



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 14678 SCHMIDT CRAFT LN

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? OWNER PASSED 7/2022 (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>3</u>
Evaporative Coolers		☒		number of units: <u> </u>
Wall/Window AC Units		☒		number of units: <u> </u>
Attic Fan(s)			☒	if yes, describe: <u> </u>
Central Heat	☒			☒ electric ☐ gas number of units: <u>3</u>
Other Heat			☒	if yes, describe: <u> </u>
Oven	☒			number of ovens: <u>1</u> electric ☐ gas other: <u> </u>
Fireplace & Chimney	☒			☒ wood ☐ gas logs ☐ mock other: <u> </u>
Carport	☒			attached ☒ not attached
Garage	☒			attached ☒ not attached
Garage Door Openers	☒			number of units: <u>2</u> number of remotes: <u>?</u>
Satellite Dish & Controls			☒	owned ☐ leased from: <u> </u>
Security System		☒		owned ☐ leased from: <u> </u>
Solar Panels		☒		owned ☐ leased from: <u> </u>
Water Heater	☒			☒ electric ☐ gas other: <u> </u> number of units: <u>4</u>
Water Softener			☒	owned ☐ leased from: <u> </u>
Other Leased Items(s)			☒	if yes, describe: <u> </u>

(TXR-1406) 09-01-19

Initialed by: Buyer: , and Seller: ,

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

Water supply provided by: ___ city ___ well ___ MUD ___ co-op ___ unknown ___ other: GREEN VALLEYWas the Property built before 1978? ___ yes ☒ no ___ unknown

(If yes, complete, sign, and attach TXR-1906 concerning lead-based paint hazards).

Roof Type: METAL - STANDING SEAM Age: 2021 (approximate)Is there an overlay roof covering on the Property (shingles or roof covering placed over existing shingles or roof covering)? ___ yes ☒ no ___ unknownAre 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):GUTTER LEAKS - NEVER USED SAUNA**Section 2. Are you (Seller) aware of any defects or malfunctions in any of the following? (Mark Yes (Y) if you are aware and No (N) if you are not aware.)**

Item	Y	N
Basement <u>N/A</u>	☐	☐
Ceilings	☐	☒
Doors	☐	☒
Driveways	☐	☒
Electrical Systems	☐	☒
Exterior Walls	☒	☐

Item	Y	N
Floors	☒	☐
Foundation / Slab(s)	☐	☒
Interior Walls	☐	☒
Lighting Fixtures	☐	☒
Plumbing Systems	☒	☐
Roof	☐	☒

Item	Y	N
Sidewalks	☒	☐
Walls / Fences	☐	☒
Windows	☐	☒
Other Structural Components	☐	☒
	☐	☐
	☐	☐

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

LOGS HAVE SOME DETERIORATION, FLOORS WORN & OLD, PLUMBING FIXTURES OLD & OUTDATED → SOME NOT WORKING, SIDEWALK ON PATIO (BELOW) IS BADLY DETERIORATING - COURTYARD DETERIORATED B/T STRUCTURES**Section 3. Are you (Seller) aware of any of the following conditions? (Mark Yes (Y) if you are aware and No (N) if you are not aware.)**

Condition	Y	N
Aluminum Wiring	☐	☒
Asbestos Components	☐	☒
Diseased Trees: <u>oak wilt</u>	☐	☒
Endangered Species/Habitat on Property	☐	☒
Fault Lines	☐	☒
Hazardous or Toxic Waste	☐	☒
Improper Drainage	☐	☒
Intermittent or Weather Springs	☐	☒
Landfill	☐	☒
Lead-Based Paint or Lead-Based Pt. Hazards	☐	☒
Encroachments onto the Property	☐	☒
Improvements encroaching on others' property	☐	☒
Located in Historic District	☐	☒
Historic Property Designation	☐	☒
Previous Foundation Repairs	☐	☒
Previous Roof Repairs <u>NEW 2021</u>	☒	☐
Previous Other Structural Repairs	☐	☒
Previous Use of Premises for Manufacture of Methamphetamine	☐	☒

Condition	Y	N
Radon Gas	☐	☒
Settling <u>ON BLACK DIRT -</u>	☒	☐
Soil Movement <u>ON BLACK DIRT -</u>	☒	☐
Subsurface Structure or Pits	☐	☒
Underground Storage Tanks	☐	☒
Unplatted Easements	☐	☒
Unrecorded Easements	☐	☒
Urea-formaldehyde Insulation	☐	☒
Water Damage Not Due to a Flood Event	☐	☒
Wetlands on Property	☐	☒
Wood Rot <u>EXTENSION LOGS & TRIM</u>	☒	☐
Active infestation of termites or other wood destroying insects (WDI)	☐	☒
Previous treatment for termites or WDI	☐	☒
Previous termite or WDI damage repaired	☐	☒
Previous Fires	☐	☒
Termite or WDI damage needing repair	☐	☒
Single Blockable Main Drain in Pool/Hot Tub/Spa*	☐	☒

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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): SINK IN 3d BR NEEDS REPAIR - GARAGE TOILET NOT HOOKED UP (PROZE IN 2021 FREEZE) - URINAL DRIPS

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 a flood pool.
- ☐ ☒ Located ☐ wholly ☐ partly in a reservoir.

If the answer to any of the above is yes, explain (attach additional sheets as necessary): * NOT SURE OF FLOOD PLAIN STATUS

*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.

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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): DECEASED FILED A CLAIM IN 1998

*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): FLOODED IN 1998 & ANOTHER YEAR (2000?)

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. | |
| ☒ | ☐ |
| 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. <u>USE PROPANE FOR FP</u> | |
| ☒ | ☐ |
| Any portion of the Property that is located in a groundwater conservation district or a subsidence district. | |

If the answer to any of the items in Section 8 is yes, explain (attach additional sheets if necessary): _____

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

- | | | |
|-------------------------------|--|----------------------------|
| <u> </u> Homestead | <u> </u> Senior Citizen | <u> </u> Disabled |
| <u> </u> Wildlife Management | <u> </u> ☒ Agricultural | <u> </u> Disabled Veteran |
| <u> </u> Other: <u> </u> | | <u> </u> 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 ROOF 2021

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:

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? ☒ 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.

R Smith, EXECUTOR OF ESTATE 3/30/23
Signature of Seller Date Signature of Seller Date
Printed Name: RANDALL SMITH Printed Name:

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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* (TXR 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>CPS</u>	phone #:	_____
Sewer:	<u>SEPTIC</u>	phone #:	_____
Water:	<u>GREEN VALLEY</u>	phone #:	_____
Cable:	<u>NONE</u>	phone #:	_____
Trash:	<u>NONE</u>	phone #:	_____
Natural Gas:	<u>NONE</u>	phone #:	_____
Phone Company:	<u>NONE</u>	phone #:	_____
Propane:	<u>BUY TANKS FOR FIRE PLACE</u>	phone #:	_____
Internet:	<u>NONE</u>	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: _____	



NOTICE REGARDING OAK WILT

THERE MAY BE OAK WILT ON THE PROPERTY THAT YOU ARE ABOUT TO PURCHASE

According to the Texas A&M Forest Service, oak wilt is one of the most destructive tree diseases in the United States. The disease has killed more than 1 million trees in 76 Central Texas counties. Oak wilt is an infectious vascular disease caused by the fungus *Ceratocystis fagacearum*. The fungus invades and disables the water conducting system in susceptible trees. All oaks can be infected with oak wilt, but some species of oak are more susceptible than others. Red oaks, particularly Spanish oak (*Quercus buckleyi*), are very susceptible to the fungus. White oaks, like post oak (*Q. stellata*) and bur oak (*Q. macrocarpa*), are resistant to the fungus and rarely die from the disease. Live oaks (*Q. virginiana* and *Q. fusiformis*) are intermediate in susceptibility to oak wilt. However, they are seriously impacted by the disease because of their tendency to form root sprouts that result in a vast interconnected root system allowing the disease to easily spread to adjacent trees.

Oak wilt has been found in over 76 counties and in almost every city in Central Texas, as well as Abilene, Midland, Lubbock, Dallas, Ft. Worth, College Station, Houston, and San Antonio. It can be a problem wherever live oaks tend to be the predominant tree. It does not matter whether they are transplanted or naturally grown. An individual tree's age, size, or previous health status does not make it more or less likely to contract or die from oak wilt.

DISCLAIMER:

Kuper Sotheby's International Realty and its agents ("Broker/Agent") are not arborists and possess no expertise concerning any conditions which may impact the health of trees, including but not limited to, oak wilt. Accordingly, Broker/Agent cannot and do not make any representations or warranties concerning the condition or health of any trees on any property. By your signature below, you acknowledge that you have not relied on, either directly or indirectly, any written or oral statements about the condition of any trees made by Broker/Agent, and will not rely on any such statements made by Broker/Agent after executing this Notice Regarding Oak Wilt, unless Broker/Agent specifically agree in a signed writing that you may rely on any such future statements.

Broker/Agent strongly recommend that you take measures you feel are necessary to satisfy yourself about the condition of any trees before purchasing a property which may include, but are not limited to, hiring professional arborists and/or other experts to inspect the condition of the trees located on the property.

Buyer's Initials _____



Kuper

Sotheby's
INTERNATIONAL REALTY

ADDITIONAL INFORMATION:

If you are concerned or desire additional information, you may call your County Agricultural Extension Service or access this website: <http://texasoakwilt.org>.

Buyer

Date

Buyer

Date

NOTICE PURSUANT TO 22 TEX. ADMIN. CODE § 537.11

This Notice Regarding Oak Wilt was prepared by attorney John G. George, Jr. (TBN: 24051944) for sole use by Kuper Sotheby's International Realty. This form is approved for use in single family residential real estate, farm and ranch, unimproved property, and condominium transactions. Use of this form is restricted to transactions in which the principals to the transaction also execute one of the following Texas Real Estate Commission ("TREC") contracts/forms: 1) One to Four Family Residential Contract (Resale) (TREC No. 20-14); 2) Farm and Ranch Contract (TREC No. 25-12); 3) Residential Condominium Contract (Resale) (TREC No. 30-13); or 4) Unimproved Property Contract (TREC No. 9-13).

THIS FORM IS NOT A MANDATORY TREC FORM AND TREC RULES PROHIBIT REAL ESTATE LICENSE HOLDERS FROM PRACTICING LAW AND DIRECTLY OR INDIRECTLY OFFERING, GIVING, OR ATTEMPTING TO GIVE LEGAL ADVICE.

IT IS STRONGLY RECOMMENDED FOR YOU TO SEEK LEGAL COUNSEL CONCERNING THE INTERPRETATION AND USE OF THIS FORM, INCLUDING ADVICE ABOUT HOW THIS FORM IMPACTS YOUR LEGAL RIGHTS. THE ATTORNEY WHO DRAFTED THIS FORM IS NOT YOUR ATTORNEY AND IS NOT PROVIDING YOU ANY LEGAL ADVICE.