



APPROVED BY THE TEXAS REAL ESTATE COMMISSION (TREC)

**SELLER'S DISCLOSURE NOTICE**

CONCERNING THE PROPERTY AT 4247 Richmond Ave, Spring Branch, TX, 78070
(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? Never Occupied
1. The Property has the items checked below [Write Yes (Y), No (N), or Unknown (U)]:

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

Dishwasher non-functioning due to lack of water, buyer should have their own inspection; Roof, Plumbing: See section 3 & Additional sheet attached; Drilled new well at specified location in May 2026

Seller has never occupied this property. Seller encourages Buyer to have their own inspections performed and verify all information relating to this property.

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): _____

Seller has never occupied this property.

Seller has never occupied this property. Seller encourages Buyer to have their own inspections performed and verify all information relating to this property.

- * 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.

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

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

Floors: Seller installed new LVP flooring in various locations before sale. Buyer and buyer's agent to independently verify; Exterior walls: Repaired mortar cracks in exterior wall as needed; HVAC: Replaced one of the HVAC unit in November 2025; See Additional sheet; Roof: damaged shingles, granular loss, impact marks, Damaged or missing flashing, buyer should have their own inspection

Seller has never occupied this property. Seller encourages Buyer to have their own inspections performed and verify all information relating to this property.

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.

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

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

Roof: Roof leak reported and repaired by previous seller in 2023 - Repair details unknown; Single Blockable Main Drain in Pool: Unknown, buyer should have their own inspection; Repaired front facing stem wall as needed; Roof: Repaired roof as needed in November 2025; Water damage under sinks/cabinets, buyer should have their own inspection

Seller has never occupied this property. Seller encourages Buyer to have their own inspections performed and verify all information relating to this property.
* A single blockable main drain may cause a suction entrapment hazard for an individual.

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(Street Address and City)

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).

Attic insulation pulled out/damaged by pests, buyer should have their own inspection

Seller has never occupied this property. Seller encourages Buyer to have their own inspections performed and verify all information relating to this property.

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.

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 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.

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

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 if necessary): _____

Seller has never occupied this property. Seller encourages Buyer to have their own inspections performed and verify all information relating to this property.

*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): _____

Seller has never occupied this property. Seller encourages Buyer to have their own inspections performed and verify all information relating to this property.

*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): _____

Seller has never occupied this property. Seller encourages Buyer to have their own inspections performed and verify all information relating to this property.

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.
- Y 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.
- Y Any portion of the property that is located in a groundwater conservation district or a subsidence district.
- N Any conservation easements located on the Property.
"Conservation easement" means an easement (permanent or for a period of years) on the property that restricts the use of all or a part of the property to protect natural resources, wildlife habitat, open space, or historical sites.
- N The Property is presently covered by insurance.
- N The Property is presently covered by windstorm insurance.
- N Seller has been unable to insure the Property for any reason.
- N A private road on or adjoining the Property for which Seller is financially responsible for maintaining.
- N Any aboveground or underground storage tanks on the Property. (If yes, see 30 Texas Administrative Code Chapter 334 for additional disclosure requirements.)
- N Any aboveground storage tanks on the Property that hold 500 gallons or more and have stored petroleum products or other chemicals.

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

HOA Name: Whispering Hills of Comal County Property Owners Association, Inc, Phone Number: 830-885-6997, Main Fee: \$15.00 paid ANNUALLY. Please see attached for HOA-related expenses provided to the Seller at the time the Seller purchased this property. The Buyer is encouraged to contact the HOA for current information. Property has CC&Rs. Property is located in COMAL TRINITY GROUNDWATER CONSERVATION DISTRICT GCD.

- Seller has never occupied this property. Seller encourages Buyer to have their own inspections performed and verify all information relating to this property.
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.

Authorized Signer on Behalf of

Opendoor Property Trust I

Brad Bonney

06/01/2026

Signature of Seller

Date

Signature of Seller

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. 55-1. This form replaces 55-0.

4247 Richmond Ave, Spring Branch, TX 78070 - Additional sheet

Section 3: Roof: Damaged shingles, granular loss, impact marks, Damaged or missing flashing, buyer should have their own inspection

Section 3: Plumbing: No water supply: 2200 gallon Water tank in need of repair. Well inoperable, and recommend a new well. Surface pressure pump for well running continuously, Functional flow issues when multiple fixtures used; low flow at kitchen, no cold water observed. Sink fixture leaking into lower cabinet, buyer should have their own inspection

Electrical: Multiple safety hazards: double-lugged neutrals, grounds and neutrals on same bus, missing lug covers, bonding in sub-panel, service wires in contact with trees: Missing cover plates, GFCI outlet not resetting, loose receptacle/wiring, buyer should have their own inspection

Buyer is aware that the security system does not convey with sale of the home. Electronic Locksets, Kwikset 914 (or similar, present and in place) will be removed and replaced with a standard lock prior to the close of escrow.

Seller has never occupied this property. Seller encourages Buyer to have their own inspections performed and verify all information relating to this property.

This seller disclosure was revised on 06-01-2026

Documentation provided to Seller at the time Seller purchased this property. Buyer is encouraged to contact HOA for current information

**Subdivision Information, Including Resale
Certificate for Property Subject to Membership
in a Property Owners Association** (Section 207.003,
Texas Property Code)

NOTICE: All properties in the Whispering Hills Subdivision, Comal County, Texas, are legally bound by the individually issued deed restrictions attached to each lot when originally platted and sold by the Developer Lakecroft Beach Estates. All lots are SINGLE FAMILY RESIDENTIAL LOTS per the Map or Plat thereof recorded in Volume 4, pages 20-27 of the map and plat records of Comal County as recorded on June 22, 1972. The Subdivision plat has never been amended to include commercial properties.

Resale Certificate concerning the Property located at 4247 Richmond, Lots 336 & 359, of Spring Branch, County of Comal, TEXAS, prepared by Whispering Hills, Comal County, Property Owners Association, referred to as WHPOA.

The WHPOA is a property owners' association that is entitled to levy the mandatory regular assessments of \$15.00 per year pursuant to the individual Deed restrictions encumbering each and every lot within the Whispering Hills Subdivision. Membership in WHPOA is voluntary and is separate and apart from the imposed annual Deed assessment obligation.

1. The Property is not subject to a right of first refusal or other restraint contained in the restrictions or restrictive covenants that restricts the owner's rights to transfer the owner's property.
2. The current mandatory regular Deed assessment for the property is \$15.00 per year. The voluntary POA membership fee is \$20.00 per year. The Whispering Hills fiscal year begins on May 1st of each year.
3. A special assessment for the Property due after the date of the resale certificate was prepared is none.
4. The total of all mandatory assessment amounts due and unpaid to WHPOA that are attributable to the Property as unpaid assessments \$0 effective October 29, 2025.
5. The capital expenditures approved by the Association for its current fiscal year are \$15,000.
6. The amount of reserves for capital expenditures is \$26,500.00.
7. Unsatisfied judgments against the Association total NONE.
8. There is no lawsuit pending against the Association as of October 29, 2025.
9. The WHPOA Board of Directors has NO knowledge of conditions on the Property in violation of the restrictions applying to the subdivision or the bylaws or rules of the Association.

10. The WHPOA bundled fees resulting from the transfer of this property is \$523.50 (includes any applicable membership discounts with a \$50 rush delivery fee, if requested). Refer to the billing invoice for the exact balance due. A property owner may ask only for Transfer and Statement of Account for a fee of \$550. This fee will be required with each sale. If the property owner would also like a Resale Certificate with the sale, the cost is \$200. However, if the property owner wishes a Resale Certificate with the Transfer and Statement of Account, we offer a bundled package rate of \$700 (this includes Transfer and Statement of Account, \$500 and Resale Certificate of \$200). Once the WHPOA has issued a Resale Certificate to a Title Company, the \$200.00 fee for the Resale Certificate is retained by the WHPOA whether the property closes or not. A Homeowner's Association Information Request Form is included if provided by the Title Company. Refer to the invoice for specific, applicable POA membership discounts and the balance due to WHPOA. All fees are payable to WHPOA, 7001 Portsmouth Drive, Spring Branch, TX 7807011.
11. The WHPOA managing agent is Gary T. Charlton, 7001 Portsmouth Dr. Spring Branch, TX 78070. The telephone # is 830-885-6997.
12. The restrictions do not address foreclosure of the Association's lien on property for failure to pay assessments however, the restrictions DO AUTHORIZE liens being placed on properties for failure to pay assessments.
13. The Resale Certificate's fee is \$200.00 and it is non-refundable once it has been issued to a valid authorized requestor. Resale Certificate Attachments include the following:
- a) Declarations/Restrictions by Lakecroft (two pages);
 - b) Lakecroft transfers to Whispering Hills of Comal County POA (two pages);
 - c) Extension of Declarations and Covenant (six pages);
 - d) Collection & Payment Plan policy (six pages);
 - e) WHPOA Architectural Guidelines and application (ten pages)
 - f) Email policy (four pages);
 - g) Email registration form (one page);
 - h) Records Production and Copying Policy (six pages);
 - i) Records Retention Policy (two pages),
 - j) Open Meetings Policy (six pages)
 - k) Whispering Hills Park Usage Rules (one page)
 - l) Management Certificate (three pages)
 - m) Resolution Pertaining to Home Businesses (eight pages)

- n) Affidavit – Revised Whispering Hills Charter (ten pages)
- o) Whispering Hills Third Amended Bylaws twenty-two pages)

14. WHPOA Subdivision information concerning: 4247 Richmond Avenue:

- a). Current Balance Sheet (one page)
- b). Current Operating Budget (one page)
- c) Certificate of Insurance concerning Property & Liability Insurance for Common Areas and Facilities (one page)
- d) Any Governmental Notices of Health or Housing Code Violations – NONE

NOTICE: This subdivision information may change at any time. Prepared by/for:

Whispering Hills of Comal County Property Owners Association, Inc.

Prepared by:

Casey Solari, Director

Date: October 29, 2025

Mailing Address: WHPOA, 7001 Portsmouth Dr., Spring Branch, TX 78070

Email: caseysolari@yahoo.com

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