TEXAS REALTORS

SELLER'S DISCLOSURE NOTICE

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A seller must disclose known material information concerning the condition of the Property. 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 252 Well Springs and 256 Well Springs Boerne, TX 78006

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	☑	☐	☐
Carbon Monoxide Det.	☐	☐	☑
Ceiling Fans	☑	☐	☐
Cooktop/Range/Stove	☑	☐	☐
Dishwasher	☑	☐	☐
Disposal	☑	☐	☐
Emergency Escape Ladder(s)	☐	☐	☐
Exhaust Fans	☑	☐	☐
Fences	☑	☐	☐
Fire Detection Equip.	☑	☑	☐
French Drain	☐	☑	☐
Gas Fixtures	☑	☐	☐
Liquid Propane (LP) Gas:	☐	☑	☐
-LP Community (Captive)	☐	☑	☐
-LP on Property	☐	☑	☐

Item	Y	N	U
Natural Gas Lines	☑	☐	☐
Fuel Gas Piping:	☐	☐	☑
-Black Iron Pipe	☐	☐	☑
-Copper	☐	☐	☑
-Corrugated Stainless Steel Tubing	☐	☐	☑
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	☑	☐	☐
Roof/Attic Vents	☑	☐	☐
Sauna	☐	☑	☐
Smoke Detector	☑	☐	☐
Smoke Detector – Hearing Impaired	☐	☑	☐
Spa primary bathroom tub	☑	☐	☐
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: one
Evaporative Coolers	☐	☑	☐	number of units:
Wall/Window AC Units	☐	☑	☐	number of units:
Attic Fan(s)	☐	☑	☐	if yes, describe:
Central Heat	☑	☐	☐	☑ electric ☐ gas number of units: one
Other Heat	☐	☐	☐	if yes describe:
Oven	☑	☐	☐	number of ovens: 1 ☑ electric ☐ gas ☐ other:
Fireplace & Chimney	☑	☐	☐	☐ wood ☑ gas logs ☐ mock ☐ other:
Carport	☐	☑	☐	☐ attached ☐ not attached
Garage	☑	☐	☐	☑ attached ☐ not attached
Garage Door Openers	☑	☐	☐	number of units: 2 number of remotes: 2
Satellite Dish & Controls	☐	☑	☐	☐ owned ☐ leased from:
Security System	☑	☐	☐	☑ owned ☐ leased from:

Item	Y	N	U	Additional Information
Solar Panels	☐	☑	☐	☐ owned ☐ leased from:
Water Heater	☑	☐	☐	☒ electric ☑ gas ☐ other: number of units: One
Water Softener	☑	☐	☐	☑ owned ☐ leased from:
Other Leased Item(s)	☐	☑	☐	if yes, describe:
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: _____

Was the Property built before 1978? ☐ yes ☑ no ☐ unknown (If yes, complete, sign, and attach TXR-1906 concerning lead-based paint hazards.)

Roof Type: Metal Age: 4 years (approximate)

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

not sure if smoke detectors work

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	☐	☑
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): _____

Crack in masonry
Cupping in hardwood floors in some places
Cracks in stucco wall on Patio deck that separates from neighbor. Wall separated from house wall.

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: ☐ oak wilt ☐ other:	☐	☑
Endangered Species/Habitat on Property	☐	☑
Fault Lines	☐	☑
Hazardous or Toxic Waste	☐	☑
Improper Drainage	☐	☑
Intermittent or Weather Springs	☐	☑
Landfill	☐	☑
Lead-Based Paint or Lead-Based Paint Hazards	☐	☑
Encroachments onto the Property	☐	☑
Improvements encroaching on others' property	☐	☑
Located in Historic District	☐	☑

Condition	Y	N
Radon Gas	☐	☑
Settling	☐	☐
Soil Movement	☐	☑
Unplatted Easements	☐	☑
Unrecorded Easements	☐	☑
Urea-formaldehyde Insulation	☐	☑
Water Damage Not Due to a Flood Event	☐	☑
Wetlands on Property	☐	☑
Wood Rot	☐	☑
Active infestation of termites or other wood destroying insects (WDI)	☐	☑
Previous treatment for termites or WDI	☐	☑
Previous termite or WDI damage repaired	☐	☑
Termite or WDI damage needing repair	☐	☑

Condition	Y	N
Historic Property Designation	☐	☑
Previous Foundation Repairs	☐	☑
Previous Roof Repairs or Replacement	☑	☐
Previous Other Structural Repairs	☐	☑
Previous Use of Premises for Manufacture of Methamphetamine	☐	☑
A private road on or adjoining the Property that a buyer will be financially responsible for maintaining	☐	☑
Alkali-Silica Reaction (ASR) or "Concrete Cancer"	☐	☑

Condition	Y	N
Previous Fires	☐	☑
Single Blockable Main Drain in Pool/Hot Tub/Spa*	☐	☑
Subsurface Structure or Pits	☐	☑
Underground Storage Tanks**	☐	☑
Aboveground Storage Tanks**	☐	☑
Aboveground Storage Tanks on the Property that hold 500 gal. or more and have stored petroleum products or other chemicals**	☐	☑
Conservation Easements***	☐	☑

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

Complete new roof with galvalume after hail damage. New gutters as well

*A single blockable main drain may cause a suction entrapment hazard for an individual.
**If yes, see 30 Texas Administrative Code Chapter 334 for additional disclosure requirements pertaining to storage tanks.
***"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.

Section 4. Are you (Seller) aware of any item, equipment, or system in or on the Property in need of repair that has not been previously disclosed in this notice? ☐ yes ☑ no If yes, explain (attach additional sheets if necessary): _____

Section 5. Insurance. (Indicate Yes (Y) or No (N))	Y	N
The Property is presently covered by insurance.	☑	☐
The Property is presently covered by flood insurance.*	☐	☑
The Property is presently covered by windstorm insurance.	☐	☑
You (Seller) have been unable to insure the Property for any reason.	☐	☑

*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).

If the answer to any of the items in Section 5 is yes, explain (attach additional sheets if necessary): _____

Insurance Company is USAA - Homeowners

Section 6. Have you (Seller) ever filed a claim for any damage to the Property with any insurance provider? (This includes, but is not limited to, claims filed with the National Flood Insurance Program (NFIP))? ☑ yes ☐ no If yes, explain: roof replacement after hail damage

Kitchen tile after dishwasher leak on hardwood floors

Section 7. 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 8. 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	
☐	☑	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.
☐	☑	Previous water penetration into a structure on the Property due to a natural flood.
☐	☑	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)). not that I am aware of
☐	☑	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 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.

"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 9. 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 10. 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.
☐	☑	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.
☐	☑	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 items in Section 10 is yes, explain (attach additional sheets if necessary): ___

☑ ☐ Homeowners' associations or maintenance fees or assessments. If yes, complete the following:
Name of association: Menger Springs HOA
Manager's name: First Services Phone: _____
Fees or assessments are: $ _____ per _____ and are: ☑ mandatory ☐ voluntary
Any unpaid fees or assessments for the Property? ☐ yes ($ _____) ☐ no
If the Property is in more than one association, provide information about the other associations or attach information to this notice: _____

252 - $203.53 per quarter 256 65.88 per quarter

☐ ☑ 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: _____

Section 11. Within the last 4 years, have you (Seller) received any written inspection reports or evaluations of the Property prepared by persons who regularly provide such inspections or evaluations and who are licensed, certified, or otherwise legally authorized to perform them, including but not limited to general home, roof, HVAC, plumbing, electrical, structural/foundation, pool/spa, mold, termite or other wood-destroying insect, environmental, or other specialized inspections? ☐ yes ☑ no If yes, attach copies of any such reports and indicate the number of reports attached: maybe before AC replacement?

Note: A buyer should not rely on prior reports as a reflection of the current condition of the Property. A buyer should obtain inspections from inspectors chosen by the buyer.

Notice to Seller: Under Texas law, you are required to disclose all known material facts, defects, needed repairs, and adverse conditions affecting the Property. Failure to disclose known material information about the Property may result in legal liability.

Section 12. 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 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): _____

**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 Sellers to provide inaccurate information or to omit any material information.

Carol L Engstrom
Signature of Seller Date

Signature of Seller Date

Printed Name: CAROL L ENGSTROM

Printed Name: _____

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: _____ phone #: _____
Sewer: _____ phone #: _____
Water: City of Boerne phone #: _____
~~Cable~~: _____ phone #: 830.249.9511
Trash: _____ phone #: _____
Natural Gas: Boerne City No landline phone #: _____
Phone Company: Verizon mobile. No landline phone #: _____
Propane: _____ phone #: _____
Internet: GVTC phone #: 830.885.4411
Security System: _____ 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: