	X			Pump: <input type="checkbox"/> sump <input type="checkbox"/> grinder		X	
Carbon Monoxide Det.	X			- LP Community (Captive)		X		Rain Gutters	X		
Ceiling Fans	X			- LP on Property	X			Range/Stove	X		
Cooktop	X			Hot Tub		X		Roof/Attic Vents		X	
Dishwasher	X			Intercom System		X		Sauna		X	
Disposal	X			Microwave	X			Smoke Detector	X		
Emergency Escape Ladder(s)		X		Outdoor Grill	X			Smoke Detector Hearing Impaired		X	
Exhaust Fan	X			Patio/Decking	X			Spa		X	
Fences		X		Plumbing System	X			Trash Compactor		X	
Fire Detection Equipment	X			Pool		X		TV Antenna		X	
French Drain		X		Pool Equipment		X		Washer/Dryer Hookup	X		
Gas Fixtures	X			Pool Maint. Accessories		X		Window Screens	X		
Natural Gas Lines		X		Pool Heater		X		Public Sewer System		X	

Item	Y	N	U	Additional Information
Central A/C	X			<input checked="" type="checkbox"/> electric <input type="checkbox"/> gas number of units: 2
Evaporative Coolers		X		number of units:
Wall/Window AC Units		X		number of units:
Attic Fan(s)		X		if yes, describe:
Central Heat	X			<input checked="" type="checkbox"/> electric <input type="checkbox"/> gas number of units: 2
Other Heat		X		if yes, describe:
Oven	X			number of ovens: 2 <input checked="" type="checkbox"/> electric <input type="checkbox"/> gas <input type="checkbox"/> other _____
Fireplace & Chimney	X			<input checked="" type="checkbox"/> wood <input type="checkbox"/> gas log <input type="checkbox"/> mock <input type="checkbox"/> other _____
Carport		X		<input type="checkbox"/> attached <input type="checkbox"/> not attached
Garage	X			<input checked="" type="checkbox"/> attached <input type="checkbox"/> not attached
Garage Door Openers	X			number of units: 2 number of remotes: 3
Satellite Dish & Controls		X		<input type="checkbox"/> owned <input type="checkbox"/> leased from:
Security System	X			<input checked="" type="checkbox"/> owned <input type="checkbox"/> leased from:
Solar Panels		X		<input type="checkbox"/> owned <input type="checkbox"/> leased from:
Water Heater	X			<input type="checkbox"/> electric <input checked="" type="checkbox"/> gas <input type="checkbox"/> other _____ number of units: 1



Water Softener	X		<input checked="" type="checkbox"/> owned <input type="checkbox"/> leased from:
Other Leased Item(s)		X	if yes, describe:
Underground Lawn Sprinkler	X		<input checked="" type="checkbox"/> automatic <input type="checkbox"/> manual areas covered: Side yards and garden beds
Septic / On-Site Sewer Facility	X		if Yes, attach Information About On-Site Sewer Facility.(TXR-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 TXR-1906 concerning lead-based paint hazards).

Roof Type: Tile (Clay or Concrete)

Age: 8 (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 in need of repair? ☐ Yes ☒ No If Yes, describe:

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		X	Floors		X	Sidewalks	X	
Ceilings		X	Foundation / Slab(s)		X	Walls / Fences		X
Doors		X	Interior Walls		X	Windows		X
Driveways		X	Lighting Fixtures		X	Other Structural Components		X
Electrical Systems		X	Plumbing Systems		X			
Exterior Walls		X	Roof		X			

If the answer to any of the items in Section 2 is Yes, explain (attach additional sheets if necessary):

Sidewalks – small crack in corner of sidewalk next to driveway

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		X	Radon Gas		X
Asbestos Components		X	Settling		X
Diseased Trees: <input type="checkbox"/> Oak Wilt		X	Soil Movement		X
Endangered Species/Habitat on Property		X	Subsurface Structure or Pits		X
Fault Lines		X	Underground Storage Tanks	X	
Hazardous or Toxic Waste		X	Unplatted Easements		X
Improper Drainage		X	Unrecorded Easements		X
Intermittent or Weather Springs		X	Urea-formaldehyde Insulation		X
Landfill		X	Water Damage Not Due to a Flood Event	X	
Lead-Based Paint or Lead-Based Pt. Hazards		X	Wetlands on Property		X
Encroachments onto the Property		X	Wood Rot		X
Improvements encroaching on others' property		X	Active infestation of termites or other wood destroying insects (WDI)		X
Located in Historic District		X	Previous treatment for termites or WDI		X
Historic Property Designation		X	Previous termite or WDI damage repaired		X



Previous Foundation Repairs		X
Previous Roof Repairs	X	
Previous Other Structural Repairs		X
Previous Use of Premises for Manufacture of Methamphetamine		X

Previous Fires		X
Termite or WDI damage needing repair		X
Single Blockable Main Drain in Pool/Hot Tub/Spa*		X

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

Previous Roof Repairs – A roof leak over the study was fixed in 2019. Damage to wall and flooring were repaired at the same time. There have been no signs of leak or damage since.

Underground Storage Tanks – Propane tank is buried as required by HOA deed restrictions.

Water Damage Not Due to a Flood Event – A roof leak over the study was fixed in 2019. Damage to wall and flooring were repaired at the same time. There have been no signs of leak or damage since.

*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 conditions?* (Mark Yes (Y) if you are aware and check wholly or partly as applicable. Mark No (N) if you are not aware.)

Y N

- ☐ ☒ Present flood insurance coverage (if yes, attach TXR 1414).
- ☐ ☒ Previous flooding due to a failure or breach of a reservoir or a controlled or emergency release of water from a reservoir.
- ☐ ☒ Previous flooding due to a natural flood event (if yes, attach TXR 1414).
- ☐ ☒ Previous water penetration into a structure on the Property due to a natural flood event (if yes, attach TXR 1414).
- ☒ ☐ Located ☐ wholly ☒ partly in a 100-year floodplain (Special Flood Hazard Area-Zone A, V, A99, AE, AO, AH, VE, or AR) (if yes, attach TXR 1414).
- ☐ ☒ Located ☐ wholly ☐ partly in a 500-year floodplain (Moderate Flood Hazard Area-Zone X (shaded)).
- ☐ ☒ Located ☐ wholly ☐ partly in a floodway (if yes, attach TXR 1414).
- ☐ ☒ Located ☐ wholly ☐ partly in flood pool.
- ☐ ☒ Located ☐ wholly ☐ partly in a reservoir.

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

Located wholly or partly in a 100-year floodplain (Special Flood Hazard Area–Zone A, V, A99, AE, AO, AH, VE, or AR) – The lower elevation areas of the property, near the lake are in flood zone AE. The house, being at a higher elevation is not in a flood zone.

**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, AH, 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.

"Flood 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 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.

Section 6. 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).

Section 7. 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):

Section 8. 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.

If Yes, please explain:



☒ ☐ Homeowners' associations or maintenance fees or assessments.

If Yes, please explain: **Yearly fee**

If Yes, complete the following:

Name of association: **Cordova Bend Property Owners Association**

Manager's name: **The Neighborhood Company 1118 Vintage Way New Braunfels, TX 78132 1118 Vintage Way New Braunfels, TX 78132** Phone: **830.783.1917**

Fees or assessments are: **\$770 per Year** 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:

☒ ☐ 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, please explain:

☐ ☒ Any notices of violations of deed restrictions or governmental ordinances affecting the condition or use of the Property.

If Yes, please explain:

☐ ☒ Any lawsuits or other legal proceedings directly or indirectly affecting the Property. (Includes, but is not limited to: divorce, foreclosure, heirship, bankruptcy, and taxes.)

If Yes, please explain:

☐ ☒ Any death on the Property except for those deaths caused by: natural causes, suicide, or accident unrelated to the condition of the Property.

If Yes, please explain:



- ☐ ☒ Any condition on the Property which materially affects the health or safety of an individual.

If Yes, please explain:

- ☐ ☒ 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.

If Yes, please explain:

- ☐ ☒ The Property is located in a propane gas system service area owned by a propane distribution system retailer.

If Yes, please explain:

- ☐ ☒ Any portion of the Property that is located in a groundwater conservation district or a subsidence district.

If Yes, please explain:

Section 9. Seller ☐ has ☒ has not attached a survey of the Property.

Section 10. 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

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

- | | | |
|---|---|---|
| <input checked="" type="checkbox"/> Homestead | <input type="checkbox"/> Senior Citizen | <input type="checkbox"/> Disabled |
| <input type="checkbox"/> Wildlife Management | <input type="checkbox"/> Agricultural | <input type="checkbox"/> Disabled Veteran |
| <input type="checkbox"/> Other: _____ | | <input type="checkbox"/> Unknown |



Section 12. Have you (Seller) ever filed a claim for damage, other than flood damage, to the Property with any insurance provider?

☒ Yes ☐ No

Section 13. 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:

Water damage to flooring due to roof leak was covered by homeowner's insurance.

Section 14. 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 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.

Mark E Nagle

05/04/2022

Signature of Seller

Date

Catherine E Nagle

05/04/2022

Signature of Seller

Date

Printed Name: Mark Nagle

Printed Name: Catherine Nagle

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 <https://publicsite.dps.texas.gov/SexOffenderRegistry>. 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:	<u>Pedernales Electric Cooperative</u>	Phone #	<u>(888)883-3379</u>
Sewer:	<u>JB Septic</u>	Phone #	<u>(830)931-0292</u>
	<u>Canyon Lake Water Service</u>		
Water:	<u>Company</u>	Phone #	<u>(830) 313-4600</u>
Cable:	<u>None</u>	Phone #	<u></u>
Trash:	<u>Hill Country Waste Solutions</u>	Phone #	<u>(830)885-5512</u>
Natural Gas:	<u>None</u>	Phone #	<u></u>
Phone Company:	<u>None</u>	Phone #	<u></u>
Propane:	<u>Suburban Propane Partners</u>	Phone #	<u>(830)935-4328</u>
Internet:	<u>GVTC Communications</u>	Phone #	<u>(830) 885-4411</u>

- (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: _____





INFORMATION ABOUT SPECIAL FLOOD HAZARD AREAS

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CONCERNING PROPERTY AT 1148 Mission Way, Canyon Lake, Texas 78133

A. FLOOD AREAS:

1. The Federal Emergency Management Agency (FEMA) designates areas that have a high risk of flooding as special flood hazard areas.
2. A property that is in a special flood hazard area is designated on flood insurance rate maps with a zone beginning in a "V" or "A". Both V-Zone and A-Zone areas indicate a high risk of flooding.
3. Some properties may also lie in the "floodway" which is the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge a flood under FEMA rules. Communities must regulate development in these floodways.

B. AVAILABILITY OF FLOOD INSURANCE:

1. Generally, flood insurance is available regardless of whether the property is located in or out of a special flood hazard area. Contact your insurance agent to determine if any limitations or restrictions apply to the property in which you are interested.
2. FEMA encourages every property owner to purchase flood insurance regardless of whether the property is in a high, moderate, or low risk flood area.
3. A homeowner may obtain flood insurance coverage (up to certain limits) through the National Flood Insurance Program. Supplemental coverage is available through private insurance carriers.
4. A mortgage lender making a federally related mortgage will require the borrower to maintain flood insurance if the property is in a special flood hazard area.

C. GROUND FLOOR REQUIREMENTS:

1. Many homes in special flood hazard areas are built-up or are elevated. In elevated homes the ground floor typically lies below the base flood elevation and the first floor is elevated on piers, columns, posts, or piles. The base flood elevation is the highest level at which a flood is likely to occur as shown on flood insurance rate maps.
2. Federal, state, county, and city regulations:
 - a. restrict the use and construction of any ground floor enclosures in elevated homes that are in special flood hazard areas.
 - b. may prohibit or restrict the remodeling, rebuilding, and redevelopment of property and improvements in the floodway.
3. The first floor of all homes must now be built above the base flood elevation.
 - a. Older homes may have been built in compliance with applicable regulations at the time of construction and may have first floors that lie below the base flood elevation, but flood insurance



rates for such homes may be significant.

- b. It is possible that modifications were made to a ground floor enclosure after a home was first built. The modifications may or may not comply with applicable regulations and may or may not affect flood insurance rates.
 - c. It is important for a buyer to determine if the first floor of a home is elevated at or above the base flood elevation. It is also important for a buyer to determine if the property lies in a floodway.
4. Ground floor enclosures that lie below the base flood elevation may be used only for: (i) parking; (ii) storage; and (iii) building access. Plumbing, mechanical, or electrical items in ground floor enclosures that lie below the base flood elevation may be prohibited or restricted and may not be eligible for flood insurance coverage. Additionally:
- a. in A-Zones, the ground floor enclosures below the base flood elevation must have flow-through vents or openings that permit the automatic entry and exit of floodwaters;
 - b. in V-Zones, the ground floor enclosures must have break-away walls, screening, or lattice walls, and;
 - c. in floodways, the remodeling or reconstruction of any improvements may be prohibited or otherwise restricted.

D. COMPLIANCE:

1. The above-referenced property may or may not comply with regulations affecting ground floor enclosures below the base flood elevation.
2. A property owner's eligibility to purchase or maintain flood insurance, as well as the cost of the flood insurance, is dependent on whether the property complies with the regulations affecting ground floor enclosures.
3. A purchaser or property owner may be required to remove or modify a ground floor enclosure that is not in compliance with city or county building requirements or is not entitled to an exemption from such requirements
4. A flood insurance policy maintained by the current property owner does not mean that the property is in compliance with the regulations affecting ground floor enclosures or that the buyer will be able to continue to maintain flood insurance at the same rate.
5. Insurance carriers calculate the cost of flood insurance using a rate that is based on the elevation of the lowest floor.
 - a. If the ground floor lies below the base flood elevation and does not meet federal, state, county, and city requirements, the ground floor will be the lowest floor for the purpose of computing the rate.
 - b. If the property is in compliance, the first elevated floor will be the lowest floor and the insurance rate will be significantly less than the rate for a property that is not in compliance.
 - c. If the property lies in a V-Zone the flood insurance rate will be impacted if a ground floor enclosure below the base flood elevation exceeds 299 square feet (even if constructed with break-away walls).

E. ELEVATION CERTIFICATE:

The elevation certificate is an important tool in determining flood insurance rates. It is used to provide elevation information that is necessary to ensure compliance with floodplain management laws. To determine the proper insurance premium rate, insurers rely on an elevation certificate to certify building elevations at an acceptable level above flood map levels. If available in your area, it is recommended that you obtain an elevation certificate for the property as soon as possible to accurately determine future flood insurance rates.

You are encouraged to: (1) inspect the property for all purposes, including compliance with any ground floor enclosure requirement; (2) review the flood insurance policy (costs and coverage) with your insurance agent; and (3) contact the building permitting authority if you have any questions about building requirements or compliance issues.

Receipt acknowledged by:

Signature

Date

Signature

Date



**T-47 RESIDENTIAL REAL PROPERTY AFFIDAVIT
(MAY BE MODIFIED AS APPROPRIATE FOR COMMERCIAL TRANSACTIONS)**

Date: _____ GF No. _____
Name of Affiant(s): Mark and Catherine Nagle
Address of Affiant: 1148 Mission Way, Canyon Lake, TX 78133
Description of Property: 1148 Mission Way, Canyon Lake, TX 78133
County Comal County, Texas

"Title Company" as used herein is the Title Insurance Company whose policy of title insurance is issued in reliance upon the statements contained herein.

Before me, the undersigned notary for the State of TEXAS, personally appeared Affiant(s) who after by me being sworn, stated:

1. We are the owners of the Property. (Or state other basis for knowledge by Affiant(s) of the Property, such as lease, management, neighbor, etc. For example, "Affiant is the manager of the Property for the record title owners.")
2. We are familiar with the property and the improvements located on the Property.
3. We are closing a transaction requiring title insurance and the proposed insured owner or lender has requested area and boundary coverage in the title insurance policy(ies) to be issued in this transaction. We understand that the Title Company may make exceptions to the coverage of the title insurance as Title Company may deem appropriate. We understand that the owner of the property, if the current transaction is a sale, may request a similar amendment to the area and boundary coverage in the Owner's Policy of Title Insurance upon payment of the promulgated premium.
4. To the best of our actual knowledge and belief, since 3/30/2014 there have been no:
 - a. construction projects such as new structures, additional buildings, rooms, garages, swimming pools or other permanent improvements or fixtures;
 - b. changes in the location of boundary fences or boundary walls;
 - c. construction projects on immediately adjoining property(ies) which encroach on the Property;
 - d. conveyances, replattings, easement grants and/or easement dedications (such as a utility line) by any party affecting the Property.

EXCEPT for the following (If None, Insert "None" Below): NONE

5. We understand that Title Company is relying on the truthfulness of the statements made in this affidavit to provide the area and boundary coverage and upon the evidence of the existing real property survey of the Property. This Affidavit is not made for the benefit of any other parties and this Affidavit does not constitute a warranty or guarantee of the location of improvements.
6. We understand that we have no liability to Title Company that will issue the policy(ies) should the information in this Affidavit be incorrect other than information that we personally know to be incorrect and which we do not disclose to the Title Company.

Mark & Catherine Nagle

SWORN AND SUBSCRIBED this 25 day of April, 2022

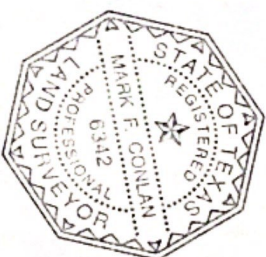
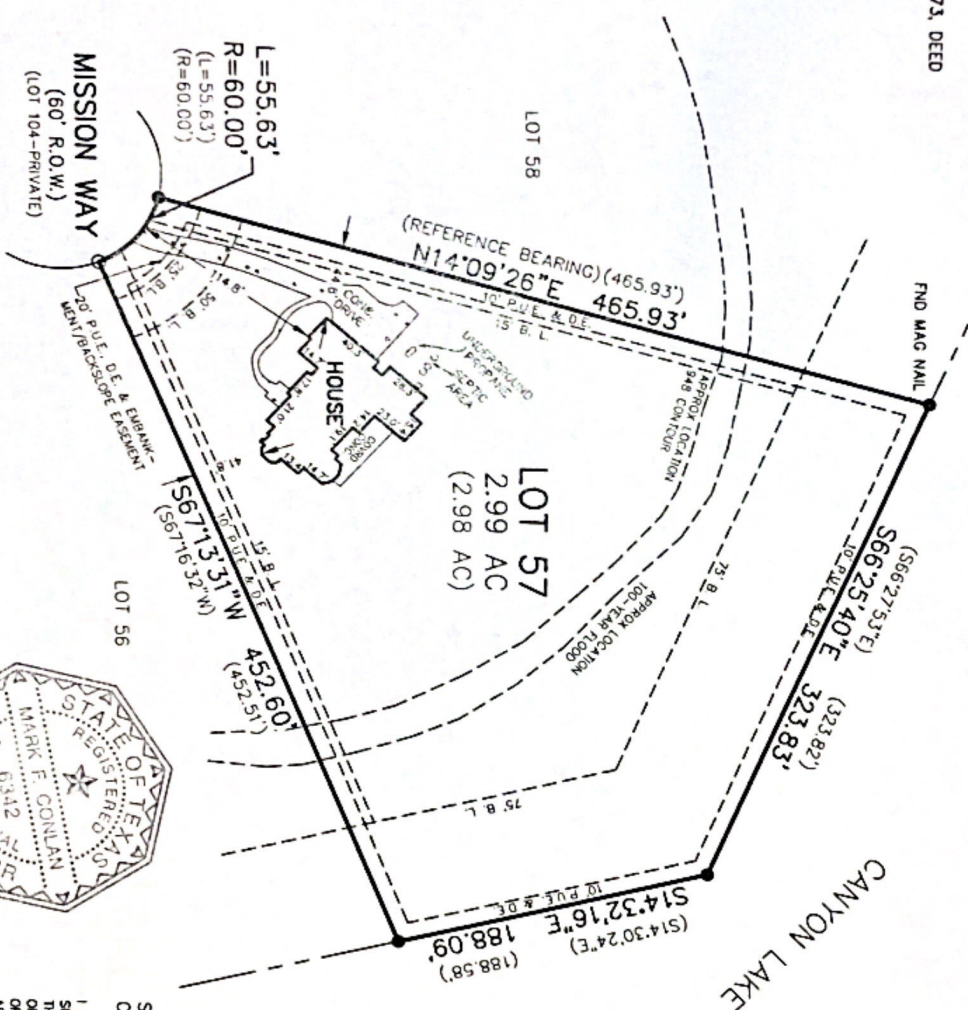
Linda Villarreal
Notary Public
(TXR 1907) 02-01-2010



REFERENCE STEWART TITLE COMMITMENT, GF# 1409132492 EFFECTIVE DATE 01/13/2014

REFERENCE RESTRICTIONS RECORDED IN DOC. NO. 200606023875, MAP AND PLAT RECORDS, COMAL COUNTY, TEXAS, AND IN DOC. NOS. 200606023619, 200606024485, 20060604141, 200706000539, 200706015323, 200706027360, 200706027727 AND 200706048936 OFFICIAL PUBLIC RECORDS, COMAL COUNTY, TEXAS

SUBJECT TO FLOWAGE EASEMENT RECORDED IN VOLUME 130, PAGE 373, DEED RECORDS, COMAL COUNTY, TEXAS.



O = SET 1/2" IRON PIN W/ A PLASTIC CAP STAMPED "HMT PROP. COR." UNLESS OTHERWISE NOTED

UNLESS OTHERWISE NOTED

B.L. = BUILDING SETBACK LINE

P.U.E. = PUBLIC UTILITY EASEMENT

D.E. = DRAINAGE EASEMENT

R.O.W. = RIGHT-OF-WAY

() = PLAT CALLS

SCALE: 1"=100'

1148 MISSION WAY
CANYON LAKE, TEXAS

STATE OF TEXAS
COUNTY OF COMAL

THIS SURVEY IS CERTIFIED TO:
MARK AND CATHERINE NAGLE
GARDNER FINANCIAL SERVICES,
LTD AND STEWART TITL

I HEREBY CERTIFY TO THE BEST OF MY KNOWLEDGE AND BELIEF THAT THIS SURVEY IS TRUE AND CORRECT ACCORDING TO AN ACTUAL SURVEY MADE ON THE GROUND UNDER MY SUPERVISION AND THAT ALL OBSERVABLE EVIDENCE OF EASEMENTS ON THE GROUND ARE SHOWN AND ALL OBSERVABLE EVIDENCE OF BUILDINGS, STRUCTURES AND OTHER IMPROVEMENTS SITUATED ON THE ABOVE PREMISES ARE SHOWN

THIS 30TH DAY OF MARCH 2014

MARK F. GILMAN
REGISTERED PROFESSIONAL LAND SURVEYOR NO. 6342

14-0280

ENGINEERING & SURVEYING

HMT

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