



# AUSTIN/CENTRAL TEXAS REALTY INFORMATION SERVICE (ACTRIS)

## SELLER'S DISCLOSURE NOTICE

THIS FORM IS FURNISHED BY THE AUSTIN/CENTRAL TEXAS REALTY INFORMATION SERVICE FOR USE BY ITS PARTICIPANTS.

**NOTE: EFFECTIVE JANUARY 1, 1994, SECTION 5.008 OF THE TEXAS PROPERTY CODE REQUIRES A SELLER OF RESIDENTIAL REAL PROPERTY OF NOT MORE THAN ONE DWELLING UNIT TO DELIVER A COPY OF THE SELLER'S DISCLOSURE NOTICE, COMPLETE TO THE BEST OF THE SELLER'S BELIEF AND KNOWLEDGE, TO A PURCHASER ON OR BEFORE THE EFFECTIVE DATE OF A CONTRACT FOR THE SALE OF THE PROPERTY. IF A CONTRACT IS ENTERED INTO WITHOUT THE SELLER PROVIDING THE NOTICE, THE BUYER MAY TERMINATE THE CONTRACT FOR ANY REASON WITHIN SEVEN (7) DAYS AFTER RECEIVING THE NOTICE. IF INFORMATION REQUIRED BY THE NOTICE IS UNKNOWN TO THE SELLER, THE SELLER MAY INDICATE THAT FACT ON THE NOTICE AND THEREBY COMPLY WITH THE REQUIREMENTS OF SECTION 5.008 OF THE TEXAS PROPERTY CODE. This form complies with and contains additional disclosures which exceed the minimum required by the Code**

CONCERNING THE PROPERTY AT 2805 LaFayette Ave. Austin  
(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, SELLER'S AGENTS, OR ANY OTHER AGENT.**

Seller  is  is not occupying the Property.

If unoccupied, how long since Seller has occupied the Property? \_\_\_\_\_

Seller  is  is not knowledgeable of the current condition of the Property.

The Property  is  is not currently leased and  has  has not been leased in the last two (2) years.

If leased, how long? unknown - (before remodel)

During the last year the Property  has  has not been vacant.

If yes, how long was the Property vacant? four months (construction)

### I. FEATURES AND EQUIPMENT (Mark all appropriate items that EXIST and their WORKING CONDITION):

**NOTE: This notice does not establish which items will or will not be conveyed.**

**The terms of the TREC Contract will determine which items will and will not be conveyed.**

Y = Yes, N = No, U = Unknown

Exists	Item	Working Condition			Additional Information	
<input checked="" type="checkbox"/>	Bathroom Heater	Y	N	U	#	[E] [G]
<input checked="" type="checkbox"/>	Cable TV Wiring	<input checked="" type="radio"/>	N	U		
	Carport	Y	N	U	# of Spaces	Attached [Y] [N]
	Carbon Monoxide Detector	Y	N	U	#	
<input checked="" type="checkbox"/>	Central Air Conditioning	<input checked="" type="radio"/>	N	U	#	[E] [G]
<input checked="" type="checkbox"/>	Central Heating	<input checked="" type="radio"/>	N	U	#	[E] [G] [HP]
	Central Vacuum	Y	N	U		
	Chimney	Y	N	U		
<input checked="" type="checkbox"/>	Cook Top/Stove	Y	N	U	[E] [G]	# of Burners Other:
<input checked="" type="checkbox"/>	Deck	<input checked="" type="radio"/>	N	U	Wood [ ]	Other [ ]
<input checked="" type="checkbox"/>	Dishwasher	<input checked="" type="radio"/>	N	U		
<input checked="" type="checkbox"/>	Disposal	<input checked="" type="radio"/>	N	U		
<input checked="" type="checkbox"/>	Dryer	Y	N	U	[E] [G]	[110V] [220V]
<input checked="" type="checkbox"/>	Dryer Hookups	<input checked="" type="radio"/>	N	U	[110V] [220V]	[G]
	Emergency Escape Ladder(s)	Y	N	U		
	Evaporative Cooler	Y	N	U	#	
<input checked="" type="checkbox"/>	Fans	<input checked="" type="radio"/>	N	U	Ceiling # 4	Attic # Exhaust # 2 Whole House #

Features and Equipment Continues Next Page

Initialed for Identification by Seller 2805 UC and Buyer \_\_\_\_\_

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2805 LaFayette Ave.

Austin,

Seller's Disclosure Notice Concerning Property At:

Exists	Item	Working Condition			Additional Information	
		Y	N	U	Full [ ]	Partial [ ] Type:
<input checked="" type="checkbox"/>	Fencing	<input checked="" type="checkbox"/>	N	U	Full [ ]	Partial [X] Type: <i>Wooden privacy / chain</i>
	Fire Alarm/Detector	Y	N	U	#	
	Fireplace	Y	N	U	#	
	Fireplace Logs	Y	N	U	#	
	French Drain	Y	N	U		
<input checked="" type="checkbox"/>	Garage	<input checked="" type="checkbox"/>	N	U	Attached: [Y] <input checked="" type="checkbox"/> # Spaces	<i>1-5</i>
<input checked="" type="checkbox"/>	Garage Door Opener	<input checked="" type="checkbox"/>	N	U	#	<i>1</i>
<input checked="" type="checkbox"/>	Garage Remote Control	<input checked="" type="checkbox"/>	N	U	#	<i>2 + Keyless</i>
	Gas Lighting Fixtures	Y	N	U	#	
<input checked="" type="checkbox"/>	Gas Lines	<input checked="" type="checkbox"/>	N	U	<del>[NAT]</del> [LP]	
	Gazebo	Y	N	U		
	Grinder Pump	Y	N	U		
	Ice Machine	Y	N	U		
	Intercom System	Y	N	U		
	Lawn Sprinkler System	Y	N	U	Full [ ] Partial [ ] Automatic [ ] Manual [ ]	
<input checked="" type="checkbox"/>	Microwave	Y	N	U		
	Mock Fireplace	Y	N	U	With Chimney [ ] Without Chimney [ ]	
	Outdoor Grill	Y	N	U	[NAT] [LP] [E]	
	Oven	Y	N	U	[E] [G]	
	Patio	Y	N	U	Covered [ ] Uncovered [ ]	
<input checked="" type="checkbox"/>	Plumbing System	<input checked="" type="checkbox"/>	N	U		
	Pool	Y	N	U	Inground [ ] Above Ground [ ] Other [ ]	
	Pool Accessories	Y	N	U		
	Pool Heater	Y	N	U		
	Pool Maintenance Equip.	Y	N	U		
	Portable Storage Buildings	Y	N	U	#	
<input checked="" type="checkbox"/>	Public Sewer System	<input checked="" type="checkbox"/>	N	U		
	Rain Gutters	Y	N	U	Full [ ] Partial [ ]	
<input checked="" type="checkbox"/>	Range	<input checked="" type="checkbox"/>	N	U	[E] <input checked="" type="checkbox"/>	
<input checked="" type="checkbox"/>	Refrigerator	<input checked="" type="checkbox"/>	N	U	#	<i>1</i>
	Roof Attic Vents	Y	N	U		
	Satellite Dish System	Y	N	U	Owned [ ] Leased [ ]	
	Sauna	Y	N	U	#	
	Security System	Y	N	U	Owned [ ] Leased [ ] Mo. Lease \$	
	Septic System/Tank	Y	N	U	Date Last Pumped:	
<input checked="" type="checkbox"/>	Smoke Detector(s)	<input checked="" type="checkbox"/>	N	U	#	Hearing Impaired [Y] <input checked="" type="checkbox"/>
	Spa/Hot Tub	Y	N	U	#	
	Spa Heater	Y	N	U	#	[E] [G] [Solar]
	Space Heater	Y	N	U	#	[E] [G]
	Speakers	Y	N	U		
<input checked="" type="checkbox"/>	Specialty Wiring	<input checked="" type="checkbox"/>	N	U	Audio [ ] Data <input checked="" type="checkbox"/> Speakers [ ] Visual [ ]	
	Sump Pump	Y	N	U	#	
	Trash Compactor	Y	N	U	#	
	TV Antenna	Y	N	U	#	
	Wall/Window A/C	Y	N	U	#	
	Washer	Y	N	U		
<input checked="" type="checkbox"/>	Washer Hookups	<input checked="" type="checkbox"/>	N	U	#	<i>220V</i> [Solar] <i>on demand, exterior</i>
<input checked="" type="checkbox"/>	Water Heater	<input checked="" type="checkbox"/>	N	U	#	
<input checked="" type="checkbox"/>	Water Softener	Y	N	U	Owned [ ] Leased [ ] Mo. Lease/Service Chg \$	
<input checked="" type="checkbox"/>	Window Screens	<input checked="" type="checkbox"/>	N	U	#	Type:
	Other:	Y	N	U		
	Other:	Y	N	U		

Initialed for Identification by Seller *ZSLC*, \_\_\_\_\_ and Buyer \_\_\_\_\_

2805 LaFayette Ave.  
Austin,

Seller's Disclosure Notice Concerning Property At: \_\_\_\_\_

Explain all No [N] or Unknown [U] answers. Attach additional sheets as necessary. \_\_\_\_\_

THE FOLLOWING PROPERTY IS TO BE EXCLUDED FROM THE SALE: \_\_\_\_\_

2. UTILITY PROVIDERS and HOMEOWNERS' ASSOCIATION (Fill in names of Suppliers with Telephone Numbers):

WATER Supply: City of Austin Ph: 494-9400  
 City  Well  Private  MUD  
 WCID  Co-Op  Other \_\_\_\_\_

GAS Supply: Texas Gas Service Ph: 800-700-2943  
 Utility  Tank  Bottle  Co-Op  
Tank/Bottle Mo. Lease \$ \_\_\_\_\_

WASTEWATER: City of Austin Ph: \_\_\_\_\_  
 City  Co-Op  MUD  Other  
 Septic

HOA/CONDO ASSOC: n/a  
Association Fee \$ \_\_\_\_\_ per \_\_\_\_\_  
HOA's Administrative Transfer Fee of \$ \_\_\_\_\_  
(Fee above shall include all costs of transfer of ownership)

ELECTRICITY: \_\_\_\_\_ Ph: \_\_\_\_\_

CABLE TV: \_\_\_\_\_ Ph: \_\_\_\_\_

SOLID WASTE PROVIDER: City Ph: \_\_\_\_\_

Manager's Name: \_\_\_\_\_

Manager's Telephone: \_\_\_\_\_

3. PROPERTY DEFECTS/MALFUNCTIONS:

Are you (Seller) aware of any known defects/malfunctions in any of the following? Mark Yes [Y] if you are aware and mark No [N] if you are not aware.

Exists	Item	Defect/Malfunction		Exists	Item	Defect/Malfunction	
		Y	N			Y	N
	Basement	Y	N	<input checked="" type="checkbox"/>	Potable Drinking Water	Y	<input checked="" type="checkbox"/> N
<input checked="" type="checkbox"/>	Ceilings	Y	<input checked="" type="checkbox"/> N		Retaining Wall(s)	Y	<input checked="" type="checkbox"/> N
<input checked="" type="checkbox"/>	Driveway(s)	Y	<input checked="" type="checkbox"/> N	<input checked="" type="checkbox"/>	Roof	Y	<input checked="" type="checkbox"/> N
<input checked="" type="checkbox"/>	Electrical System(s)	Y	<input checked="" type="checkbox"/> N		Overlay Shingles: [Y] [N]		
<input checked="" type="checkbox"/>	Exterior Doors	Y	<input checked="" type="checkbox"/> N		Roof Approximate Age: Yrs <u>unknown</u>		
<input checked="" type="checkbox"/>	Exterior Walls	Y	<input checked="" type="checkbox"/> N	<input checked="" type="checkbox"/>	Roof Type: <u>Metal</u>		
<input checked="" type="checkbox"/>	Floors	Y	<input checked="" type="checkbox"/> N		Septic System: Type:	Y	<input checked="" type="checkbox"/> N
<input checked="" type="checkbox"/>	Foundation: Slab [ ] Pier & Beam [ <input checked="" type="checkbox"/>	Y	<input checked="" type="checkbox"/> N	<input checked="" type="checkbox"/>	Sidewalks	Y	<input checked="" type="checkbox"/> N
<input checked="" type="checkbox"/>	Interior Doors	Y	<input checked="" type="checkbox"/> N		Stucco	Y	<input checked="" type="checkbox"/> N
<input checked="" type="checkbox"/>	Interior Walls	Y	<input checked="" type="checkbox"/> N		Conventional [ ] Synthetic [ ] Type:		
<input checked="" type="checkbox"/>	Lighting Fixtures	Y	<input checked="" type="checkbox"/> N		Underground Electrical Lines	Y	<input checked="" type="checkbox"/> N
<input checked="" type="checkbox"/>	Outbuildings	Y	<input checked="" type="checkbox"/> N	<input checked="" type="checkbox"/>	Wastewater System	Y	<input checked="" type="checkbox"/> N
<input checked="" type="checkbox"/>	Plumbing	Y	<input checked="" type="checkbox"/> N	<input checked="" type="checkbox"/>	Windows	Y	<input checked="" type="checkbox"/> N

Describe Other Structural Components Needing Disclosure:

If the answer to any of the above in #3 is Yes [Y], explain. Attach additional sheets as necessary.

Initialed for Identification by Seller [Signature], \_\_\_\_\_ and Buyer \_\_\_\_\_, \_\_\_\_\_

2805 LaFayette Ave.  
Austin,

Seller's Disclosure Notice Concerning Property At:

4. CURRENT CONDITIONS OF THE PROPERTY:

Are you (SELLER) aware of any of the following? Mark Yes [Y] if you are aware, mark No [N] if you are not aware.

Active Termites	Y	(N)	Fault Lines	Y	(N)
Wood-Destroying Insects	Y	(N)	Landfill	Y	(N)
Termite or Wood Rot Needing Repair	Y	(N)	Subsurface Structure(s)	Y	(N)
Termite Damage	Y	(N)	Pit(s)	Y	(N)
Termite Treatment	Y	(N)	Underground Spring(s)	Y	(N)
Water Penetration of Structure	Y	(N)	Intermittent/Weather Spring(s)	Y	(N)
Structural or Roof Repair	(Y)	N	Underground Storage Tank(s)	Y	(N)
Asbestos Components	Y	(N)	Endangered Species/Habitat on Property	Y	(N)
Urea Formaldehyde Insulation	Y	(N)	Hazardous or Toxic Waste	Y	(N)
Radon Gas	Y	(N)	Discased Trees	Y	(N)
Lead-Based Paint	Y	(N)	Fence Lines Not Corresponding to Property Boundaries	(Y)	N
Aluminum Wiring	Y	(N)	Wetlands on Property	Y	(N)
Foundation Repair	(Y)	N	Unplatted Easement(s)	Y	(N)
Flooding of Land	Y	(N)	Underground Electrical Line(s)	(Y)	(N)
Improper Drainage or Ponding	Y	(N)	Dampness in Crawl Spaces	(Y)	(N)
Located in 100-Year Flood Plain	Y	(N)	Water Heater Leak(s)	Y	(N)
Present Flood Insurance Coverage Attach TAR Form 1414 if answer is Yes	Y*	(N)	HVAC System Leak(s) - Overflow Pan or Other Defect	Y	(N)
Settling or Soil Movement	Y	(N)	Other Conditions	Y	N

If the answer to any of the above is Yes [Y], explain. Attach additional sheets. *Fence on South side inside prop. line*  
*new roof @ master addition / garage roof replaced / new*  
*foundation leveled on existing part & new on addition*  
*New electrical to garage underground*

5. PREVIOUS CONDITIONS OF THE PROPERTY:

Are you (SELLER) aware of the following previously defective conditions? Mark Yes [Y] if you are aware, mark No [N] if you are not aware.

Previous Flooding into the Structure	Y	(N)
Previous Flooding onto the Property	Y	(N)
Previous Fires	Y	(N)
Previous Foundation Repairs	Y	(N)
Previous Roof Repairs	Y	(N)
Previous Treatment for Termites or Wood-Destroying Insects	Y	(N)
Previous Termite or Wood-Destroying Insect Damage Repaired	Y	(N)
Previous Use of Premises for Manufacturer of Methamphetamine	Y	(N)

Other Conditions:

If the answer to any of the above is Yes [Y], explain. Attach additional sheets as necessary.

6. SYSTEMS IN NEED OF REPAIR:

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 as necessary.

Initialed for Identification by Seller *[Signature]*, \_\_\_\_\_ and Buyer \_\_\_\_\_

2805 LaFayette Ave.  
Austin,

Seller's Disclosure Notice Concerning Property At: \_\_\_\_\_

7. MISCELLANEOUS CONDITIONS:

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 code in effect at the time of construction?
- [Y]  [N] Any "common area" facilities, i.e., pools, tennis courts, walkways, or other areas, co-owned in undivided interest with others?
- [Y]  [N] Any notices of violations of deed restrictions or governmental ordinances, zoning, use, or impervious cover limitations affecting the condition or use of the Property?
- [Y]  [N] Any lawsuits or other legal proceedings directly affecting the Property or Seller's ability to convey property, e.g., bankruptcy, probate, guardianship, etc.?
- [Y]  [N] Any condition of the Property which materially affects the physical health or safety of an individual?
- [Y]  [N] Features of the Property shared in common with adjoining landowners, e.g., walls, fences, and driveways, whose use of responsibility for maintenance may have an effect on the Property?
- [Y]  [N] Any encroachments (recorded or unrecorded), easements or similar matters that may affect your interest in the Property?
- [Y]  [N] Landfill - compacted or otherwise - on the Property or any portion thereof?
- [Y]  [N] Any settling from any cause or slippage, sliding or other soil problems?
- [Y]  [N] Damage to the Property or any of the structures from fire, earthquake, floods or landslides?
- [Y]  [N] Any future highway, freeway, or air traffic patterns which affects the Property?
- [Y]  [N] Any future annexation plans which affect the Property?
- [Y]  [N] Within the previous 12 months, has there been an equity loan on the Property? If Yes, date \_\_\_\_/\_\_\_\_/\_\_\_\_
- [Y]  [N] Any pending flood plain changes known?
- [Y]  [N] Any ordinances that restrict flood coverage or rebuilding any portion of the structure to its previous use?
- [Y]  [N] Previous FEMA claim paid?
- [Y]  [N] Death on the Property other than death caused by: natural causes, suicide, or accident unrelated to the Property's condition?
- [Y]  [N] Was the dwelling built before 1978? Unknown [ ] Built 1934
- [Y]  [N] Any repairs or treatment, other than routine maintenance, made to the Property to eliminate environmental hazards such as asbestos, radon, lead-based paint, urea formaldehyde, or mold?
- [Y]  [N] Any historic preservation restriction or ordinance or archeological designation associated with the Property?
- [Y]  [N] Any IRS or tax redemption periods which will affect the sale of the Property?
- [Y]  [N] Any other item(s) of concern?

If the answer to any of the above is Yes [Y], explain. Attach additional sheets as necessary.

House built 1934 / major addition & new garage 2008

Initialed for Identification by Seller [Signature] and Buyer \_\_\_\_\_

2805 LaFayette Ave.

Seller's Disclosure Notice Concerning Property At: Austin,

8. AD VALOREM TAXES:

Check any Tax Exemption(s) which you (SELLER) currently claim for the Property:

- Homestead
- Over 65
- Disabled
- Disabled Veteran
- Agricultural
- Unknown
- None
- Other \_\_\_\_\_

Have you or a third party on your behalf ever supplied information regarding property defects or condition at the Appraisal District?  Yes  No

Have you ever testified or had an agent testify on your behalf in a valuation hearing at an Appraisal District Value Protest Hearing?  Yes  No If so, which Appraisal District? \_\_\_\_\_

9. INSPECTIONS AND DISCLOSURES:

Have you (SELLER) received any written inspection reports from persons who regularly provide inspections and who are either licensed as inspectors or engineers or otherwise permitted by law to perform inspections in the past four (4) years?  Yes  No

If Yes, attach copies and list the following:

<u>Date of Inspection</u>	<u>Name of Document</u>	<u>Author of Report</u>	<u>Number of Pages</u>
<u>November 2008</u>	<u>Property Inspection</u>	<u>PTAC to Post</u>	

Is a previous Seller's Disclosure available?  Yes  No If so, please attach.

Is a current Survey available?  Yes  No If so, please attach. Date of Current Survey: \_\_\_/\_\_\_/\_\_\_

Have any changes been made that could affect the Survey?  Yes  No

10. SMOKE DETECTORS:

Does the property have working smoke detectors installed in accordance with the smoke detector requirements of Chapter 766 of the Health and Safety Code?\*  Yes  No  Unknown 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.

11. MAJOR REPAIRS OR IMPROVEMENTS MADE:

Have you (SELLER) made, or had made, major repairs or improvements (costing \$500 or more) to the Property during the time you have owned the Property?  Yes  No

Are you (SELLER) aware of major repairs or improvements made by previous owners?  Yes  No

If Yes to either, please explain. (Attach additional sheet(s) as necessary.) \_\_\_\_\_

12. INSURANCE CLAIMS:

In the last 5 years have you (SELLER) filed an insurance claim related to this property?  Yes  No  
If there was a monetary settlement, were the funds used to make the repair?  Yes  No

Initialed for Identification by Seller [Signature], \_\_\_\_\_ and Buyer \_\_\_\_\_, \_\_\_\_\_

2805 LaFayette Ave.  
Austin,

Seller's Disclosure Notice Concerning Property At: \_\_\_\_\_

13. GOVERNMENT OR OTHER PENDING OR RECEIVED NOTICES:

SELLER has not received any notices, either oral or written, regarding the need for repair or replacement or any portion of the Property from any governmental agency, appraiser, inspector, mortgage lender, repair service or others, except:

N/A

SELLER has not received any notices from any governmental agency or private company of pending condemnation or any portion of the Property, except:

N/A

14. ADDITIONAL DISCLOSURE FORMS ATTACHED:  Yes  No

- Addendum for Seller's Disclosure of Information on Lead-Based Paint (TAR 1906)
- Environmental Assessment, Threatened or Endangered Species, and Wetlands Addendum (TAR 1917)
- Information About On-Site Sewer Facility (TAR 1407)
- Addendum for Property Located in a Certificated Service Area of a Utility Service Provider (TAR 1927)
- Information About Special Flood Hazard Areas (TAR 1414)
- Relocation Addendum (TAR 1941)
- Other \_\_\_\_\_

THE ABOVE DISCLOSURES ARE TRUE AND CORRECT TO THE BEST KNOWLEDGE OF THE SELLER(S). SELLER acknowledges that the statements in this Disclosure are true to the best of the Seller's belief and that no person, including the Broker(s) and their Agent(s) has instructed or influenced Seller to provide inaccurate information or to omit any material information.

2805 Lafayette Ave / J. M. ...  
Seller's Signature

Seller's Signature

12/12/08  
Date

Date

SELLER'S DISCLOSURE NOTICE OF CHANGES TO PROPERTY CONDITION

Only complete this box if changes have occurred to the condition of the property since the original disclosure was completed.

As of \_\_\_/\_\_\_/\_\_\_, Seller affirms that the Property conditions disclosed above have not changed.

Seller's Initials \_\_\_\_\_

As of \_\_\_/\_\_\_/\_\_\_, Seller discloses the following conditions which have changed:

Seller's Initials \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Initialed for Identification by Buyer \_\_\_\_\_

2805 LaFayette Ave.

Seller's Disclosure Notice Concerning Property At: Austin,

THE UNDERSIGNED BUYER HEREBY ACKNOWLEDGES  
RECEIPT OF A COPY OF THIS STATEMENT.

NOTICES TO BUYER:

LISTING BROKER, Violet Crown Realty, AND OTHER BROKER,

ADVISE YOU THAT THE SELLER'S DISCLOSURE NOTICE WAS COMPLETED BY SELLER, AS OF THE DATE SIGNED.

THE LISTING BROKER AND THE OTHER BROKER HAVE RELIED ON THIS NOTICE AS TRUE AND CORRECT AND HAVE NO REASON TO BELIEVE IT TO BE FALSE OR INACCURATE.

THE TEXAS DEPARTMENT OF PUBLIC SAFETY MAINTAINS A DATABASE THAT CONSUMERS 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.

IF THE PROPERTY IS LOCATED IN A COASTAL AREA THAT IS SEWARD 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.

YOU ARE STRONGLY ADVISED TO HAVE AN INSPECTOR OF YOUR CHOICE INSPECT THE PROPERTY PRIOR TO CLOSING. ALL INSPECTION REPORTS FURNISHED BY THE SELLER ARE PROVIDED FOR INFORMATION PURPOSES ONLY AND ARE NOT INTENDED TO BE A SUBSTITUTE FOR AN INSPECTION PERFORMED BY AN INSPECTOR OF BUYER'S CHOICE.

BUYER ACKNOWLEDGES THAT THEY HAVE BEEN STRONGLY ADVISED TO HAVE THE PROPERTY INSPECTED BY THEIR OWN INDEPENDENT INSPECTOR(S).

THE DISCLOSURE NOTICE CONTAINS NO ESTIMATE OF THE NUMBER OF SQUARE FEET OF SPACE WITHIN THE RESIDENCE AND BROKERS MAKE NO REPRESENTATIONS REGARDING SUCH AREA. IF SQUARE FOOTAGE IS IMPORTANT TO BUYER, BUYER SHOULD HAVE IT MEASURED BY A PROFESSIONAL.

THE UNDERSIGNED BUYER ACKNOWLEDGES RECEIPT OF THE FOREGOING NOTICE AND ACKNOWLEDGES THE PROPERTY COMPLIES WITH THE SMOKE DETECTOR REQUIREMENTS OF CHAPTER 766, HEALTH AND SAFETY CODE, OR IF THE PROPERTY DOES NOT COMPLY WITH THE SMOKE DETECTOR REQUIREMENTS OF CHAPTER 766, THE BUYER WAIVES THE BUYER'S RIGHTS TO HAVE SMOKE DETECTORS INSTALLED IN COMPLIANCE WITH CHAPTER 766.

Buyer's Signature \_\_\_\_\_

Buyer's Signature \_\_\_\_\_

Date \_\_\_\_\_

Date \_\_\_\_\_

BUYER ACKNOWLEDGES RECEIPT AND REVIEW OF THE DISCLOSURE NOTICE, UPDATED AS OF   /  /  .  
Buyer's Signature \_\_\_\_\_  
Buyer's Signature \_\_\_\_\_  
Date \_\_\_\_\_  
Date \_\_\_\_\_



APPROVED BY THE TEXAS REAL ESTATE COMMISSION

02-09-2004

**ADDENDUM FOR SELLER'S DISCLOSURE OF INFORMATION ON LEAD-BASED PAINT AND LEAD-BASED PAINT HAZARDS AS REQUIRED BY FEDERAL LAW**

CONCERNING THE PROPERTY AT 2805 LaFayette Ave. Austin  
(Street Address and City)

**A. LEAD WARNING STATEMENT:** "Every purchaser of any interest in residential real property on which a residential dwelling was built prior to 1978 is notified that such property may present exposure to lead from lead-based paint that may place young children at risk of developing lead poisoning. Lead poisoning in young children may produce permanent neurological damage, including learning disabilities, reduced intelligence quotient, behavioral problems, and impaired memory. Lead poisoning also poses a particular risk to pregnant women. The seller of any interest in residential real property is required to provide the buyer with any information on lead-based paint hazards from risk assessments or inspections in the seller's possession and notify the buyer of any known lead-based paint hazards. A risk assessment or inspection for possible lead-paint hazards is recommended prior to purchase."

**NOTICE: Inspector must be properly certified as required by federal law.**

**B. SELLER'S DISCLOSURE:**

- 1. PRESENCE OF LEAD-BASED PAINT AND/OR LEAD-BASED PAINT HAZARDS (check one box only):
  - (a) Known lead-based paint and/or lead-based paint hazards are present in the Property (explain): \_\_\_\_\_
  - (b) Seller has no actual knowledge of lead-based paint and/or lead-based paint hazards in the Property.
- 2. RECORDS AND REPORTS AVAILABLE TO SELLER (check one box only):
  - (a) Seller has provided the purchaser with all available records and reports pertaining to lead-based paint and/or lead-based paint hazards in the Property (list documents): \_\_\_\_\_
  - (b) Seller has no reports or records pertaining to lead-based paint and/or lead-based paint hazards in the Property.

**C. BUYER'S RIGHTS (check one box only):**

- 1. Buyer waives the opportunity to conduct a risk assessment or inspection of the Property for the presence of lead-based paint or lead-based paint hazards.
- 2. Within ten days after the effective date of this contract, Buyer may have the Property inspected by inspectors selected by Buyer. If lead-based paint or lead-based paint hazards are present, Buyer may terminate this contract by giving Seller written notice within 14 days after the effective date of this contract, and the earnest money will be refunded to Buyer.

**D. BUYER'S ACKNOWLEDGMENT (check applicable boxes):**

- 1. Buyer has received copies of all information listed above.
- 2. Buyer has received the pamphlet *Protect Your Family from Lead in Your Home*.

**E. BROKERS' ACKNOWLEDGMENT:** Brokers have informed Seller of Seller's obligations under 42 U.S.C. 4852d to: (a) provide Buyer with the federally approved pamphlet on lead poisoning prevention; (b) complete this addendum; (c) disclose any known lead-based paint and/or lead-based paint hazards in the Property; (d) deliver all records and reports to Buyer pertaining to lead-based paint and/or lead-based paint hazards in the Property; (e) provide Buyer a period of up to 10 days to have the Property inspected; and (f) retain a completed copy of this addendum for at least 3 years following the sale. Brokers are aware of their responsibility to ensure compliance.

**F. CERTIFICATION OF ACCURACY:** The following persons have reviewed the information above and certify, to the best of their knowledge, that the information they have provided is true and accurate.

_____ Buyer	_____ Date	<u>2805 LaFayette LLC</u> Seller	<u>12/12/08</u> Date
_____ Buyer	_____ Date	<u>[Signature]</u> Seller	<u>12/12/08</u> Date
_____ Other Broker	_____ Date	<u>[Signature]</u> Listing Broker	_____ Date

The form of this addendum has been approved by the Texas Real Estate Commission for use only with similarly approved or promulgated forms of contracts. Such approval relates to this contract form only. TREC forms are intended for use only by trained real estate licensees. No representation is made as to the legal validity or adequacy of any provision in any specific transactions. It is not suitable for complex transactions. Texas Real Estate Commission, P.O. Box 12188, Austin, TX 78711-2188, 1-800-250-8732 or (512) 459-6544 (<http://www.trec.state.tx.us>)

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