



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

**103 Marina Drive
Bullard, TX 75757**

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

Seller ↓ is is not occupying the Property. If unoccupied (by Seller), how long since Seller has occupied the Property? (approximate date) or never occupied the Property

Section 1. The Property has the items marked below: (Mark Yes (Y), No (N), or Unknown (U).)

This notice does not establish the items to be conveyed. The contract will determine which items will & will not convey.

Item	Y	N	U
Cable TV Wiring	Y		
Carbon Monoxide Det.		N	
Ceiling Fans	Y		
Cooktop	Y		
Dishwasher	Y		
Disposal		N	
Emergency Escape Ladder(s)		N	
Exhaust Fans	Y		
Fences		N	
Fire Detection Equip.		N	
French Drain		N	
Gas Fixtures		N	
Liquid Propane Gas:		N	
-LP Community (Captive)		N	
-LP on Property		N	

Item	Y	N	U
Natural Gas Lines		N	
Fuel Gas Piping:		N	
-Black Iron Pipe		N	
-Copper		N	
-Corrugated Stainless Steel Tubing		N	
Hot Tub		N	
Intercom System		N	
Microwave		N	
Outdoor Grill		N	
Patio/Decking	Y		
Plumbing System	Y		
Pool		N	
Pool Equipment		N	
Pool Maint. Accessories		N	
Pool Heater		N	

Item	Y	N	U
Pump: <u> </u> sump <u> </u> grinder		N	
Rain Gutters		N	
Range/Stove	Y		
Roof/Attic Vents	Y		
Sauna		N	
Smoke Detector	Y		
Smoke Detector - Hearing Impaired		N	
Spa		N	
Trash Compactor		N	
TV Antenna		N	
Washer/Dryer Hookup	Y		
Window Screens <u> </u> some	Y		
Public Sewer System	Y		

Item	Y	N	U	Additional Information
Central A/C	Y			↓ electric <u> </u> gas <u> </u> number of units: <u> 2 </u>
Evaporative Coolers		N		number of units: <u> </u>
Wall/Window AC Units		N		number of units: <u> </u>
Attic Fan(s)		N		if yes, describe: <u> </u>
Central Heat	Y			↓ electric <u> </u> gas <u> </u> number of units: <u> 2 </u>
Other Heat		N		if yes, describe: <u> </u>
Oven	Y			number of ovens: <u> 1 </u> ↓ electric <u> </u> gas <u> </u> other: <u> </u>
Fireplace & Chimney	Y			↓ wood <u> </u> gas logs <u> </u> mock <u> </u> other: <u> </u>
Carport		N		<u> </u> attached <u> </u> not attached
Garage	Y			↓ attached <u> </u> not attached
Garage Door Openers	Y			number of units: <u> 1 </u> number of remotes: <u> 2 </u>
Satellite Dish & Controls		N		<u> </u> owned <u> </u> leased from: <u> </u>
Security System		N		<u> </u> owned <u> </u> leased from: <u> </u>

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Initialed by: Buyer: , and Seller: ,

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Concerning the Property at _____

Solar Panels		<u>N</u>	owned _____ leased from: _____
Water Heater	<u>Y</u>		<u>Y</u> electric _____ gas _____ other: _____ number of units: <u>1</u>
Water Softener		<u>N</u>	owned _____ leased from: _____
Other Leased Items(s)		<u>N</u>	if yes, describe: _____
Underground Lawn Sprinkler		<u>N</u>	_____ automatic _____ manual areas covered _____
Septic / On-Site Sewer Facility		<u>N</u>	if yes, attach Information About On-Site Sewer Facility (TXR-1407)

Water supply provided by: _____ city _____ well Y MUD _____ co-op _____ unknown _____ other: _____

Was the Property built before 1978? Y yes _____ no _____ unknown _____

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

Roof Type: Composition Age: unknown (approximate)

Is there an overlay roof covering on the Property (shingles or roof covering placed over existing shingles or roof covering)? _____ yes _____ no Y unknown _____

Are you (Seller) aware of any of the items listed in this Section 1 that are not in working condition, that have defects, or are need of repair? _____ yes _____ no If yes, describe (attach additional sheets if necessary):

Older central ac + heat not as efficient as newer models, hail damage on roof - in the process of replacing the roof, fire place has never been used by us - prior owner said they didn't know if it worked / not, an upstairs electrical breaker needs to be replaced

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</u>
Ceilings	<u>Y</u>	
Doors		<u>N</u>
Driveways	<u>Y</u>	
Electrical Systems	<u>Y</u>	
Exterior Walls		<u>N</u>

Item	Y	N
Floors	<u>Y</u>	
Foundation / Slab(s)	<u>Y</u>	
Interior Walls		<u>N</u>
Lighting Fixtures		<u>N</u>
Plumbing Systems		<u>N</u>
Roof - hail damage (replacing)	<u>Y</u>	

Item	Y	N
Sidewalks		<u>N</u>
Walls / Fences		<u>N</u>
Windows		<u>N</u>
Other Structural Components		<u>N</u>

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

Ceilings - two small water spots painted (downstairs) Floors - small hole under carpet upstairs (not noticeable unless felt) Driveway - cracks at end Foundation - small crack we had engineer inspect prior to purchase Electrical system - one breaker needs replacement

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		<u>N</u>
Asbestos Components		<u>N</u>
Diseased Trees: _____ oak wilt _____		<u>N</u>
Endangered Species/Habitat on Property		<u>N</u>
Fault Lines		<u>N</u>
Hazardous or Toxic Waste		<u>N</u>
Improper Drainage		<u>N</u>
Intermittent or Weather Springs		<u>N</u>
Landfill		<u>N</u>
Lead-Based Paint or Lead-Based Pt. Hazards		<u>N</u>
Encroachments onto the Property		<u>N</u>
Improvements encroaching on others' property		<u>N</u>
Located in Historic District		<u>N</u>
Historic Property Designation		<u>N</u>
Previous Foundation Repairs		<u>N</u>

Condition	Y	N
Radon Gas		<u>N</u>
Settling		<u>N</u>
Soil Movement		<u>N</u>
Subsurface Structure or Pits		<u>N</u>
Underground Storage Tanks		<u>N</u>
Unplatted Easements		<u>N</u>
Unrecorded Easements		<u>N</u>
Urea-formaldehyde Insulation		<u>N</u>
Water Damage Not Due to a Flood Event	<u>Y</u>	
Wetlands on Property		<u>N</u>
Wood Rot		<u>N</u>
Active infestation of termites or other wood destroying insects (WDI)		<u>N</u>
Previous treatment for termites or WDI		<u>N</u>
Previous termite or WDI damage repaired		<u>N</u>
Previous Fires		<u>N</u>

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Initialed by: Buyer: _____ and Seller: CLW, amw

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Concerning the Property at _____

Previous Roof Repairs		N
Previous Other Structural Repairs		N
Previous Use of Premises for Manufacture of Methamphetamine		N

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

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

Water damage - small spots mentioned on downstairs ceiling that were painted

*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):

- various brick/mortar cracks we had checked by structural engineer prior to purchasing the home.
- see inspection report for standard inspection and structural inspection as they made notes of anything else.

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 | |
| | N | Present flood insurance coverage. |
| | N | Previous flooding due to a failure or breach of a reservoir or a controlled or emergency release of water from a reservoir. |
| | N | Previous flooding due to a natural flood event. |
| | N | Previous water penetration into a structure on the Property due to a natural flood. |
| | N | Located ___ wholly ___ partly in a 100-year floodplain (Special Flood Hazard Area-Zone A, V, A99, AE, AO, AH, VE, or AR).
- we do not remember seeing any paper work that said this |
| | N | Located ___ wholly ___ partly in a 500-year floodplain (Moderate Flood Hazard Area-Zone X (shaded)). |
| | N | Located ___ wholly ___ partly in a floodway. |
| | N | Located ___ wholly ___ partly in a flood pool. |
| | N | Located ___ wholly ___ partly in a reservoir. |

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

***If Buyer is concerned about these matters, Buyer may consult Information About Flood Hazards (TXR 1414).**

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.

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Initialed by: Buyer: _____, _____ and Seller: CW, amh

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Concerning the Property at _____

"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
 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.

Y

Homeowners' associations or maintenance fees or assessments. If yes, complete the following:

Name of association: EMERALD BAY

Manager's name: SHAWN DOE Phone: 903-825-3388

Fees or assessments are: \$ 391 per month 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. PIKS initiation fee - ask office

Any common area (facilities such as pools, tennis courts, walkways, or other) co-owned in undivided interest with others. If yes, complete the following: not co-owned undivided but has access

Any optional user fees for common facilities charged? ☐ yes ☐ no If yes, describe: through HOA

HOA - basketball, tennis, pool, golf, play ground, "the point" community area, club house

 N

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

 N

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

 N

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

 N

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

 N

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).

 N

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.

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Initialed by: Buyer: _____, _____ and Seller: CLW, amr

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Concerning the Property at _____

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

N 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):

HOT - EMERALD BAY w/ initiation fee (call for details) and monthly HOA fee w/ access to various amenities - NOT CO-OWNED / undivided interest - just part of HOA.

Section 9. 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
JULY 11, 2022	Structural inspection	Mike Gentsch, P.E. # 66542	12
JUN 6, 2022	Standard inspection	David Peterson	52

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

☒ Homestead ☐ Senior Citizen ☐ Disabled
☐ Wildlife Management ☐ Agricultural ☐ Disabled Veteran
☐ Other: _____ ☐ Unknown

Section 11. Have you (Seller) ever filed a claim for damage, other than flood damage, to the Property with any insurance provider? ☒ yes ☐ no - Roof - in process of replacing after hail damage

Section 12. 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:

we have a check from insurance company to pay for portion of new roof that we have not yet cashed / used to pay roofer but we are using the proceeds to put a new roof on the house.

Section 13. 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):

we have non-installed smoke detectors upstairs and downstairs.

*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.

Concerning the Property at _____

Seller acknowledges that the statements in this notice are true to the best of Seller's belief and that no person, including the broker(s), has instructed or influenced Seller to provide inaccurate information or to omit any material information.

Signature of Seller: Clint Naismith Date: 10-21-23 Signature of Seller: Alexandra Naismith Date: 10/21/2023

Printed Name: Clint Naismith Printed Name: Alexandra Naismith

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>. 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: CONSTELLATION
Sewer: EMERALD BAY
Water: EMERALD BAY
Cable: N/A
Trash: ~~EMERALD BAY~~ Live Oak Waste
Natural Gas: N/A
Phone Company: N/A
Propane: N/A
Internet: OPTIMUM

phone #: 855-285-8594
phone #: 903-825-6960
phone #: 903-825-6960
phone #: _____
phone #: 903-839-1800
phone #: _____
phone #: _____
phone #: _____
phone #: 814-273-1543

Concerning the Property at _____

**103 Marina Drive
Bullard, TX 75757**

(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:

UTILITY BILL TRACKER

Address: 103 Marina Drive, Bullard, Texas 75757

Persons living in Home: Adults 2 Children 2

Summer Thermostat Reading: _____

Winter Thermostat Reading: _____

Month	Year	Electric	Gas	Water	Trash	Other
January	2023	668.52	N/A	128.26		
February	2023	695.59	N/A	127.99		
March	2023	319.49	N/A	127.32		
April	2023	302.87	N/A	124.39		
May	2023	346.99	N/A	127.50		
June	2023	499.68	N/A	127.08		
July	2023	623.78	N/A	145.70		
August	2023	696.58	N/A	151.99	20.50	
September	2023	529.24	N/A	189.97	20.50	
October	2022	368.37	N/A	77.13	20.50	
November	2022	409.00	N/A	47.38		
December	2022	538.57	N/A	N/A		
Total	—	5,998.68	N/A	1,374.67	41.00 (for months listed)	
Average	—	499.89	N/A	114.55	20.50	

→ My husband thought this was pre-paid because the trash was collected, but have only m.f. for 3-months @ 20.50/month.