

# Rocking B Ranch



## **ROCKING "B" RANCH**

The **Rocking "B" Ranch** consists of 355 gently rolling acres of land and is located near the southern city limit boundary of the City of Bellville, Texas. With over 8,900 feet of paved road frontage on Old Mill Creek Road and Graham Road, this property is recognized as one of the premier working ranches in Austin County, while enjoying endless investment and development potential.

The ranch is enhanced by its many noted features. Three nice-sized ponds and one spring-fed 23 acre lake, which maintains a constant water level, are all stocked with tournament-winning Florida large-mouth bass. Four water wells serve the ranch's additional water needs. Mill Creek, meandering 4,100 feet, serves the ranch as its southern boundary. Dense wooded areas and large groves of mature oak and pecan trees provide a home and shelter for the cattle herd and wildlife. The range land, fertilized and limed annually, produces an abundance of improved, high protein grasses for the enhancement of the hay and cattle operation.

**Rocking "B" Ranch** owners take great pride in their ranch facilities, equipment and cattle herd. State of the art iron pipe cattle pens with covered hydraulic chutes, slide gates and sorting and loading pens allow one to work several hundred head of cattle with ease. A working barn and equipment shed with electricity and water is located adjacent to the working pens, all being located on a selected site near the center of the ranch. All of the perimeter and internal fencing has been replaced, featuring steel gates and high-end hardware.

**Rocking "B" Ranch's** main complex is located on the northern end of the ranch with access from Old Mill Creek Road, via gated stone entrances on either end of a circular concrete driveway. The grounds composing the main ranch complex are enclosed by three-rail board fencing. A time-zoned high pressure irrigation system maintains the beautifully landscaped grounds surrounding the ranch complex. Improvements consist of the following:

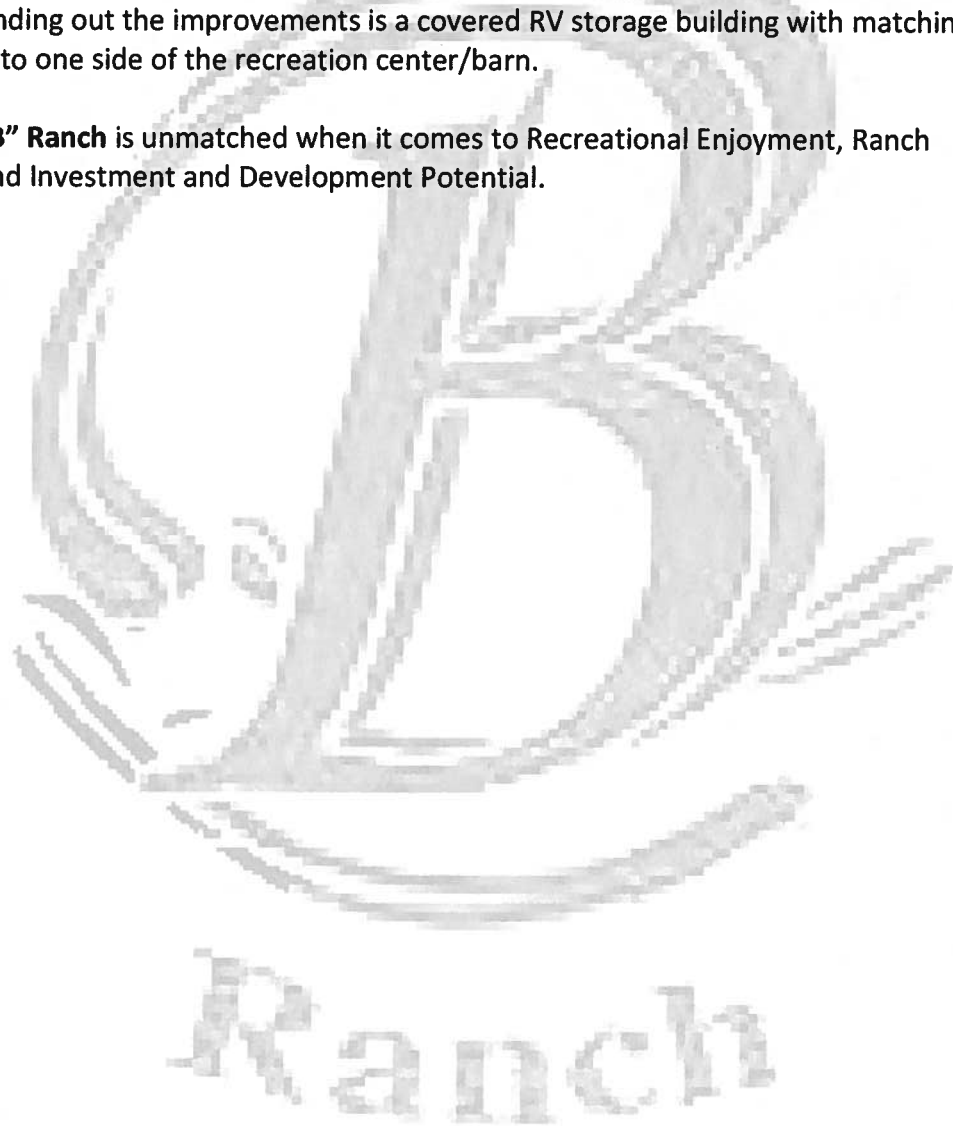
### **THE RANCH HOME**

Originally constructed in 1973, the ranch's brick home was completely renovated and enlarged in 2003. With 3,510 sq.ft. of living area, the home features 3 bedrooms, 3 baths, an office (or a 4<sup>th</sup> bedroom), formal dining room, upscale but comfortable kitchen with adjoining breakfast room, living area with fireplace and an open and inviting family room offering views of and access to the beautifully landscaped pool and patio area. From the shelter of the home's back patio, one can enjoy a meal from the outdoor kitchen, cool off in the salt water pool and hot tub, or sip a drink under the cover of the spacious gazebo. Lush landscaping surrounds the pool area and lines the walk to the recreation center/barn patio.

## **THE RANCH RECREATION CENTER/BARN**

This facility is located in close proximity to the home and swimming pool and is connected to both by a landscaped, decorative concrete walkway. Built in 2002 (5,508 sq.ft.) of wood construction with a metal roof on an 8" slab, this facility was designed to serve many needs. A spacious covered patio extends the entire width of the barn and serves as the entrance to an air-conditioned entertainment/game room and workshop. Other features of the facility include a half bath, tack room, equipment storage area, a hoist and four horse stalls. Large wooden doors on heavy duty roller tracks on the north and east sides of the barn make for easy access to the equipment storage area. The horse stalls open into board-fenced paddocks and a board-fenced arena adjoins the barn complex. For a further touch of class, in 2007, a small lake was built near the main complex, featuring a 20' x 20' boat house and a lighted, floating water fountain. Rounding out the improvements is a covered RV storage building with matching barn décor, located to one side of the recreation center/barn.

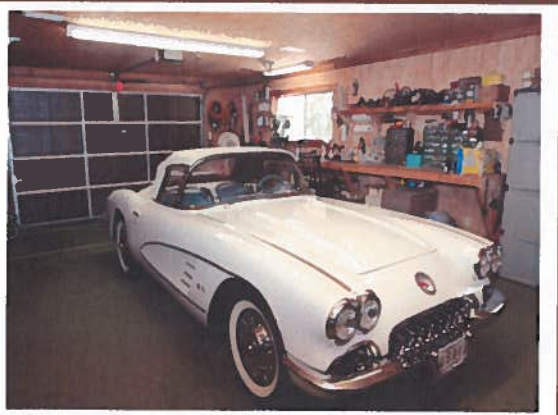
The **Rocking "B" Ranch** is unmatched when it comes to Recreational Enjoyment, Ranch Opportunity and Investment and Development Potential.

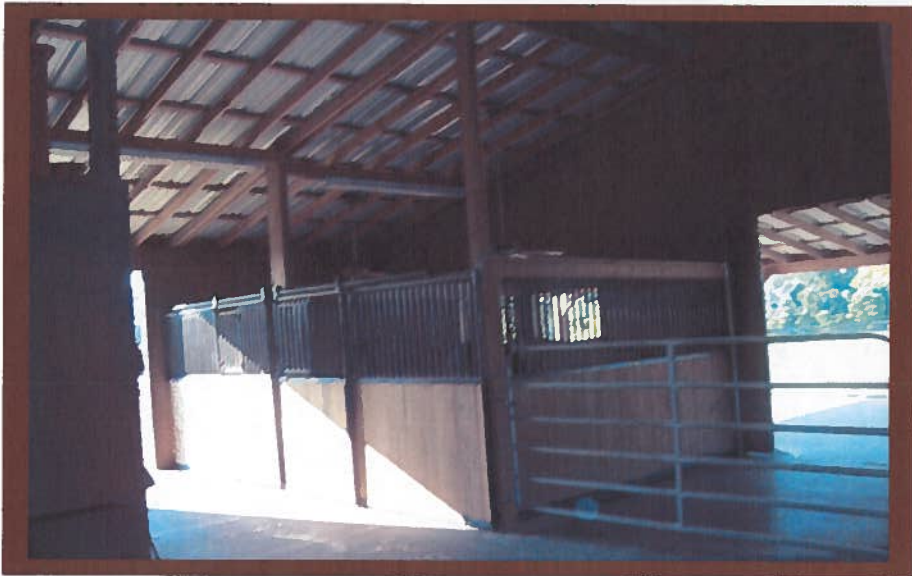


















Offered By

**BILL JOHNSON AND ASSOCIATES  
REAL ESTATE COMPANY**

420 E. Main Street, Bellville, TX 77418

979-865-5466                      281-463-3791

FM 1094 @ Cedar Street, New Ulm, TX 78950

979-992-2636                      281-220-2636

[www.bjre.com](http://www.bjre.com)



# Bill Johnson and Associates Real Estate Co.

420 E. Main St., Bellville, TX 77418

424 Cedar St., New Ulm, TX 78950

979-865-5969 or 281-463-3791 - Bellville

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## ACREAGE LISTING

Location of Property: Bellville-Hwy. 36 S, right on Hacienda St. for 1.6 miles to property on the left. Listing #: 61516  
 Address of Property: 1694 MILL CREEK RD, BELLVILLE TX 77418 Road Frontage: \*\*\*SEE ADDITIONAL INFO.  
 County: AUSTIN Paved Road:  YES  NO For Sale Sign on Property?  YES  NO  
 Subdivision: N/A Lot Size or Dimensions: 355.563 ACRES  
 Subdivision Restricted:  YES  NO Mandatory Membership in Property Owners' Assn.  YES  NO

**Number of Acres:** 355.563 ACRES  
**Price per Acre (or)**  
**Total Listing Price:** \$4,650,000.00  
**Terms of Sale:**  
 Cash:  YES  NO  
 Seller-Finance:  YES  NO  
 Sell.-Fin. Terms:  
 Down Payment:  
 Note Period:  
 Interest Rate:  
 Payment Mode:  Mo.  Qt.  S.A.  Ann.  
 Balloon Note:  YES  NO  
 Number of Years:

**Property Taxes:** 2009  
 School: \$ 4,989.61  
 County: \$ 1,485.90  
 Hospital: \$ 249.31  
 FM Rd: \$ 303.89  
 SpRd/Brg: \$251.12  
 TOTAL: \$ 7,279.83

Agricultural Exemption:  Yes  No  
**School District:** BELLVILLE I.S.D.  
**Minerals and Royalty:**  
 Seller believes 100% \*Minerals  
 to own: SUBJECT TO 1/16 NON-PART RESV \*Royalty  
 Seller will NEGOTIABLE Minerals  
 Convey: NEGOTIABLE Royalty

**Leases Affecting Property:**  
 Oil and Gas Lease:  Yes  No  
 Lessee's Name:  
 Lease Expiration Date:

Surface Lease:  Yes  No  
 Lessee's Name:  
 Lease Expiration Date:

**Oil or Gas Locations:**  Yes  No

**Easements Affecting Property:** Name(s):  
 Pipeline: NONE  
 Roadway: NONE  
 Electric: SAN BERNARD ELECTRIC COOPERATIVE  
 Telephone: SOUTHWESTERN BELL  
 Water: NONE  
 Other: NONE

**Improvements on Property:**  
 Home:  YES  NO See HOME listing if Yes  
 Buildings: 4-STALL HORSE BARN WITH HALF-BATH, COVERED OVERHANG, TACK ROOM, GAME ROOM, WORK SHOP  
 Barn: EQUIPMENT BARN, IRON PENS WITH HYDRAULIC CHUTE, SLIDE GATES  
 Other: WELL HOUSE, RV STORAGE BUILDING, ARENA

Approx. % Wooded: 20%  
 Type Trees: OAK, PECAN, CEDAR, WALNUT  
**Fencing:** Perimeter  YES  NO  
 Condition: VERY GOOD  
 Cross-Fencing:  YES  NO  
 Condition: VERY GOOD

**Ponds:** Number of Ponds: FOUR  
 Sizes: 23 ACRES, 2 ACRES, 1 ACRE, 1 ACRE

**Creek(s):** Name(s): MILL CREEK

**River(s):** Name(s): NONE

**Water Well(s): How Many?** 4 TOTAL  
 Year Drilled: Two in 2006 Depth 200'

**Community Water Available:**  YES  NO  
 Provider:

**Electric Service Provider (Name):** SAN BERNARD ELECTRIC COOPERATIVE

**Gas Service Provider:** PRIVATE

**Septic System(s): How Many:** 3  
 Year Installed: UNKNOWN

**Soil Type:** SANDY LOAM

**Grass Type(s):** COASTAL, NATIVE, ST. AUGUSTINE

**Flood Hazard Zone:** See Seller's Disclosure or to be determined by survey.

**Nearest Town to Property:** BELLVILLE COURTHOUSE  
 Distance: 2 MILES

Driving time from Houston 50 MINUTES

**Items specifically excluded from the sale:**  
 ALL SELLER'S PERSONAL PROPERTY LOCATED ON SAID 355.563 ACRES.

**Additional Information:** THERE IS A SMALL FENCED PRIVATE CEMETERY LOCATED AT THE BACK OF THE PROPERTY JUST OFF GRAHAM ROAD.

\*\*\* 6804'-OLD MILL CREEK RD.; 2105'-GRAHAM ROAD

**BILL JOHNSON AND ASSOCIATES REAL ESTATE COMPANY WILL CO-BROKER IF BUYER IS ACCOMPANIED BY HIS OR HER AGENT AT ALL PROPERTY SHOWINGS.**



# Bill Johnson and Associates Real Estate Co.

420 E. Main St., Bellville TX 77418

FM 1094 @ Cedar St., New Ulm, TX 78950

979-865-5969 or 281-463-3791 - Bellville office

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## HOME LISTING

Address of Home: 1694 MILL CREEK RD., BELLVILLE TX 77418 Listing 61516  
 Location of Home: BELLVILLE-HWY. 36 SO., RIGHT ON HACIENDA 1.6 MILES TO PROPERTY ON THE LEFT.  
 County or Region: AUSTIN COUNTY For Sale Sign on Property?  YES  NO  
 Subdivision: N/A Property Size: 355.563 ACRES  
 Subdivision Restricted:  YES  NO Mandatory Membership in Property Owners' Assn.  YES  NO

**Listing Price:** \$4,650,000.00  
**Terms of Sale**  
 Cash:  YES  NO  
 Seller-Finance:  YES  NO  
 Sell.-Fin. Terms:  
 Down Payment:  
 Note Period:  
 Interest Rate:  
 Payment Mode:  Mo.  Qt.  S.A.  Ann.  
 Balloon Note:  YES  NO  
 Number of Years:

**Size and Construction:**  
 Year Home was Built: Originally in 1973 \*See Additional Info.  
 Lead Based Paint Addendum Required if prior to 1978:  YES  
 Bedrooms: 3 OR 4 Bath: 3  
 Size of Home (Approx.) 3,510 Living Area  
**Total**  
 Foundation:  Slab  Pier/Beam  Other  
 Roof Type: COMPOSITION Year Installed: 2003  
 Exterior Construction: Brick

**Room Measurements: APPROXIMATE SIZE:**  
 Living Room: 22' X 15' WITH FIREPLACE  
 Dining Room: 24'6" X 14'  
 Kitchen: 10'6" X 11' Breakfast Room: 13' x 10'4"  
 Family Room: 30' X 22'6"  
 Utility: 6'6" X 11'  
 Bath: 16' X 4'  Tub  Shower  
 Bath: 13' X 7'  Tub  Shower  
 Mstr Bath: 14'6" X 7'6"  Tub  Shower  
 Mstr Bdrm: 11'9" X 17'  
 Bedroom: 11'10" X 18'5"  
 Bedroom: 17' X 11'  
 Office OR BR: 13' x 12'  
 Entry: 12'8" x 5'  
 Garage:  Carport:  No. of Cars: 4  
 Attached  Detached

**Porches:**  
 Front: Spacious front porch  
 Back: See Additional Information  
 Patio: See Additional Information  Covered  
 Deck: See Additional Information  Covered  
 Fenced Yard: YES- THREE-RAIL BOARD FENCING  
 Outside Storage:  Yes  No Size: Various outbuildings  
and barns  
 TV Antenna  Dish  Cable

**Home Features**  
 Ceiling Fans No. 8  
 Dishwasher  
 Garbage Disposal  
 Microwave (Built-In)  
 Kitchen Range (Built-In)  Gas  Electric  
 Other: ICE MAKER, OVENS, COMPACTOR

Items Specifically Excluded from The Sale: LIST:  
ALL SELLER'S PERSONAL PROPERTY LOCATED ON  
SAID 355.563 ACRES.

**Heat and Air:**  
 Central Heat Gas  Electric  2  
 Central Air Gas  Electric  2  
 Other:  
 Fireplace(s)  
 Wood Stove  
 Water Heater(s):  Gas  Electric

**Utilities:**  
 Electricity Provider: SAN BERNARD ELECTRIC  
 Gas Provider: BELLVILLE BUTANE  
 Sewer Provider: PRIVATE  
 Water Provider: PRIVATE  
 Water Well:  YES  NO Depth: 2 @ 200+ FT  
4 WELLS- Year Drilled: 2 IN 2006  
 Average Utility Bill: Monthly: \$300 - \$350 PER MONTH

**Taxes:** 2009 Year  
 School: \$4,989.61  
 County: \$1,485.90  
 Hospital: \$249.31  
 FM Rd: \$303.89  
 SpRd/Brg: \$251.12  
**Taxes:** \$7,279.83  
 School District: BELLVILLE I. S. D.

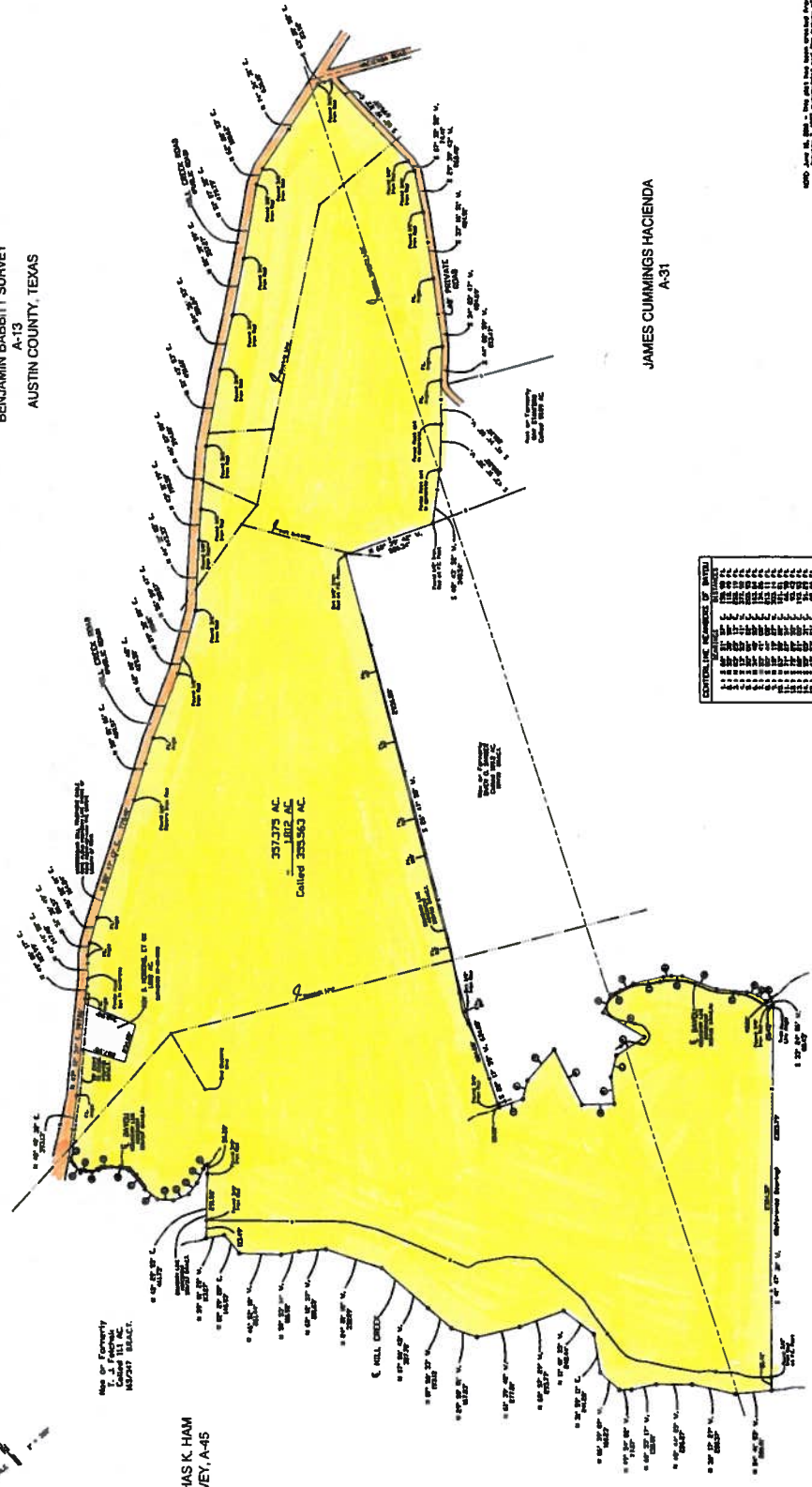
**Additional Information:**  
\*Complete remodel and add-on in 2003 to home.  
Two remote control front gates, concrete drive,  
extensive exterior lighting, sprinkler system (90+ heads),  
covered gazebo near salt water pool, hot tub, covered patio  
with outdoor kitchen, water softener, beautiful landscaping.

**BILL JOHNSON AND ASSOCIATES REAL ESTATE COMPANY WILL CO-BROKER IF BUYER IS ACCOMPANIED BY HIS OR HER AGENT AT ALL PROPERTY SHOWINGS.**

BENJAMIN BABBITT SURVEY  
A-13  
AUSTIN COUNTY, TEXAS

CAIAPHAS K. HAM  
SURVEY, A-45

JAMES CUMMINGS HACIENDA  
A-31



CENTRAL LINE REFERENCED TO STATE

|   |   |   |   |   |   |   |   |   |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |     |
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| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 | 13 | 14 | 15 | 16 | 17 | 18 | 19 | 20 | 21 | 22 | 23 | 24 | 25 | 26 | 27 | 28 | 29 | 30 | 31 | 32 | 33 | 34 | 35 | 36 | 37 | 38 | 39 | 40 | 41 | 42 | 43 | 44 | 45 | 46 | 47 | 48 | 49 | 50 | 51 | 52 | 53 | 54 | 55 | 56 | 57 | 58 | 59 | 60 | 61 | 62 | 63 | 64 | 65 | 66 | 67 | 68 | 69 | 70 | 71 | 72 | 73 | 74 | 75 | 76 | 77 | 78 | 79 | 80 | 81 | 82 | 83 | 84 | 85 | 86 | 87 | 88 | 89 | 90 | 91 | 92 | 93 | 94 | 95 | 96 | 97 | 98 | 99 | 100 |
|---|---|---|---|---|---|---|---|---|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|-----|

1880 June 25, 1880. This plat was prepared from the original survey of the James Cummings Hacienda, A-31, and is a true and correct copy of the same as the same was filed in the office of the County Clerk of Austin County, Texas, on the 25th day of June, 1880.

|                               |               |
|-------------------------------|---------------|
| THOMAS E. BENNETT             |               |
| COUNTY CLERK                  |               |
| AUSTIN COUNTY, TEXAS          |               |
| My Comm. Expires 1st Dec 1881 |               |
| John S. Bennett               | Notary Public |
| J. S. Bennett                 | Notary Public |
| W. S. Bennett                 | Notary Public |
| W. S. Bennett                 | Notary Public |

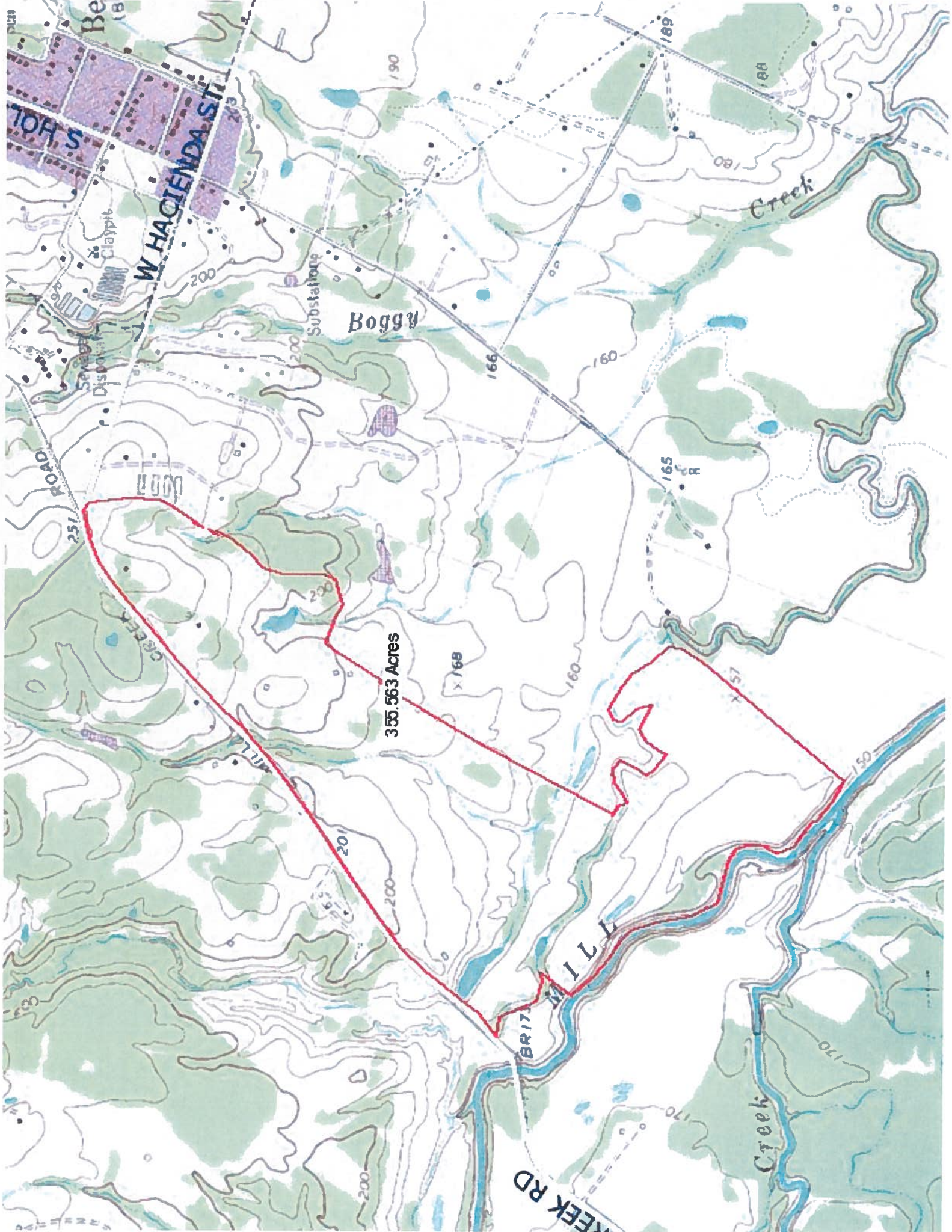


SECTION 5

W HACIENDA ST

MIDDLE CREEK RD

355.563 Acres



Be

TOP S

W HACIENDA ST

Substation

Sewer Disposal

Claypit

251 ROAD

CREEK

168

160

165

166

189

Boggy

Creek

355.563 Acres

X 168

X 157

CREEK RD

MILL CREEK

Creek

200

201

200

200

200

180

170

170

160

160

190



BENJAMIN BABBITT SURVEY  
A-13  
AUSTIN COUNTY, TEXAS

JAMES CUMMINGS HACIENDA  
A-31

CAMPBASS K. HAM  
SURVEY, A-45

Map of Property  
of  
CAMPBASS K. HAM  
SURVEY, A-45

397,579 AC.  
1,188 AC.  
Called 396,391 AC.

CENTRALISE REFERENCES BY SURVEY

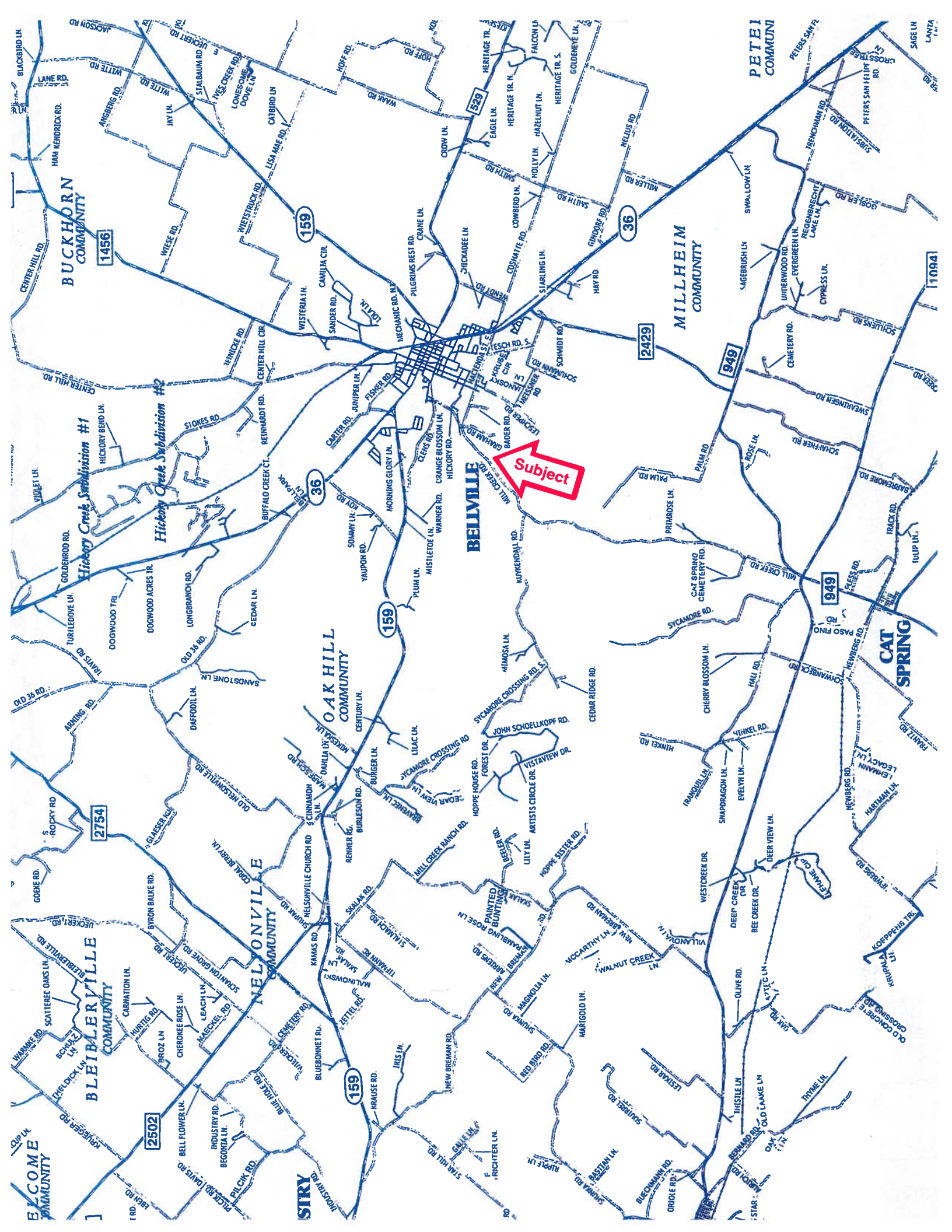
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| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 | 13 | 14 | 15 | 16 | 17 | 18 | 19 | 20 | 21 | 22 | 23 | 24 | 25 | 26 | 27 | 28 | 29 | 30 | 31 | 32 | 33 | 34 | 35 | 36 | 37 | 38 | 39 | 40 | 41 | 42 | 43 | 44 | 45 | 46 | 47 | 48 | 49 | 50 | 51 | 52 | 53 | 54 | 55 | 56 | 57 | 58 | 59 | 60 | 61 | 62 | 63 | 64 | 65 | 66 | 67 | 68 | 69 | 70 | 71 | 72 | 73 | 74 | 75 | 76 | 77 | 78 | 79 | 80 | 81 | 82 | 83 | 84 | 85 | 86 | 87 | 88 | 89 | 90 | 91 | 92 | 93 | 94 | 95 | 96 | 97 | 98 | 99 | 100 |
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THOMAS E. BENNETT

|          |                   |
|----------|-------------------|
| Map No.  | 1                 |
| Section  | 1                 |
| Block    | 1                 |
| Sheet    | 1                 |
| Scale    | 1" = 100'         |
| Date     | 1900              |
| Author   | Thomas E. Bennett |
| Checked  |                   |
| Approved |                   |
| Recorded |                   |
| Filed    |                   |
| Index    |                   |
| Notes    |                   |

Map of Property of CAMPBASS K. HAM SURVEY, A-45





Subject

BUCKHORN COMMUNITY

MILLHEIM COMMUNITY

OAK HILL COMMUNITY

NELSONVILLE COMMUNITY

BLEIBLERVILLE COMMUNITY

CAT SPRING

PETEI COMMUNITY

STRY

1456

159

36

159

2754

2502

2429

949

949

10941



# 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 1694 Mill Creek Rd., Bellville Tx

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?  
 \_\_\_\_\_ 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            | Y |   |   |
| Carbon Monoxide Det.       | Y |   |   |
| Ceiling Fans               | Y |   |   |
| Cooktop                    | Y |   |   |
| Dishwasher                 | Y |   |   |
| Disposal                   | Y |   |   |
| Emergency Escape Ladder(s) |   | N |   |
| Exhaust Fans               |   | N |   |
| Fences                     | Y |   |   |
| Fire Detection Equip.      | Y |   |   |
| French Drain               |   | N |   |
| Gas Fixtures               | Y |   |   |

| Item                    | Y | N | U |
|-------------------------|---|---|---|
| Gas Lines (Nat/LP)      |   | N |   |
| Hot Tub                 | Y |   |   |
| Intercom System         |   | N |   |
| Microwave               | Y |   |   |
| Outdoor Grill           | Y |   |   |
| Patio/Decking           | Y |   |   |
| Plumbing System         | Y |   |   |
| Pool                    | Y |   |   |
| Pool Equipment          | Y |   |   |
| Pool Maint. Accessories | Y |   |   |
| Pool Heater             | Y |   |   |
| Public Sewer System     |   | N |   |

| Item   | Y | N | U |
|--|---|---|---|
| Pump: <input type="checkbox"/> sump <input type="checkbox"/> grinder |   |   | U |
| Rain Gutters   | Y |   |   |
| Range/Stove  | Y |   |   |
| Roof/Attic Vents   | Y |   |   |
| Sauna  |   | N |   |
| Smoke Detector   | Y |   |   |
| Smoke Detector - Hearing Impaired                                    |   | N |   |
| Spa  | Y |   |   |
| Trash Compactor  | Y |   |   |
| TV Antenna   |   | N |   |
| Washer/Dryer Hookup  | Y |   |   |
| Window Screens   | Y |   |   |

| Item                            | Y | N | U | Additional Information   |
|---------------------------------|---|---|---|--|
| Central A/C                     | Y |   |   | <input checked="" type="checkbox"/> electric <input type="checkbox"/> gas number of units: <u>3</u>  |
| Evaporative Coolers             |   | N |   | number of units: _____   |
| Wall/Window AC Units            |   | N |   | number of units: _____   |
| Attic Fan(s)                    |   | N |   | if yes, describe: _____  |
| Central Heat                    | Y |   |   | <input type="checkbox"/> electric <input checked="" type="checkbox"/> gas number of units: _____   |
| Other Heat                      |   | N |   | if yes, describe: _____  |
| Oven                            | Y |   |   | number of ovens: <u>2</u> <input checked="" type="checkbox"/> electric <input type="checkbox"/> gas <input type="checkbox"/> other: _____            |
| Fireplace & Chimney             | Y |   |   | <input checked="" type="checkbox"/> wood <input type="checkbox"/> gas logs <input type="checkbox"/> mock <input type="checkbox"/> other: _____       |
| Carport                         | Y |   |   | <input checked="" type="checkbox"/> attached <input type="checkbox"/> not attached   |
| Garage                          | Y |   |   | <input checked="" type="checkbox"/> attached <input type="checkbox"/> not attached   |
| Garage Door Openers             | Y |   |   | number of units: <u>2</u> number of remotes: <u>4</u>  |
| Satellite Dish & Controls       | Y |   |   | <input type="checkbox"/> owned <input checked="" type="checkbox"/> leased from <u>Dish NETWORK</u>   |
| Security System                 | Y |   |   | <input checked="" type="checkbox"/> owned <input type="checkbox"/> leased from _____   |
| Water Heater                    | Y |   |   | <input checked="" type="checkbox"/> electric <input checked="" type="checkbox"/> gas <input type="checkbox"/> other: _____ number of units: <u>2</u> |
| Water Softener                  | Y |   |   | <input checked="" type="checkbox"/> owned <input type="checkbox"/> leased from _____   |
| Underground Lawn Sprinkler      | Y |   |   | <input checked="" type="checkbox"/> automatic <input type="checkbox"/> manual areas covered: <u>1/2 acre @ House</u>                                 |
| Septic / On-Site Sewer Facility | Y |   |   | if yes, attach Information About On-Site Sewer Facility (TAR-1407)   |

(TAR-1406) 7-2-07

Initialed by: Seller: [Signature] and Buyer: \_\_\_\_\_

Page 1 of 5

Concerning the Property at 1694 Mill Creek Rd Bellville, Texas

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: Composition Shingles Age: 7 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): \_\_\_\_\_

**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                                   | Item                 | Y | N                                   | Item                        | Y | N                                   |
|--------------------|---|-------------------------------------|----------------------|---|-------------------------------------|-----------------------------|---|-------------------------------------|
| Basement           |   | <input checked="" type="checkbox"/> | Floors               |   | <input checked="" type="checkbox"/> | Sidewalks                   |   | <input checked="" type="checkbox"/> |
| Ceilings           |   | <input checked="" type="checkbox"/> | Foundation / Slab(s) |   | <input checked="" type="checkbox"/> | Walls / Fences              |   | <input checked="" type="checkbox"/> |
| Doors              |   | <input checked="" type="checkbox"/> | Interior Walls       |   | <input checked="" type="checkbox"/> | Windows                     |   | <input checked="" type="checkbox"/> |
| Driveways          |   | <input checked="" type="checkbox"/> | Lighting Fixtures    |   | <input checked="" type="checkbox"/> | Other Structural Components |   | <input checked="" type="checkbox"/> |
| Electrical Systems |   | <input checked="" type="checkbox"/> | Plumbing Systems     |   | <input checked="" type="checkbox"/> |                             |   |                                     |
| Exterior Walls     |   | <input checked="" type="checkbox"/> | Roof                 |   | <input checked="" type="checkbox"/> |                             |   |                                     |

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

**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                                   | Condition   | Y | N                                   |
|--|-------------------------------------|-------------------------------------|---|---|-------------------------------------|
| Aluminum Wiring  |                                     | <input checked="" type="checkbox"/> | Previous Roof Repairs   |   | <input checked="" type="checkbox"/> |
| Asbestos Components  |                                     | <input checked="" type="checkbox"/> | Other Structural Repairs  |   | <input checked="" type="checkbox"/> |
| Diseased Trees: <input type="checkbox"/> oak wilt <input type="checkbox"/> _____ |                                     | <input checked="" type="checkbox"/> | Radon Gas   |   | <input checked="" type="checkbox"/> |
| Endangered Species/Habitat on Property   |                                     | <input checked="" type="checkbox"/> | Settling  |   | <input checked="" type="checkbox"/> |
| Fault Lines  |                                     | <input checked="" type="checkbox"/> | Soil Movement   |   | <input checked="" type="checkbox"/> |
| Hazardous or Toxic Waste   |                                     | <input checked="" type="checkbox"/> | Subsurface Structure or Pits  |   | <input checked="" type="checkbox"/> |
| Improper Drainage  |                                     | <input checked="" type="checkbox"/> | Underground Storage Tanks   |   | <input checked="" type="checkbox"/> |
| Intermittent or Weather Springs  | <input checked="" type="checkbox"/> |                                     | Unplatted Easements   |   | <input checked="" type="checkbox"/> |
| Landfill   |                                     | <input checked="" type="checkbox"/> | Unrecorded Easements  |   | <input checked="" type="checkbox"/> |
| Lead-Based Paint or Lead-Based Pt. Hazards                                       |                                     | <input checked="" type="checkbox"/> | Urea-formaldehyde Insulation  |   | <input checked="" type="checkbox"/> |
| Encroachments onto the Property  |                                     | <input checked="" type="checkbox"/> | Water Penetration   |   | <input checked="" type="checkbox"/> |
| Improvements encroaching on others' property                                     |                                     | <input checked="" type="checkbox"/> | Wetlands on Property  |   | <input checked="" type="checkbox"/> |
| Located in 100-year Floodplain   |                                     | <input checked="" type="checkbox"/> | Wood Rot  |   | <input checked="" type="checkbox"/> |
| Present Flood Insurance Coverage (If yes, attach TAR-1414)                       |                                     | <input checked="" type="checkbox"/> | Active infestation of termites or other wood-destroying insects (WDI) |   | <input checked="" type="checkbox"/> |
| Previous Flooding into the Structures  |                                     | <input checked="" type="checkbox"/> | Previous treatment for termites or WDI                                |   | <input checked="" type="checkbox"/> |
| Previous Flooding onto the Property  |                                     | <input checked="" type="checkbox"/> | Previous termite or WDI damage repaired                               |   | <input checked="" type="checkbox"/> |
| Previous Fires   |                                     | <input checked="" type="checkbox"/> | Termite or WDI damage needing repair                                  |   | <input checked="" type="checkbox"/> |
| Previous Foundation Repairs  |                                     | <input checked="" type="checkbox"/> | Previous Use of Premises for Manufacture of Methamphetamine           |   | <input checked="" type="checkbox"/> |

Concerning the Property at 16th Mill Creek Rd. Bellville, Texas

If the answer to any of the items in Section 3 is yes, explain (attach additional sheets if necessary):  
Two spring fed lakes on property

**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):

**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.)**

- | <u>Y</u>                 | <u>N</u>                            |  |
|--------------------------|-------------------------------------|--|
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | 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.   |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | Homeowners' associations or maintenance fees or assessments. If yes, complete the following:<br>Name of association: _____<br>Manager's name: _____ Phone: _____<br>Fees or assessments are: \$ _____ per _____ and are: <input type="checkbox"/> mandatory <input type="checkbox"/> voluntary<br>Any unpaid fees or assessment for the Property? <input type="checkbox"/> yes (\$ _____) <input type="checkbox"/> no<br>If the Property is in more than one association, provide information about the other associations below or attach information to this notice. |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | Any common area (facilities such as pools, tennis courts, walkways, or other) co-owned in undivided interest with others. If yes, complete the following:<br>Any optional user fees for common facilities charged? <input type="checkbox"/> yes <input type="checkbox"/> no If yes, describe: _____  |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | Any notices of violations of deed restrictions or governmental ordinances affecting the condition or use of the Property.  |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | Any lawsuits or other legal proceedings directly or indirectly affecting the Property.   |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | Any death on the Property except for those deaths caused by: natural causes, suicide, or accident unrelated to the condition of the Property.  |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | Any condition on the Property which materially affects the health or safety of an individual.  |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | 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.<br>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 1694 Mill Creek Rd. Ballville, Ind

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.

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.

Thomas E Bennett      6-17-10      Danie Bennett      6-17-10  
 Signature of Seller      Date      Signature of Seller      Date  
 Printed Name: Thomas E. Bennett      Printed Name: \_\_\_\_\_

Concerning the Property at 1694 Mill Creek Rd. Bellville, Texas

**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](http://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 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: San Bernard Elect. Sewer: \_\_\_\_\_  
 Water: \_\_\_\_\_ Cable: Dish Network  
 Trash: \_\_\_\_\_ Natural Gas: \_\_\_\_\_  
 Local Phone: ATT Propane: Bellville Perlaors
- (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 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.

|                     |      |                     |      |
|---------------------|------|---------------------|------|
| Signature of Buyer  | Date | Signature of Buyer  | Date |
| Printed Name: _____ |      | Printed Name: _____ |      |



TEXAS ASSOCIATION OF REALTORS®

INFORMATION ABOUT ON-SITE SEWER FACILITY

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CONCERNING THE PROPERTY AT 1694 Mill Creek Rd., Bellville, Tx

A. DESCRIPTION OF ON-SITE SEWER FACILITY ON PROPERTY:

- (1) Type of Treatment System: [X] Septic Tank [ ] Aerobic Treatment [ ] Unknown
(2) Type of Distribution System: [X] Unknown
(3) Approximate Location of Drain Field or Distribution System: [X] Unknown
(4) Installer: [X] Unknown
(5) Approximate Age: [X] Unknown

B. MAINTENANCE INFORMATION:

- (1) Is Seller aware of any maintenance contract in effect for the on-site sewer facility? [ ] Yes [X] No
(2) Approximate date any tanks were last pumped?
(3) Is Seller aware of any defect or malfunction in the on-site sewer facility? [ ] Yes [X] No
(4) Does Seller have manufacturer or warranty information available for review? [ ] Yes [X] No

C. PLANNING MATERIALS, PERMITS, AND CONTRACTS:

- (1) The following items concerning the on-site sewer facility are attached:
(2) "Planning materials" are the supporting materials that describe the on-site sewer facility that are submitted to the permitting authority in order to obtain a permit to install the on-site sewer facility.
(3) It may be necessary for a buyer to have the permit to operate an on-site sewer facility transferred to the buyer.

(TAR-1407) 1-7-04 Initialed for Identification by Buyer and Seller [Signatures] Page 1 of 2





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 1694 Mill Creek Rd Bellville, TX (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 Seller James E. Burnett 6-17-10 Date
Buyer Date Seller Julie Burnett 6-17-10 Date
Other Broker Date 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)

Texas law requires all real estate licensees to give the following information about brokerage services to prospective buyers, tenants, sellers and landlords.

## Information About Brokerage Services

Before working with a real estate broker, you should know that the duties of a broker depend on whom the broker represents. If you are a prospective seller or landlord (owner) or a prospective buyer or tenant (buyer), you should know that the broker who lists the property for sale or lease is the owner's agent. A broker who acts as a subagent represents the owner in cooperation with the listing broker. A broker who acts as a buyer's agent represents the buyer. A broker may act as an intermediary between the parties if the parties consent in writing. A broker can assist you in locating a property, preparing a contract or lease, or obtaining financing without representing you. A broker is obligated, by law to treat you honestly.

### IF THE BROKER REPRESENTS THE OWNER:

The broker becomes the owner's agent by entering into an agreement with the owner, usually through a written - listing agreement, or by agreeing to act as a subagent by accepting an offer of subagency from the listing broker. A subagent may work in a different real estate office. A listing broker or subagent can assist the buyer but does not represent the buyer and must place the interests of the owner first. The buyer should not tell the owner's agent anything the buyer would not want the owner to know because an owner's agent must disclose to the owner any material information known to the agent.

### IF THE BROKER REPRESENTS THE BUYER:

The broker becomes the buyer's agent by entering into an agreement to represent the buyer, usually through a written buyer representation agreement. A buyer's agent can assist the owner but does not represent the owner and must place the interests of the buyer first. The owner should not tell a buyer's agent anything the owner would not want the buyer to know because a buyer's agent must disclose to the buyer any material information known to the agent.

### IF THE BROKER ACTS AS AN INTERMEDIARY:

A broker may act as an intermediary between the parties if the broker complies with The Texas Real Estate License

Act. The broker must obtain the written consent of each party to the transaction to act as an intermediary. The written consent must state who will pay the broker and, in conspicuous bold or underlined print, set forth the broker's obligations as an intermediary. The broker is required to treat each party honestly and fairly and to comply with The Texas Real Estate License Act. A broker who acts as an intermediary in a transaction:

- (1) shall treat all parties honestly;
- (2) may not disclose that the owner will accept a price less than the asking price unless authorized in writing to do so by the owner;
- (3) may not disclose that the buyer will pay a price greater than the price submitted in a written offer unless authorized in writing to do so by the buyer; and
- (4) may not disclose any confidential information or any information that a party specifically instructs the broker in writing not to disclose unless authorized in writing to disclose the information or required to do so by The Texas Real Estate License Act or a court order or if the information materially relates to the condition of the property.

With the parties' consent, a broker acting as an intermediary between the parties may appoint a person who is licensed under The Texas Real Estate License Act and associated with the broker to communicate with and carry out instructions of one party and another person who is licensed under that Act and associated with the broker to communicate with and carry out instructions of the other party.

### If you choose to have a broker represent you,

you should enter into a written agreement with the broker that clearly establishes the broker's obligations and your obligations. The agreement should state how and by whom the broker will be paid. You have the right to choose the type of representation, if any, you wish to receive. Your payment of a fee to a broker does not necessarily establish that the broker represents you. If you have any questions regarding the duties and responsibilities of the broker, you should resolve those questions before proceeding.

**\* Bill Johnson and Associates Real Estate Company will represent the Seller-Owner in all real estate sales transactions, unless prior provisions with the Buyer have been agreed to and acknowledged in writing by all parties.**

**\*\* If you wish to be represented by a Buyer's Agent, please notify the Bill Johnson and Associates Real Estate Company sales agent with whom you are working, prior to looking at any properties.**

Real estate licensee asks that you acknowledge receipt of this information about brokerage services for the licensee's records.

Buyer, Seller, Landlord or Tenant

Date

Texas Real Estate Brokers and Salespersons are licensed and regulated by the Texas Real Estate Commission (TREC). If you have a question or complaint regarding a real estate licensee, you should contact TREC at P.O. Box 12188, Austin, Texas 78711-2188 or 512-465-8888.

