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 _____ _____

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).

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