



TEXAS ASSOCIATION OF REALTORS® 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 2319 Newfield Ln
Austin, TX 78703

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?
 12 YEARS 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	Item	Y	N	U	Item	Y	N	U
Cable TV Wiring	X			Gas Lines (Nat/LP)	X			Pump: <input type="checkbox"/> sump <input type="checkbox"/> grinder		X	
Carbon Monoxide Det.	X			Hot Tub		X		Rain Gutters		X	
Ceiling Fans	X			Intercom System		X		Range/Stove	X		
Cooktop		X		Microwave		X		Roof/Attic Vents		X	
Dishwasher	X			Outdoor Grill		X		Sauna		X	
Disposal	X			Patio/Decking	X			Smoke Detector	X		
Emergency Escape Ladder(s)		X		Plumbing System	X			Smoke Detector - Hearing Impaired		X	
Exhaust Fans		X		Pool		X		Spa		X	
Fences	X			Pool Equipment		X		Trash Compactor		X	
Fire Detection Equip.				Pool Maint. Accessories		X		TV Antenna		X	
French Drain	X			Pool Heater		X		Washer/Dryer Hookup	X		
Gas Fixtures		X		Public Sewer System	X			Window Screens	X		

Item	Y	N	U	Additional Information
Central A/C	X			<input type="checkbox"/> electric <input checked="" type="checkbox"/> gas number of units: <u>1</u>
Evaporative Coolers		X		number of units: _____
Wall/Window AC Units		X		number of units: _____
Attic Fan(s)		X		if yes, describe: _____
Central Heat	X			<input type="checkbox"/> electric <input type="checkbox"/> gas number of units: _____
Other Heat		X		if yes, describe: _____
Oven	X			number of ovens: <u>1</u> <input type="checkbox"/> electric <input checked="" type="checkbox"/> gas <input type="checkbox"/> other: _____
Fireplace & Chimney		X		<input type="checkbox"/> wood <input type="checkbox"/> gas logs <input type="checkbox"/> mock <input type="checkbox"/> other: _____
Carport	X			<input checked="" type="checkbox"/> attached <input type="checkbox"/> not attached
Garage		X		<input type="checkbox"/> attached <input type="checkbox"/> not attached
Garage Door Openers		X		number of units: _____ number of remotes: _____
Satellite Dish & Controls		X		<input type="checkbox"/> owned <input type="checkbox"/> leased from _____
Security System		X		<input type="checkbox"/> owned <input type="checkbox"/> leased from _____
Water Heater	X			<input type="checkbox"/> electric <input checked="" type="checkbox"/> gas <input type="checkbox"/> other: _____ number of units: <u>1</u>
Water Softener		X		<input type="checkbox"/> owned <input type="checkbox"/> leased from _____
Underground Lawn Sprinkler		X		<input type="checkbox"/> automatic <input type="checkbox"/> manual areas covered: _____
Septic / On-Site Sewer Facility		X		if yes, attach Information About On-Site Sewer Facility (TAR-1407)

(TAR-1406) 1-01-10 Initialed by: Seller: EP and Buyer: _____ Page 1 of 5

Concerning the Property at _____

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 TAR-1906 concerning lead-based paint hazards).

Roof Type: HOT MOPPED ASPHALT 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 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): _____

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		<input checked="" type="checkbox"/>
Ceilings		<input checked="" type="checkbox"/>
Doors		<input checked="" type="checkbox"/>
Driveways	<input checked="" type="checkbox"/>	
Electrical Systems	<input checked="" type="checkbox"/>	
Exterior Walls	<input checked="" type="checkbox"/>	

Item	Y	N
Floors	<input checked="" type="checkbox"/>	
Foundation / Slab(s)		<input checked="" type="checkbox"/>
Interior Walls		<input checked="" type="checkbox"/>
Lighting Fixtures		<input checked="" type="checkbox"/>
Plumbing Systems		<input checked="" type="checkbox"/>
Roof		<input checked="" type="checkbox"/>

Item	Y	N
Sidewalks		<input checked="" type="checkbox"/>
Walls / Fences		<input checked="" type="checkbox"/>
Windows		<input checked="" type="checkbox"/>
Other Structural Components		<input checked="" type="checkbox"/>

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

SEE ATTACHED

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		<input checked="" type="checkbox"/>
Asbestos Components		<input checked="" type="checkbox"/>
Diseased Trees: <input type="checkbox"/> oak wilt <input type="checkbox"/> _____		<input checked="" type="checkbox"/>
Endangered Species/Habitat on Property		<input checked="" type="checkbox"/>
Fault Lines		<input checked="" type="checkbox"/>
Hazardous or Toxic Waste		<input checked="" type="checkbox"/>
Improper Drainage		<input checked="" type="checkbox"/>
Intermittent or Weather Springs	<input checked="" type="checkbox"/>	
Landfill		<input checked="" type="checkbox"/>
Lead-Based Paint or Lead-Based Pt. Hazards		<input checked="" type="checkbox"/>
Encroachments onto the Property		<input checked="" type="checkbox"/>
Improvements encroaching on others' property		<input checked="" type="checkbox"/>
Located in 100-year Floodplain		<input checked="" type="checkbox"/>
Located in Floodway		<input checked="" type="checkbox"/>
Present Flood Ins. Coverage (If yes, attach TAR-1414)		<input checked="" type="checkbox"/>
Previous Flooding into the Structures		<input checked="" type="checkbox"/>
Previous Flooding onto the Property		<input checked="" type="checkbox"/>
Previous Fires		<input checked="" type="checkbox"/>
Previous Use of Premises for Manufacture of Methamphetamine		<input checked="" type="checkbox"/>

Condition	Y	N
Previous Foundation Repairs		<input checked="" type="checkbox"/>
Previous Roof Repairs	<input checked="" type="checkbox"/>	
Other Structural Repairs		<input checked="" type="checkbox"/>
Radon Gas		<input checked="" type="checkbox"/>
Settling	<input checked="" type="checkbox"/>	
Soil Movement		<input checked="" type="checkbox"/>
Subsurface Structure or Pits		<input checked="" type="checkbox"/>
Underground Storage Tanks		<input checked="" type="checkbox"/>
Unplatted Easements		<input checked="" type="checkbox"/>
Unrecorded Easements		<input checked="" type="checkbox"/>
Urea-formaldehyde Insulation		<input checked="" type="checkbox"/>
Water Penetration		<input checked="" type="checkbox"/>
Wetlands on Property		<input checked="" type="checkbox"/>
Wood Rot	<input checked="" type="checkbox"/>	
Active infestation of termites or other wood-destroying insects (WDI)		<input checked="" type="checkbox"/>
Previous treatment for termites or WDI		<input checked="" type="checkbox"/>
Previous termite or WDI damage repaired		<input checked="" type="checkbox"/>
Termite or WDI damage needing repair		<input checked="" type="checkbox"/>

Concerning the Property at _____

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

SEE ATTACHED

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): _____

SEE ATTACHED

Section 5. 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 or not in compliance with building codes in effect at the time.

Homeowners' associations or maintenance fees or assessments. If yes, complete the following:
Name of association: _____
Manager's name: _____ Phone: _____
Fees or assessments are: \$ _____ per _____ 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.

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: _____

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).

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

Concerning the Property at _____

Section 6. Seller has has not attached a survey of the Property.

Section 7. 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

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 8. 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 9. 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 10. 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 Seller to provide inaccurate information or to omit any material information.


9/25/10
 Signature of Seller _____ Date _____ Signature of Seller _____ Date _____
 Printed Name: Eric D. Brown Printed Name: _____

(TAR-1406) 1-01-10 Initialed by: Seller: ES and Buyer: _____ Page 4 of 5

Concerning the Property at _____

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 www.txdps.state.tx.us. 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 you are basing your offers on square footage, measurements, or boundaries, you should have those items independently measured to verify any reported information.

(4) The following providers currently provide service to the property:

Electric: <u>CITY OF AUSTIN</u>	phone #: <u>494 9400</u>
Sewer: <u>CITY OF AUSTIN</u>	phone #: <u>"</u>
Water: <u>CITY OF AUSTIN</u>	phone #: <u>"</u>
Cable: <u>TIME WARNER</u>	phone #: <u>485 5555</u>
Trash: <u>CITY OF AUSTIN</u>	phone #: <u>494 9400</u>
Natural Gas: <u>ONEOK</u>	phone #: <u>800 700 2443</u>
Phone Company: <u>AT&T/SOUTH-BELL</u>	phone #: <u>800 CALLATT</u>
Propane: <u>N/A</u>	phone #: _____

(5) 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: _____	

Attachment to Seller's Disclosure statement

Section 2

The driveway (not the carport slab) has always had cracks, and after the 2008-2009 drought has completely cracked into pieces.

The electrical system is primarily the original wiring. The previous owner installed GFI outlets but they do not appear to be separately grounded which I would assume means they don't function as GFI outlets.

There are some cracks in the exterior brick walls. The crack in the front wall at the center, and the crack on the front wall near the SW corner, existed when I originally bought the house. There is a new crack on the back wall of the house, near the SE corner, that appeared during the 2008-2009 drought. Neither I nor any tenants in the house ever noticed any structural or weather intrusion issues from these cracks.

The hardwood flooring in front of the dishwasher has bowed. This was due to a leak from the dishwasher (not any kind of flooding from outside). Note that the removable section of floor in front of the dishwasher is intentional, to allow the dishwasher to be installed/removed. This piece would simplify repair of the bowed board(s).

Section 3

There is an intermittent artesian spring behind some number of the properties of the properties near the end of the cul-de-sac. On my property, a french drain starts near the middle of the backyard and bends around the SE corner of the house, following the south wall and drains into the front yard (you can see the drainage pipe). Typically there is a some flow after periods of wet weather. The spring was very active around 2004 or so. I had the City of Austin utilities check the water then, which they said was contained neither sewage nor chlorine (so it's not a sewage or water main leak). There are other springs in the general area, so I assume this to be some kind of occasional spring. At the heaviest flow, it's beyond the capacity of the french drain, and the water will pool up and flow along the lines of the french drain on the south side of the house. Since that year, though, we've never seen any water flowing above ground (maybe it's stopped?) and has only been at most a small flow through the french drain. As long as I've owned the house and as far as I know, it never caused any flooding or water intrusion into the house or other parts of the property.

The foundation slab was previously reinforced before I purchased the property. The holes drilled for the piers are in all the rooms of the house under the hardwood floors, and are also visible on the carport slab. I assume they're working, because there's rarely any noticeable movement of the slab. The only exception to this was during the 2008-2009 drought, when the crack on the back wall of the house appeared, and several tiles in the bathroom cracked. Because of that, in 2009, I had Centex Foundatin Repair inspect the slab, and they reported the SE corner of the house has the most settling of about 3" from the highest part of the slab. They said this is normal for properties in the area, but that better foundation reinforcement could

essentially stop any movement. Their estimate to install 33 piers for this was \$11,550 (see attached). The movement isn't significant enough to me to justify this, but keep in mind doing this kind of repair would also incur the cost of replacing the hardwood floors as well.

The roof is hot-mopped asphalt and gravel over some kind of insulated panel system, similar to other homes on the Newfield block of the same construction. The panels are surely part of the original construction. The roof has never leaked into the house, however, there has been water seepage up and around the struts that support the overhand of the house over the years. In 2010, I had dry-rotted joists in the carport, and several of the struts and fascia boards around the rest of the eaves repaired, and we repainted them at the same time. There is also a slight settling of the roof above the SW corner bedroom, which is where the dry-rot under the eave was most significant. In 2009, a heavy hailstorm hit the area, and damaged many of the roofs in the area. Farmer's Insurance had the roof inspected, and said no damage occurred, and that it was rare for gravel-topped roofs to suffer hail damage.

Section 4

As of the time of writing up this disclosure, I'm in the process of having a number of things in the house repaired, after the tenants of over 10 years just moved out. I replaced some cracked tile in the bathroom (unfortunately the old 8x8" tiles were too hard to match, so this was replaced with similar 2x2" tiles instead). There is a leak in the drain pipe under the right side of the kitchen sink (minor enough that the tenants never reported it) which has not been repaired yet. There are also 2 outlets in the house that are not working - I assume this is due to a bad outlet but I haven't had an electrician in to fix it yet. And the smoke/CO2 detectors in the house are not all functioning, and need to be replaced.