



**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 5907 Fitchwood Drive, Austin TX
(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? _____
 During the last year the Property has has not been vacant.
 If yes, how long was the Property vacant? _____

1. 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 Paragraph 2 of the TREC Contract will determine which items will and will not be conveyed.*

Exists	Item	Working Condition			Additional Information			
		Y	N	U	#	[E]	[G]	
<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	<input checked="" type="radio"/>	N	U				
<input checked="" type="checkbox"/>	Cook Top (Stove)	<input checked="" type="radio"/>	N	U	[E]	[G]	# of Burners	Other:
	Deck	Y	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				
	Dryer	Y	N	U	[E]	[G]	[110V]	[220V]
<input checked="" type="checkbox"/>	Dryer Hookups	<input checked="" type="radio"/>	N	U	[110V]		<input checked="" type="radio"/> [220V]	[G]
	Evaporative Cooler	Y	N	U	#			
	Fans	Y	N	U	Ceiling #	Attic #	Exhaust #	Whole House #

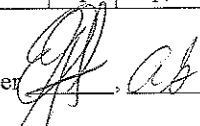
Features and Equipment Continues Next Page

The following attached items will not stay: Cabinet and bookcase in dining room

Initialed for Identification by Seller JA, AS and Buyer _____, _____

Seller's Disclosure Notice Concerning Property At: _____

Exists	Item	Working Condition			Additional Information
		Y	N	U	
<input checked="" type="checkbox"/>	Fencing	<input checked="" type="checkbox"/>	N	U	Full [] Partial [] Type:
<input checked="" type="checkbox"/>	Fire Alarm/Detector	<input checked="" type="checkbox"/>	N	U	#
<input checked="" type="checkbox"/>	Fireplace	<input checked="" type="checkbox"/>	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] [N] # Spaces
<input checked="" type="checkbox"/>	Garage Door Opener	<input checked="" type="checkbox"/>	N	U	#
<input checked="" type="checkbox"/>	Garage Remote Control	<input checked="" type="checkbox"/>	N	U	#
<input checked="" type="checkbox"/>	Garbage Disposal	<input checked="" type="checkbox"/>	N	U	
<input checked="" type="checkbox"/>	Gas Lighting Fixtures	Y	N	U	#
<input checked="" type="checkbox"/>	Gas Lines	<input checked="" type="checkbox"/>	N	U	[NAT] [LP]
	Gazebo	Y	N	U	
	Ice Machine	Y	N	U	
	Intercom System	Y	N	U	
<input checked="" type="checkbox"/>	Lawn Sprinkler System	<input checked="" type="checkbox"/>	N	U	Full [] Partial [] Automatic [] Manual []
	Microwave	Y	N	U	
	Mock Fireplace	Y	N	U	With Chimney [] Without Chimney []
	Outdoor Grill	Y	N	U	[NAT] [LP] [E]
<input checked="" type="checkbox"/>	Oven	<input checked="" type="checkbox"/>	N	U	[E] <input checked="" type="checkbox"/> [G]
<input checked="" type="checkbox"/>	Patio	<input checked="" type="checkbox"/>	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	
<input checked="" type="checkbox"/>	Rain Gutters	<input checked="" type="checkbox"/>	N	U	Full [] Partial []
<input checked="" type="checkbox"/>	Range	<input checked="" type="checkbox"/>	N	U	[E] <input checked="" type="checkbox"/> [G]
	Refrigerator	Y	N	U	#
<input checked="" type="checkbox"/>	Roof Attic Vents	<input checked="" type="checkbox"/>	N	U	
	Satellite Dish System	Y	N	U	Owned [] Leased []
	Sauna	Y	N	U	#
<input checked="" type="checkbox"/>	Security System	<input checked="" type="checkbox"/>	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	#
	Spa/Hot Tub	Y	N	U	#
	Spa Heater	Y	N	U	# [E] [G] [Solar]
	Space Heater	Y	N	U	# [E] [G]
	Specialty Wiring	Y	N	U	Audio [] Data [] Speakers [] Visual []
	Speakers	Y	N	U	#
	Stucco	Y	N	U	Conventional [] Synthetic [] Type:
	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	<input checked="" type="checkbox"/> [110V] [220V]
<input checked="" type="checkbox"/>	Water Heater	<input checked="" type="checkbox"/>	N	U	# [E] [G] [Solar]
	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	

Initialed for Identification by Seller  and Buyer _____

Seller's Disclosure Notice Concerning Property At: 5807 Fitchwood Lane

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

WATER Supply: City of Austin Ph: _____
 City Well Private MUD
 WCID Co-Op Other _____

GAS Supply: Texas Gas Ph: _____
 Utility Tank Bottle Co-Op
 Tank/Bottle Mo. Lease \$ _____

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

HOA/CONDO ASSOC: Village of Western Oaks
 Association Fee \$ 49.35 per Year
 HOA's Administrative Transfer Fee of \$ _____
 (Fee above shall include all costs of transfer of ownership)
 Manager's Name: _____
 Manager's Telephone: _____

ELECTRICITY: Austin Energy Ph: _____
 CABLE TV: Time Warner Ph: _____
 SOLID WASTE PROVIDER: City Ph: _____

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	
	Basement	Y	(N)		Plumbing	Y	(N)
	Ceilings	Y	(N)		Potable Drinking Water	Y	(N)
	Driveway(s)	Y	(N)		Retaining Wall(s)	Y	(N)
	Electrical System(s)	Y	(N)		Roof	Y	(N)
	Exterior Doors	Y	(N)		Overlay Shingles: [Y] [N]		
	Exterior Walls	Y	(N)		Roof Approximate Age: <u>9</u> Yrs		
	Floors	Y	(N)		Roof Type: <u>Composition</u>		
	Foundation: Slab [] Pier & Beam []	Y	(N)		Septic System: Type:	Y	(N)
	Interior Doors	Y	(N)		Sidewalks	Y	(N)
	Interior Walls	Y	(N)		Underground Electrical Lines	Y	(N)
	Lighting Fixtures	Y	(N)		Wastewater System	Y	(N)
	Outbuildings	Y	(N)		Windows	Y	(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 _____
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Seller's Disclosure Notice Concerning Property At: 5807 Fitchwood Lane,

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

If the answer to any of the above is Yes [Y], explain. Attach additional sheets Underground utility lines

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	<input checked="" type="radio"/> N
Previous Flooding onto the Property	Y	<input checked="" type="radio"/> N
Previous Fires	Y	<input checked="" type="radio"/> N
Previous Foundation Repairs	Y	<input checked="" type="radio"/> N
Previous Roof Repairs	Y	<input checked="" type="radio"/> N
Previous Treatment for Termites or Wood-Destroying Insects	Y	<input checked="" type="radio"/> N
Previous Termite or Wood-Destroying Insect Damage Repaired	Y	<input checked="" type="radio"/> 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 _____

Seller's Disclosure Notice Concerning Property At: 5807 Fitchwood Lane

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 []
- [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.

Initialed for Identification by Seller *AS* and Buyer _____, _____

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>

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. 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:

11. 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: NONE

SELLER has not received any notices from any governmental agency or private company of pending condemnation or any portion of the Property, except: NONE

Initialed for Identification by Seller [Signature] and Buyer _____

Seller's Disclosure Notice Concerning Property At: 5807 Fitchwood Lane

12. **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.

[Signature]
Seller's Signature
07/15/2006
Date

[Signature]
Seller's Signature
07-15-06
Date

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

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

Seller's Disclosure Notice Concerning Property At: 5807 Fitchwood Lane

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

NOTICES TO BUYER:

LISTING BROKER, Steenberry & Assoc. Inc, 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.

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.

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