



APPROVED BY THE TEXAS REAL ESTATE COMMISSION (TREC)

**SELLER'S DISCLOSURE NOTICE**CONCERNING THE PROPERTY AT 3210 Fm 3065Colmesneil

(Street Address and City)

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 PURCHASER MAY WISH TO OBTAIN. IT IS NOT A WARRANTY OF ANY KIND BY SELLER OR SELLER'S AGENTS.

Seller ☒ is ☐ is not occupying the Property. If unoccupied, how long since Seller has occupied the Property? _____

1. The Property has the items checked below [Write Yes (Y), No (N), or Unknown (U)]:

<u>Y</u> Range (<i>propane</i>)	<u>Y</u> Oven (<i>electric</i>)	<u>Y</u> Microwave
<u>Y</u> Dishwasher	<u>N</u> Trash Compactor	<u>Y</u> Disposal
<u>Y</u> Washer/Dryer Hookups <i>elec + prop</i>	<u>Y</u> Window Screens	<u>N</u> Rain Gutters
<u>Y</u> Security System	<u>N</u> Fire Detection Equipment	<u>N</u> Intercom System
	<u>Y</u> Smoke Detector	
	<u>N</u> Smoke Detector-Hearing Impaired	
	<u>Y</u> Carbon Monoxide Alarm	
	<u>Y</u> Emergency Escape Ladder(s)	
<u>N</u> TV Antenna	<u>Y</u> Cable TV Wiring	<u>N</u> Satellite Dish
<u>Y</u> Ceiling Fan(s)	<u>N</u> Attic Fan(s)	<u>Y</u> Exhaust Fan(s)
<u>Y</u> Central A/C	<u>Y</u> Central Heating (<i>propane</i>)	<u>N</u> Wall/Window Air Conditioning
<u>Y</u> Plumbing System	<u>Y</u> Septic System	<u>N</u> Public Sewer System
<u>Y</u> Patio/Decking	<u>N</u> Outdoor Grill	<u>Y</u> Fences
<u>N</u> Pool	<u>N</u> Sauna	<u>N</u> Spa <u>N</u> Hot Tub
<u>N</u> Pool Equipment	<u>N</u> Pool Heater	<u>N</u> Automatic Lawn Sprinkler System
<u>N</u> Fireplace(s) & Chimney (Wood burning)		<u>N</u> Fireplace(s) & Chimney (Mock)
<u>N</u> Natural Gas Lines		<u>N</u> Gas Fixtures
<u>Y</u> Liquid Propane Gas: <u>N</u> LP Community (Captive) <u>Y</u> LP on Property		
<u>Y</u> Fuel Gas Piping: _____ Black Iron Pipe _____ Corrugated Stainless Steel Tubing _____ Copper		
Garage: _____ Attached <u>Y</u> Not Attached _____ Carport <u>Connecting breezeway</u>		
Garage Door Opener(s): <u>Y</u> Electronic _____ Control(s)		
Water Heater: <u>Y</u> Gas <u>N</u> Electric		
Water Supply: <u>N</u> City <u>Y</u> Well _____ MUD _____ Co-op		

Roof Type: Composition Shingles - Owen Corning Age: 12 years (approx.)

Are you (Seller) aware of any of the above items that are not in working condition, that have known defects, or that are in need of repair? ☐ Yes ☒ No ☐ Unknown. If yes, then describe. (Attach additional sheets if necessary): _____

2. Does the property have working smoke detectors installed in accordance with the smoke detector requirements of Chapter 766, Health and Safety Code?* ☒ Yes ☐ No ☐ Unknown. If the answer to this question is 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.

3. Are you (Seller) aware of any known defects/malfunctions in any of the following? Write Yes (Y) if you are aware, write No (N) if you are not aware.

☒ Interior Walls	☒ Ceilings	☒ Floors
☒ Exterior Walls	☒ Doors	☒ Windows
☒ Roof	☒ Foundation/Slab(s)	☒ Sidewalks
☒ Walls/Fences	☒ Driveways	☒ Intercom System
☒ Plumbing/Sewers/Septics	☒ Electrical Systems	☒ Lighting Fixtures
☒ Other Structural Components (Describe):		

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

4. 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.

☒ Active Termites (includes wood destroying insects)	☒ Previous Structural or Roof Repair
☒ Termite or Wood Rot Damage Needing Repair	☒ Hazardous or Toxic Waste
☒ Previous Termite Damage	☒ Asbestos Components
☒ Previous Termite Treatment	☒ Urea-formaldehyde Insulation
☒ Improper Drainage	☒ Radon Gas
☒ Water Damage Not Due to a Flood Event	☒ Lead Based Paint
☒ Landfill, Settling, Soil Movement, Fault Lines	☒ Aluminum Wiring
☒ Single Blockable Main Drain in Pool/Hot Tub/Spa*	☒ Previous Fires
	☒ Unplatted Easements
	☒ Subsurface Structure or Pits
	☒ Previous Use of Premises for Manufacture of
	☒ Methamphetamine

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

* A single blockable main drain may cause a suction entrapment hazard for an individual.

5. Are you (Seller) aware of any item, equipment, or system in or on the Property that is in need of repair? ☐ Yes (if you are aware) ☒ No (if you are not aware). If yes, explain (attach additional sheets if necessary). _____

6. 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, 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 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.

7. 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).

8. 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): _____

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

- N Room additions, structural modifications, or other alterations or repairs made without necessary permits or not in compliance with building codes in effect at that time.
- N Homeowners' Association or maintenance fees or assessments.
- N Any "common area" (facilities such as pools, tennis courts, walkways, or other areas) co-owned in undivided interest with others.
- N Any notices of violations of deed restrictions or governmental ordinances affecting the condition or use of the Property.
- N Any lawsuits directly or indirectly affecting the Property.
- N Any condition on the Property which materially affects the physical health or safety of an individual.
- 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.
- 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 above is yes, explain. (Attach additional sheets if necessary):

10. 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 maybe required for repairs or improvements. Contact the local government with ordinance authority over construction adjacent to public beaches for more information.
11. 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.

Daren J. Nielsen
Signature of Seller Daren J Nielsen

5/12/2025
Date

Suzanne Nielsen
Signature of Seller Suzanne Nielsen

5/12/2025
Date

The undersigned purchaser hereby acknowledges receipt of the foregoing notice.

Signature of Purchaser

Date

Signature of Purchaser

Date



This form was prepared by the Texas Real Estate Commission in accordance with Texas Property Code § 5.008(b) and is to be used in conjunction with a contract for the sale of real property entered into on or after September 1, 2023. Texas Real Estate Commission, P.O. Box 12188, Austin, TX 78711-2188, 512-936-3000 (<http://www.trec.texas.gov>) TREC NO. 55-0. This form replaces OP-H.



TEXAS ASSOCIATION OF REALTORS®

INFORMATION ABOUT ON-SITE SEWER FACILITY

USE OF THIS FORM BY PERSONS WHO ARE NOT MEMBERS OF THE TEXAS ASSOCIATION OF REALTORS® IS NOT AUTHORIZED.
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CONCERNING THE PROPERTY AT 3210 Fm 3065 Colmesneil TX 75938-1223

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

- (1) Type of Treatment System: ☐ Septic Tank ☒ Aerobic Treatment ☐ Unknown
☐ _____
- (2) Type of Distribution System: Sprinklers ☐ Unknown
- (3) Approximate Location of Drain Field or Distribution System: South side of house ☐ Unknown
- (4) Installer: A-1 Wastewater Services ☐ Unknown
- (5) Approximate Age: 12 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? 4/2/2025 by Vann
- (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.

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>	Usage (gal/day) without water- saving devices	Usage (gal/day) with water- saving devices
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.

Daren J. Nielsen 5/13/2025 Suzanne Nielsen 5/13/2025
Signature of Seller Daren J Nielsen Date Signature of Seller Suzanne Nielsen Date

Receipt acknowledged by:

Signature of Buyer Date

Signature of Buyer Date

T-47.1 RESIDENTIAL REAL PROPERTY DECLARATION IN LIEU OF AFFIDAVIT
(Provided in accordance with Texas Civil Practice and Remedies Code Section 132.001)

Date: 5-12-2025 GF No. _____
Declarant: Daren + Suzanne Nielsen
Description of Property: A0499 I. PARKER, ACRES 51.314
County Tyler, Texas
Date of Survey: 5-1994 + 6-2013

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

The undersigned declares as follows:

1. I am an owner of the Property. (Or state other basis for knowledge of the Property, such as lease, management, neighbor, etc. For example, "Declarant is the manager of the Property for the record title owners.")
2. I am familiar with the property and the improvements located on the Property.
3. I am 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. I understand that the Title Company may make exceptions to the coverage of the title insurance as Title Company may deem appropriate. I 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 my actual knowledge and belief, since the Date of the Survey, there have been no:
 - a. construction projects such as new structures, additional buildings, rooms, garages, swimming pools, decks, 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 construction occurred on or near the boundary of the Property;
 - d. conveyances, replattings, easement grants and/or easement dedications (such as a utility line) by any party affecting the Property.

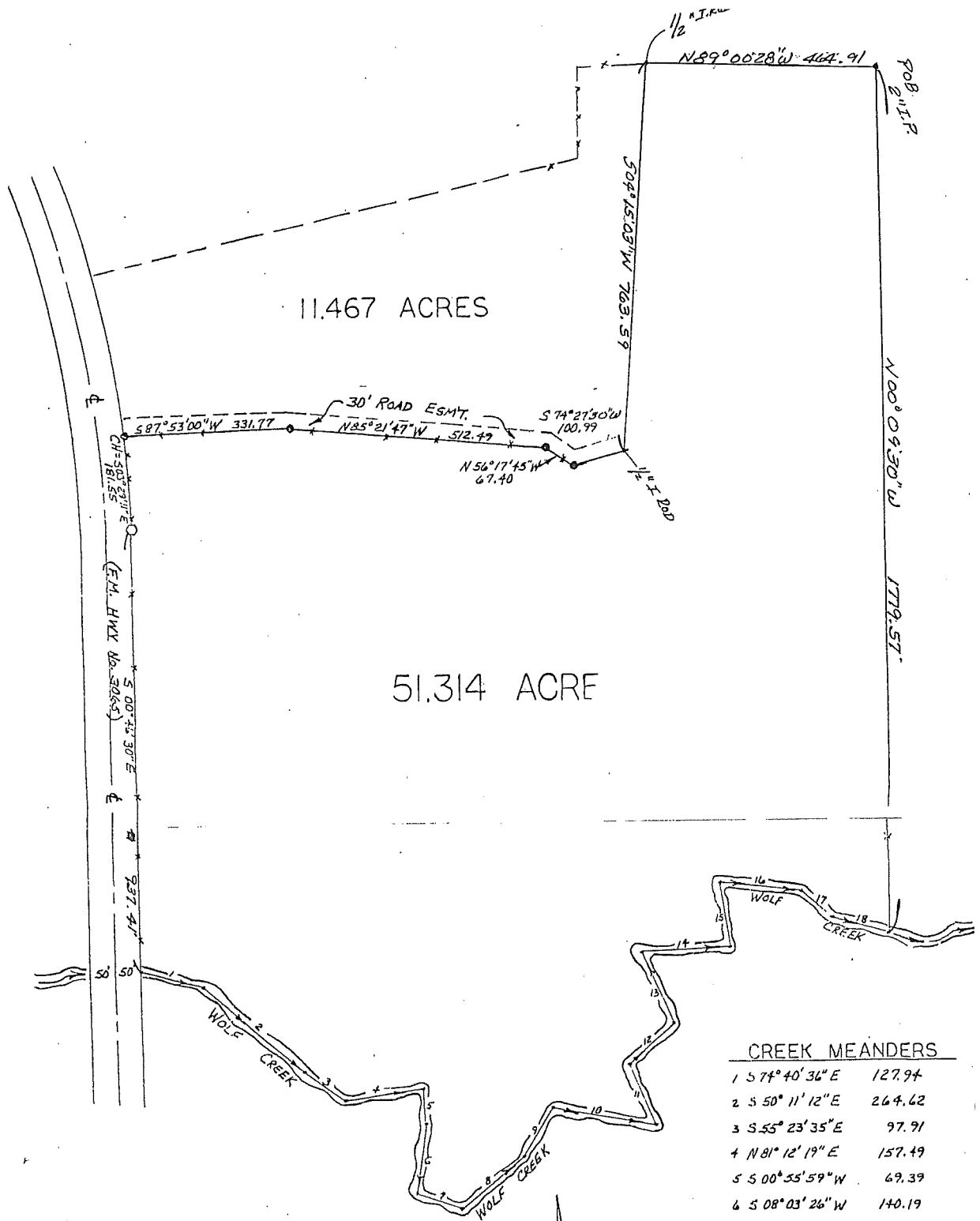
EXCEPT for the following (If None, Insert "None" Below):

30'x50' Shop added 2018

5. I understand that Title Company is relying on the truthfulness of the statements made in this Declaration to provide the area and boundary coverage and upon the evidence of the existing real property survey of the Property. This Declaration is not made for the benefit of any other parties and does not constitute a warranty or guarantee of the location of improvements.

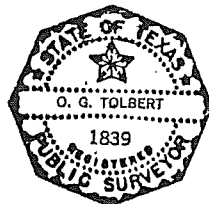
6. I understand that I have no liability to Title Company should the information in this Declaration be incorrect other than information that I personally know to be incorrect and which I do not disclose to the Title Company.
7. ALL STATEMENTS IN THIS DECLARATION ARE TRUE TO THE BEST OF MY KNOWLEDGE. I UNDERSTAND THAT ANY PERSON INTENTIONALLY MAKING A FALSE STATEMENT MAY BE LIABLE FOR ACTUAL AND/OR PUNITIVE DAMAGES.

My name is <u>Daren Nielsen</u>. My date of birth is <u>10-12-1963</u>. and my address is <u>3210 FM 3065</u> <u>Colmesneil, TX 75938</u>. I declare under penalty of perjury that the foregoing is true and correct. Executed in <u>Tyler</u> County, State of <u>Texas</u>, on the <u>13</u> day of <u>May</u>, <u>2025</u> Signed: <u>Daren Nielsen</u> Declarant	My name is <u>Suzanne Nielsen</u>. My date of birth is <u>6-6-1963</u>. and my address is <u>3210 FM 3065</u> <u>Colmesneil, TX 75938</u>. I declare under penalty of perjury that the foregoing is true and correct. Executed in <u>Tyler</u> County, State of <u>Texas</u>, on the <u>13</u> day of <u>May</u>, <u>2025</u> Signed: <u>Suzanne Nielsen</u> Declarant
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CREEK MEANDERS

1	S 74° 40' 36" E	127.94
2	S 50° 11' 12" E	264.62
3	S 55° 23' 35" E	97.91
4	N 81° 12' 19" E	157.49
5	S 00° 55' 59" W	69.39
6	S 08° 03' 26" W	140.19
7	S 72° 48' 32" E	96.29
8	N 52° 18' 10" E	162.05
9	N 32° 02' 32" E	105.80
10	S 81° 23' 24" E	214.21
11	N 25° 10' 24" W	135.34
12	N 50° 46' 28" E	122.43
13	N 24° 40' 27" W	154.24
14	N 87° 25' 33" E	175.67
15	N 08° 42' 59" W	123.26
16	S 83° 58' 20" E	165.51
17	S 49° 27' 33" E	80.12
18	S 73° 50' 23" E	117.60



SCALE 1" = 200'

○ = IRON PIPE

● = IRON ROD

○ = R.O.W. MARKER

--X-- = FENCE

TRACT OF A 51.314 ACRE
TRACT OUT OF A 66.6 ACRE
TRACT IN THE IRA PARKER
SURVEY A-499 TYLER COUNTY
TEXAS

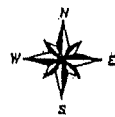
SURVEYED MAY, 1984

TOLBERT SURVEYING Co.

AREA SURVEYING & MAPPING
418 N. PINE
WOODVILLE, TEXAS 75870
(409) 283-8197 OFFICE

IRA PARKER SURVEY, A-499

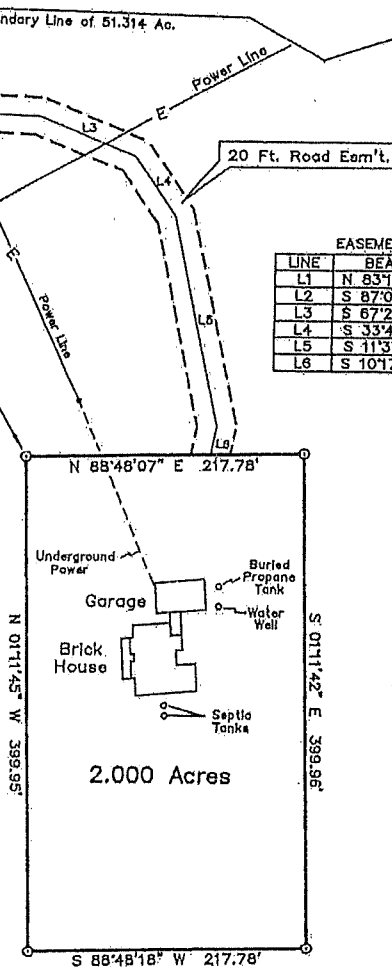
Dennis Keith Day
11.467 Acre Tract
Vol. 426, Pg. 733



Scale 1" = 100'

F.M. HIGHWAY 3065

Daren J. Nielsen
51.314 Acre Tract
Vol. 880, Pg. 479



EASEMENT LINE TABLE		
LINE	BEARING	DISTANCE
L1	N 83°13'26" E	497.12'
L2	S 87°03'54" E	167.93'
L3	S 67°24'57" E	82.04'
L4	S 33°41'18" E	58.88'
L5	S 11°37'14" E	175.03'
L6	S 10°17'50" W	23.47'

Daren J. Nielsen
51.314 Acre Tract
Vol. 880, Pg. 479

NOTE: ALL BEARINGS SHOWN HEREON ARE BASED ON AND/OR ROTATED TO THE SOUTHEAST LINE OF THE DAVID SHORES 3.491 ACRE TRACT. (S 49°01'25" W)

NOTE: THE SUBJECT PROPERTY DOES NOT LIE IN THE 100 YEAR FLOOD PLANE, SPECIAL FLOOD HAZARD AREA, ACCORDING TO THE NATIONAL FLOOD INSURANCE PROGRAM, FLOOD INSURANCE RATE MAP OF TYLER COUNTY, MAP NUMBER 48487C03250, EFFECTIVE DATE APRIL 4, 2011

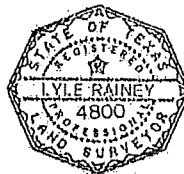
SURVEY PLAT SHOWING

A 2.00 ACRE TRACT OF LAND AS SITUATED IN THE IRA PARKER SURVEY, A-499, TYLER COUNTY, TEXAS AND BEING OUT OF AND A PART OF THAT SAME CERTAIN 51.314 ACRE TRACT AS CONVEYED TO DARREN J. NIELSEN AND SUZANNE E. NIELSEN BY DEED RECORDED IN VOLUME 880, PAGE 479 OF THE OFFICIAL PUBLIC RECORDS OF TYLER COUNTY.

I, LYLE RAINEY, REGISTERED PROFESSIONAL LAND SURVEYOR NO. 4800, DO HEREBY CERTIFY THAT THIS SURVEY, OF THE PROPERTY LEGALLY SHOWN HEREON, IS CORRECT AND THAT THERE ARE NO APPARENT DISCREPANCIES, CONFLICTS, SHORTAGES OF AREA, BOUNDARY LINE CONFLICTS, ENCROACHMENTS, OVERLAPPING OF IMPROVEMENTS, EASEMENTS OR RIGHTS OF WAY, EXCEPT AS SHOWN HEREON, AND THAT SAID PROPERTY HAS ACCESS TO AND FROM A DEDICATED ROADWAY.

SURVEYED JUNE 03, 2013

LYLE RAINEY
REGISTERED PROFESSIONAL
LAND SURVEYOR NO. 4800



AREA SURVEYING & MAPPING
418 N. PINE
WOODYVILLE, TEXAS 75979
(409) 283-8197

FIELDNOTE DESCRIPTION

FIELDNOTES TO A 2.000 ACRE TRACT OF LAND AS SITUATED IN THE IRA PARKER SURVEY, A-499, TYLER COUNTY, TEXAS AND BEING OUT OF AND A PART OF THAT SAME 51.314 ACRE TRACT AS CONVEYED TO DAREN J. NIELSEN AND SUZANNE E. NIELSEN BY DEED RECORDED IN VOLUME 980, PAGE 479 OF THE OFFICIAL PUBLIC RECORDS OF TYLER COUNTY. SAID 2.000 ACRES BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING AT A 1/2" IRON ROD FOUND ON THE EAST RIGHT OF WAY OF F.M. HIGHWAY 3065 FOR THE NORTHWEST CORNER OF THE NIELSEN 51.314 ACRE TRACT, SAME BEING THE SOUTHWEST CORNER OF THE DENNIS KEITH DAY 11.467 ACRE TRACT RECORDED IN VOLUME 426, PAGE 733 OF THE DEED RECORDS OF TYLER COUNTY;

THENCE S 62°59'27"E 755.55 FT. TO A 1/2" IRON ROD SET FOR THE NORTHWEST CORNER AND THE PLACE OF BEGINNING OF THE HEREIN DESCRIBED 2.000 ACRE TRACT;

THENCE N 88°48'07"E 217.78 FT. TO A 1/2" IRON ROD SET FOR THE NORTHEAST CORNER OF THIS TRACT;

THENCE S 01°11'42"E 399.96 FT. TO A 1/2" IRON ROD SET FOR THE SOUTHEAST CORNER OF THIS TRACT;

THENCE S 88°48'18"W 217.78 FT. TO A 1/2" IRON ROD SET FOR THE SOUTHWEST CORNER OF THIS TRACT;

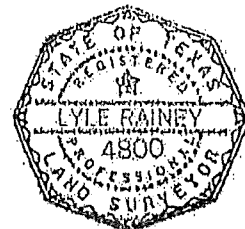
THENCE N 01°11'45"W 399.95 FT. TO THE PLACE OF BEGINNING AND CONTAINING WITHIN THESE BOUNDS 2.000 ACRES OF LAND.

THE BEARINGS RECITED HEREIN ARE BASE ON AND/OR ROTATED TO THE SOUTHEAST BOUNDARY LINE OF THE DAVID SHORES 3.491 ACRE TRACT.
(S 49°01'25" W)

SURVEYED JUNE 13, 2013

I, LYLE RAINY, REGISTERED PROFESSIONAL LAND SURVEYOR NO. 4800, DO HEREBY CERTIFY THAT THE FIELDNOTE DESCRIPTION OF THE ABOVE DESCRIBED TRACT WAS PREPARED FROM AN ACTUAL AND ACCURATE ON THE GROUND SURVEY AND THAT SAME IS TRUE AND CORRECT.


LYLE RAINY
REGISTERED PROFESSIONAL
LAND SURVEYOR NO. 4800



12-4135

12-4465

AFFIDAVIT TO THE PUBLIC

VOL. 1057 PAGE 670

VOL. 1059 PAGE 270

THE COUNTY OF Tyler STATE OF TEXAS

CERTIFICATION OF OSSF REQUIRING MAINTENANCE

According to Texas Commission on Environmental Quality Rules for On-Site Sewage Facilities, this document is filed in the Deed Records of TYLER County, Texas.

I

The Texas Health and Safety Code, Chapter 366 authorizes the Texas Commission on Environmental Quality (TCEQ) to regulate on-site sewage facilities (OSSFs). Additionally, the Texas Water Code (TWC), § 5.013, AND § 5.013, gives the TCEQ primary responsibility for implementing the laws of the State of Texas relating to water and adopting rules necessary to carry out its powers and duties under the TWC. The TCEQ, under the authority of the TWC and the Texas Health and Safety Code, requires owner's to provide notice to the public that certain types of OSSF's are located on specific pieces of property. To achieve this notice, the TCEQ requires a deed recording. Additionally, the owner must provide proof of the recording to the OSSF permitting authority. This deed certification is not a representation or warranty by the TCEQ of the suitability of this OSSF, nor does it constitute any guarantee by the TCEQ that the appropriate OSSF was installed.

II

An OSSF requiring a maintenance contract, according to 30 Texas Administrative Code § 285.91 (12) will be installed on the property described as (insert legal description): SEE ATTACHED

The property is owned by (insert owner's full name): Daren & Suzanne Nielsen

If this OSSF is located on two or more separate legal tracts of land the tracts cannot be sold separately. This document must be recorded with each tract's property deed affected by the OSSF. This OSSF shall be covered by a continuous service policy for the first two years. After the initial two-year service policy, the owner of an aerobic treatment system for a single family residence shall either obtain a maintenance contract within 30 days or maintain the system personally.

The owner will, upon any sale or transfer of the above-described property, request a transfer of the permit for the OSSF to the buyer or new owner. **A buyer or transferee must not alter or obstruct the designed spray field of the Onsite Sewage Facility without first contacting the local permitting authority.** These alterations including swimming pools, buildings, fences, water wells, etc. Any homeowner is hereby notified that a permit is required to make any such alternations and failure to do so is a violation of Texas State Law. A copy of the planning materials for the OSSF can be obtained from TCEQ, Region 10 office.

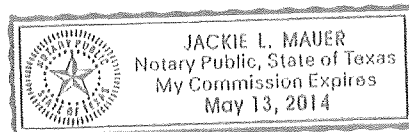
WITNESS BY HAND(S) ON THIS 26th DAY OF OCTOBER, 2012.

Daren J. Nielsen
Suzanne E. Nielsen
 Owner(s) signature

SWORN TO AND SUBSCRIBED BEFORE ME ON THIS 26 DAY OF OCTOBER, 2012 BY
Jackie L. Mauer Daren J. Nielsen and Suzanne E. Nielsen
 Notary Public, State of Texas

Notary's Printed Name: JACKIE L. MAUER

My Commission Expires: 05/13/2014



FILED FOR RECORD
 AT 10:00 O'CLOCK 17 M
 ON THE 16th DAY OF Oct
 A.D. 2012
 Vol. 1057 Page 670
 In the 0p Records

ANY PROVISION HEREIN WHICH RESTRICTS THE SALE,
 RENTAL OR USE OF THE DESCRIBED REAL PROPERTY
 BECAUSE OF COLOR OR RACE IS INVALID AND UNENFOR-
 CIBLE UNDER FEDERAL LAW.



STATE OF TEXAS }
 COUNTY OF TYLER } OFFICIAL PUBLIC
 RECORD

Donece Gregory
 COUNTY CLERK, TYLER COUNTY, TEXAS

BY James Brown
 DEPUTY

I hereby certify that this instrument was FILED
 on the date and at the time stamped hereon by
 me and was duly RECORDED in the Volume
 and Page of the named RECORDS of Tyler
 County, Texas, as stamped hereon by me.

Donece Gregory
 COUNTY CLERK
 TYLER COUNTY, TEXAS

By Daren Nielsen
 2125 Castle Drive
 League City TX
 77573

12-4465 pg

A-1 WASTEWATER SERVICES



Residential • Commercial

Clean:

- Septic Tanks
- Aerated Systems
- Grease Traps
- Install On-Site Sewage Facilities
- Maintain All Aerobic Units
- Site Evaluations
- Real Estate Inspections

MIKE MORRISON
(409) 385-0061

www.a1wastewater.com

890 Hayes Road
Silsbee, Texas 77656



M WASTEWATER SYSTEMS, INC. STALLATION SHEET

form with Clearstream within fourteen (14) days after installation or All
ARE VOID. By signing this, Customer acknowledges receipt of Owner's
and Clearstream Limited Warranty; and that Contractor or Contractor's
er use of the Clearstream Wastewater Treatment Equipment installed. Cus-
Contractor or Installer of Customer's On-Site Wastewater System is an inde-
pendent contractor and not an employee or agent of Clearstream Wastewater Systems, Inc.

Send original installation sheet to:
CLEARSTREAM WASTEWATER SYSTEMS, INC.
P.O. Box 7568
Beaumont, Texas 77726-7568

Tank Ser. # 2281 555

Wholesaler A-1 WASTEWATER SERVICES, INC.

Customer Duren Nielsen

Address 2688 FN 3765

City Louette

State TX Zip 77656

Phone # 261-131-0783

Licensing Regulatory Agency:

Name Tilley

City Baptist

State TX

Aerator Ser. # 512025071

Date Installed 5-7-2013

Contractor _____

Address A-1 WASTEWATER SERVICES, INC

City 890 HAYES ROAD

State SILSBEE, TX 77656

Phone # 409-385-0061

Service will be performed by:

Name _____

City A-1 WASTEWATER SERVICES, INC

State 890 HAYES ROAD
SILSBEE, TX 77656

Type of Installation

Residential:

Number of Residents 2

Garbage Disposal (Y or N) _____

Wastewater Disposal Method Used: spray

IF IRRIGATION METHOD USED, PLACE PUMP SERIAL # HERE 121154001

Commercial:

Type of Business _____

Number of Occupants _____

ADDRESS AND GEOGRAPHIC DIRECTIONS TO INSTALLATION SITE:

CONTRACTOR

(Signature)

(Printed Name)

CUSTOMER

(Signature)

(Printed Name)

White - Clearstream

Yellow - Wholesaler

Pink - Customer