



APPROVED BY THE TEXAS REAL ESTATE COMMISSION (TREC)

## SELLER'S DISCLOSURE NOTICE

CONCERNING THE PROPERTY AT 4294 Franklin Adams St **Kingsville**  
(Street Address and City)

THIS NOTICE IS A DISCLOSURE OF SELLER'S KNOWLEDGE OF THE CONDITION OF THE PROPERTY AS OF THE DATE OF THIS NOTICE. IT IS NOT A WARRANTY. IT IS THE RESPONSIBILITY OF THE SELLER TO FULLY DISCLOSE THE PROPERTY. THE PURCHASER MAY WISH TO OBTAIN AN INDEPENDENT INSPECTION OF THE PROPERTY. THE PURCHASER MAY ALSO WISH TO OBTAIN A WARRANTY OF ANY KIND BY SELLER OR SELLER'S AGENTS.

Seller  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)]:

<input checked="" type="checkbox"/> Range	<input checked="" type="checkbox"/> Oven	<input checked="" type="checkbox"/> Microwave	
<input checked="" type="checkbox"/> Dishwasher	<input checked="" type="checkbox"/> Trash Compactor	<input checked="" type="checkbox"/> Disposal	
<input checked="" type="checkbox"/> Washer/Dryer Hookups	<input checked="" type="checkbox"/> Window Screens	<input checked="" type="checkbox"/> Rain Gutters	
<input checked="" type="checkbox"/> Security System	<input checked="" type="checkbox"/> Fire Detection Equipment	<input checked="" type="checkbox"/> Intercom System	
<input checked="" type="checkbox"/> TV Antenna	<input checked="" type="checkbox"/> Smoke Detector	<input checked="" type="checkbox"/> Satellite Dish	
<input checked="" type="checkbox"/> Ceiling Fan(s)	<input checked="" type="checkbox"/> Smoke Detector-Hearing Impaired	<input checked="" type="checkbox"/> Exhaust Fan(s)	
<input checked="" type="checkbox"/> Central A/C	<input checked="" type="checkbox"/> Carbon Monoxide Alarm	<input checked="" type="checkbox"/> Wall/Window Air Conditioner	
<input checked="" type="checkbox"/> Plumbing System	<input checked="" type="checkbox"/> Emergency Escape Ladder(s)	<input checked="" type="checkbox"/> Public Sewer System	
<input checked="" type="checkbox"/> Patio/Decking	<input checked="" type="checkbox"/> Cable TV Wiring	<input checked="" type="checkbox"/> Fences	
<input checked="" type="checkbox"/> Pool	<input checked="" type="checkbox"/> Attic Fan(s)	<input checked="" type="checkbox"/> Spa <input type="checkbox"/> Hot Tub	
<input checked="" type="checkbox"/> Pool Equipment	<input checked="" type="checkbox"/> Central Heating	<input checked="" type="checkbox"/> Automatic Lawn Sprinkler	
<input checked="" type="checkbox"/> Fireplace(s) & Chimney (Wood burning)	<input checked="" type="checkbox"/> Septic System	<input checked="" type="checkbox"/> Fireplace(s) & Chimney (M)	
<input checked="" type="checkbox"/> Natural Gas Lines	<input checked="" type="checkbox"/> Outdoor Grill	<input checked="" type="checkbox"/> Gas Fixtures	
<input checked="" type="checkbox"/> Liquid Propane Gas: <input type="checkbox"/> LP Community (Captive) <input type="checkbox"/> LP on Property			
<input checked="" type="checkbox"/> Fuel Gas Piping: <input type="checkbox"/> Black Iron Pipe <input type="checkbox"/> Corrugated Stainless Steel Tubing <input type="checkbox"/> Copper			
Garage: <input checked="" type="checkbox"/> Attached <input type="checkbox"/> Not Attached		<input type="checkbox"/> Carport	
Garage Door Opener(s): <input checked="" type="checkbox"/> Electronic		<input type="checkbox"/> Control(s)	
Water Heater: <input checked="" type="checkbox"/> Gas		<input checked="" type="checkbox"/> Electric	
Water Supply: <input checked="" type="checkbox"/> City	<input type="checkbox"/> Well	<input type="checkbox"/> MUD	<input type="checkbox"/> Co-op
Roof Type: <u>Shingle</u>	<u>30 yr</u>	Age: <u>54</u>	

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

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2. Does the property have working smoke detectors installed in accordance with the smoke detector requirements 766, Health and Safety Code?\*  Yes  No  Unknown. If the answer to this question is no or unknown (Attach additional sheets if necessary): Smoke detectors are installed and functioning, unsure if they are in accordance to chapter 766 code

\* 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 your area, you may check unknown above or contact your local building official for more information. A seller may require a seller to install smoke detectors for the hearing impaired if: (1) the buyer or a member of the buyer's household 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 pay 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.

N Interior Walls  
 N Exterior Walls  
 N Roof  
 N Walls/Fences  
 N Plumbing/Sewers/Septics

N Ceilings  
 N Doors  
 N Foundation/Slab(s)  
 N Driveways  
 N Electrical Systems

N Floors  
 N Windows  
 N Sidewalks  
 N Intercom Systems  
 N Lighting Fixtures

N 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.

N Active Termites (includes wood destroying insects)  
 N Termite or Wood Rot Damage Needing Repair  
 N Previous Termite Damage  
 N Previous Termite Treatment  
 N Improper Drainage  
 N Water Damage Not Due to a Flood Event  
 N Landfill, Settling, Soil Movement, Fault Lines  
 N Single Blockable Main Drain in Pool/Hot Tub/Spa\*

N Previous Structural or Roof Repair  
 N Hazardous or Toxic Waste  
 N Asbestos Components  
 N Urea-formaldehyde Insulation  
 N Radon Gas  
 N Lead Based Paint  
 N Aluminum Wiring  
 N Previous Fires  
 N Unplatted Easements  
 N Subsurface Structure or Pits  
 N Previous Use of Premises for Manufacture of  
 N Methamphetamine

If the answer to any of the above is yes, explain. (Attach additional sheets if necessary): Pest Control come to spray for insects + termites often, or inspect

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.

Y 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, 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): \_\_\_\_\_

\*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 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 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 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 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 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 zones or other operations. Information relating to high noise and compatible use zones is available in the most recent Installation Compatible Use Zone Study or Joint Land Use Study prepared for a military installation and may be accessed through the Internet website of the military installation and of the county and any municipality in which the military installation is located.

Signature of Seller  
Isaac Gutierrez Jr.

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. It may 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. This form replaces OP-H.