



APPROVED BY THE TEXAS REAL ESTATE COMMISSION (TREC)



## SELLER'S DISCLOSURE NOTICE

CONCERNING THE PROPERTY AT 5074 HWY 67 Breckenridge  
(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 OR SELLER'S AGENTS.

Seller ☒ is ☐ is not occupying the Property. If unoccupied, how long since Seller has occupied the Property? \_\_\_\_\_

1. The Property has the items checked below [Write Yes (Y), No (N), or Unknown (U)]:

<input checked="" type="checkbox"/> Range <u>COOKTOP</u>	<input checked="" type="checkbox"/> Oven	<input checked="" type="checkbox"/> Microwave
<input checked="" type="checkbox"/> Dishwasher	<input checked="" type="checkbox"/> Trash Compactor	<input checked="" type="checkbox"/> Disposal
<input checked="" type="checkbox"/> Washer/Dryer Hookups	<input checked="" type="checkbox"/> Window Screens - 1	<input checked="" type="checkbox"/> Rain Gutters
<input checked="" type="checkbox"/> Security System	<input checked="" type="checkbox"/> Fire Detection Equipment	<input checked="" type="checkbox"/> Intercom System
<u>2 cameras</u>	<input checked="" type="checkbox"/> Smoke Detector	<input checked="" type="checkbox"/> <u>Ice machine in laundry room - but leaving portable</u>
	<input checked="" type="checkbox"/> Smoke Detector-Hearing Impaired	
	<input checked="" type="checkbox"/> Carbon Monoxide Alarm	
	<input checked="" type="checkbox"/> Emergency Escape Ladder(s)	
<input checked="" type="checkbox"/> TV Antenna	<input checked="" type="checkbox"/> Cable TV Wiring	<input checked="" type="checkbox"/> Satellite Dish
<input checked="" type="checkbox"/> Ceiling Fan(s)	<input checked="" type="checkbox"/> Attic Fan(s)	<input checked="" type="checkbox"/> Exhaust Fan(s)
<input checked="" type="checkbox"/> Central A/C	<input checked="" type="checkbox"/> Central Heating <u>3 units + mini split</u>	<input checked="" type="checkbox"/> Wall/Window Air Conditioning
<input checked="" type="checkbox"/> Plumbing System	<input checked="" type="checkbox"/> Septic System	<input checked="" type="checkbox"/> <u>Elk Room</u> Public Sewer System
<input checked="" type="checkbox"/> Patio/Decking	<input checked="" type="checkbox"/> Outdoor Grill	<input checked="" type="checkbox"/> Fences
<input checked="" type="checkbox"/> Pool	<input checked="" type="checkbox"/> Sauna	<input checked="" type="checkbox"/> Spa <u>N</u> Hot Tub
<input checked="" type="checkbox"/> Pool Equipment	<input checked="" type="checkbox"/> Pool Heater	<input checked="" type="checkbox"/> Automatic Lawn Sprinkler System <u>Tank water used</u>
<input checked="" type="checkbox"/> Fireplace(s) & Chimney (Wood burning) <u>Pellet stove</u>		<input checked="" type="checkbox"/> Fireplace(s) & Chimney (Mock)
<input checked="" type="checkbox"/> Natural Gas Lines		<input checked="" type="checkbox"/> Gas Fixtures
<input checked="" type="checkbox"/> Liquid Propane Gas: <u>LP Community (Captive)</u> <u>Y</u> LP on Property <u>Generator</u>		
<input checked="" type="checkbox"/> Fuel Gas Piping: <u>Black Iron Pipe</u> <u>Corrugated Stainless Steel Tubing</u> <u>Copper</u>		
Garage: <input checked="" type="checkbox"/> Attached <input checked="" type="checkbox"/> Not Attached <input checked="" type="checkbox"/> Carport		
Garage Door Opener(s): <u>Electronic</u> <u>Control(s)</u>		
Water Heater: <u>Gas</u> <input checked="" type="checkbox"/> Electric <u>1 upstairs / 1 downstairs</u>		
Water Supply: <u>City</u> <u>Well</u> <u>MUD</u> <input checked="" type="checkbox"/> Co-op		
Roof Type: <u>Composite Shingles</u> Age: <u>1 year</u> (approx.)		

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

Clock doesn't work, Control panel deals are loose or gone

Ice Machine in laundry room - doesn't work

AC units - 1 in masterbed room / 1 for rest of downstairs / 1 upstairs / 1 mini split in Elk Rm.

2. Does the property have working smoke detectors installed in accordance with the smoke detector requirements of Chapter 766, Health and Safety Code? ☐ Yes ☒ No ☐ Unknown. If the answer to this question is no or unknown, explain (Attach additional sheets if necessary): \_\_\_\_\_

\* Chapter 766 of the Health and Safety Code requires one-family or two-family dwellings to have working smoke detectors installed in accordance with the requirements of the building code in effect in the area in which the dwelling is located, including performance, location, and power source requirements. If you do not know the building code requirements in effect in your area, you may check unknown above or contact your local building official for more information. A buyer may require a seller to install smoke detectors for the hearing impaired if: (1) the buyer or a member of the buyer's family who will reside in the dwelling is hearing impaired; (2) the buyer gives the seller written evidence of the hearing impairment from a licensed physician; and (3) within 10 days after the effective date, the buyer makes a written request for the seller to install smoke detectors for the hearing impaired and specifies the locations for the installation. The parties may agree who will bear the cost of installing the smoke detectors and which brand of smoke detectors to install.

3. Are you (Seller) aware of any known defects/malfunctions in any of the following? Write Yes (Y) if you are aware, write No (N) if you are not aware.

N Interior WallsN CeilingsN FloorsN Exterior WallsN DoorsN WindowsN RoofN Foundation/Slab(s)N SidewalksN Walls/FencesN DrivewaysN/A Intercom SystemN Plumbing/Sewers/SepticsN Electrical SystemsN Lighting FixturesOther Structural Components (Describe): Pumped 7/21/25

If the answer to any of the above is yes, explain. (Attach additional sheets if necessary): \_\_\_\_\_

4. Are you (Seller) aware of any of the following conditions? Write Yes (Y) if you are aware, write No (N) if you are not aware.

N Active Termites (includes wood destroying insects)N Previous Structural or Roof RepairN Termite or Wood Rot Damage Needing RepairN Hazardous or Toxic WasteY Previous Termite Damage Small spot in master bedroomN Asbestos ComponentsY Previous Termite TreatmentN Urea-formaldehyde InsulationN Improper DrainageN Radon GasN Water Damage Not Due to a Flood EventN Lead Based PaintN Landfill, Settling, Soil Movement, Fault LinesN Aluminum WiringN Single Blockable Main Drain in Pool/Hot Tub/Spa\*N Previous FiresN Unplatted EasementsN Subsurface Structure or PitsN Previous Use of Premises for Manufacture ofN Methamphetamine

If the answer to any of the above is yes, explain. (Attach additional sheets if necessary):

After adding the Master Bedroom in app. 1998, we noticed a small trail on the lumber used on one wall. Nothing was

\*A single blockable main drain may cause a suction entrapment hazard for an individual.

ever detected in future checks.

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5. Are you (Seller) aware of any item, equipment, or system in or on the Property that is in need of repair? ☐ Yes (if you are aware)  
☒ No (if you are not aware). If yes, explain. (attach additional sheets if necessary): \_\_\_\_\_

6. Are you (Seller) aware of any of the following conditions?\* Write Yes (Y) if you are aware, write No (N) if you are not aware.

N Present flood insurance coverage

N Previous flooding due to a failure or breach of a reservoir or a controlled or emergency release of water from a reservoir

N Previous water penetration into a structure on the property due to a natural flood event

Write Yes (Y) if you are aware, and check wholly or partly as applicable, write No (N) if you are not aware.

N Located ☐ wholly ☐ partly in a 100-year floodplain (Special Flood Hazard Area-Zone A, V, A99, AE, AO, AH, VE, or AR)

N Located ☐ wholly ☐ partly in a 500-year floodplain (Moderate Flood Hazard Area-Zone X (shaded))

N Located ☐ wholly ☐ partly in a floodway

N Located ☐ wholly ☐ partly in a flood pool

N Located ☐ wholly ☐ partly in a reservoir

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

\*For purposes of this notice:

"100-year floodplain" means any area of land that:

(A) is identified on the flood insurance rate map as a special flood hazard area, which is designated as Zone A, V, A99, AE, AO, AH, VE, or AR on the map;

(B) has a one percent annual chance of flooding, which is considered to be a high risk of flooding; and

(C) may include a regulatory floodway, flood pool, or reservoir.

"500-year floodplain" means any area of land that:

(A) is identified on the flood insurance rate map as a moderate flood hazard area, which is designated on the map as Zone X (shaded); and

(B) has a two-tenths of one percent annual chance of flooding, which is considered to be a moderate risk of flooding.

"Flood pool" means the area adjacent to a reservoir that lies above the normal maximum operating level of the reservoir and that is subject to controlled inundation under the management of the United States Army Corps of Engineers.

"Flood insurance rate map" means the most recent flood hazard map published by the Federal Emergency Management Agency under the National Flood Insurance Act of 1968 (42 U.S.C. Section 4001 et seq.)

"Floodway" means an area that is identified on the flood insurance rate map as a regulatory floodway, which includes the channel of a river or other watercourse and the adjacent land areas that must be reserved for the discharge of a base flood, also referred to as a 100-year flood, without cumulatively increasing the water surface elevation of more than a designated height.

"Reservoir" means a water impoundment project operated by the United States Army Corps of Engineers that is intended to retain water or delay the runoff of water in a designated surface area of land.

7. Have you (Seller) ever filed a claim for flood damage to the property with any insurance provider, including the National Flood Insurance Program (NFIP)?\* ☐ Yes ☒ No. If yes, explain (attach additional sheets as necessary): \_\_\_\_\_

\*Homes in high risk flood zones with mortgages from federally regulated or insured lenders are required to have flood insurance. Even when not required, the Federal Emergency Management Agency (FEMA) encourages homeowners in high risk, moderate risk, and low risk flood zones to purchase flood insurance that covers the structure(s) and the personal property within the structure(s).

8. Have you (Seller) ever received assistance from FEMA or the U.S. Small Business Administration (SBA) for flood damage to the property? ☐ Yes ☒ No. If yes, explain (attach additional sheets as necessary): \_\_\_\_\_

9. Are you (Seller) aware of any of the following? Write Yes (Y) if you are aware, write No (N) if you are not aware.

- N Room additions, structural modifications, or other alterations or repairs made without necessary permits or not in compliance with building codes in effect at that time.
- N Homeowners' Association or maintenance fees or assessments.
- N Any "common area" (facilities such as pools, tennis courts, walkways, or other areas) co-owned in undivided interest with others.
- N Any notices of violations of deed restrictions or governmental ordinances affecting the condition or use of the Property.
- N Any lawsuits directly or indirectly affecting the Property.
- N Any condition on the Property which materially affects the physical health or safety of an individual.
- N Any rainwater harvesting system located on the property that is larger than 500 gallons and that uses a public water supply as an auxiliary water source.
- N Any portion of the property that is located in a groundwater conservation district or a subsidence district.

If the answer to any of the above is yes, explain. (Attach additional sheets if necessary): \_\_\_\_\_

10. If the property is located in a coastal area that is seaward of the Gulf Intracoastal Waterway or within 1,000 feet of the 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 maybe required for repairs or improvements. Contact the local government with ordinance authority over construction adjacent to public beaches for more information.
11. This property may be located near a military installation and may be affected by high noise or air installation compatible use zones or other operations. Information relating to high noise and compatible use zones is available in the most recent Air Installation Compatible Use Zone Study or Joint Land Use Study prepared for a military installation and may be accessed on the Internet website of the military installation and of the county and any municipality in which the military installation is located.

Russel Herring 7-22-25  
Signature of Seller Date  
Russel Herring

Julie Herring 7/22/25  
Signature of Seller Date  
Julie Herring

The undersigned purchaser hereby acknowledges receipt of the foregoing notice.

\_\_\_\_\_  
Signature of Purchaser Date

\_\_\_\_\_  
Signature of Purchaser Date



This form was prepared by the Texas Real Estate Commission in accordance with Texas Property Code § 5.008(b) and is to be used in conjunction with a contract for the sale of real property entered into on or after September 1, 2023. Texas Real Estate Commission, P.O. Box 12188, Austin, TX 78711-2188, 512-936-3000 (<http://www.trec.texas.gov>) TREC NO. 55-0. This form replaces OP-H.

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**Addenda**  
On-Site Sewer Information

Concerning property at 5074 Hwy 67 Breckenridge

**Description of System and Maintenance:**

I. Type of Sewer System: ☒ Septic Tank    ☐ Aerobic Treatment    ☐ Unknown

II. Describe Distribution System: \_\_\_\_\_

III. Location of Drain Field or Distribution System: \_\_\_\_\_

☐ Unknown

☐ Unknown

IV. Name of Installer: \_\_\_\_\_

V. Age: \_\_\_\_\_

☐ Unknown

VI. Date Tanks Were Last Pumped: 7/21/25

☐ Unknown

VII. Service Contracts: ☒ No    ☐ Yes, by \_\_\_\_\_

☐ Unknown

VIII. Any known defects or issues in the on-site sewer system? ☒ No    ☐ Yes

☐ Unknown

If yes, please explain: \_\_\_\_\_

THIS DOCUMENT IS NOT A SUBSTITUTE FOR ANY INSPECTIONS OR WARRANTIES. THIS DOCUMENT WAS COMPLETED TO THE BEST OF THE SELLER'S KNOWLEDGE AND BELIEF ON THE DATE SIGNED. SELLER(S) AND REAL ESTATE AGENTS ARE NOT EXPERTS ABOUT ON-SITE SEWER SYSTEMS. BUYERS ARE ENCOURAGED TO HAVE THE ON-SITE SEWER SYSTEM INSPECTED BY AN INSPECTOR OF BUYER'S CHOICE.

Russell Dering 7-22-25  
Signature of Seller

Date

\_\_\_\_\_  
Signature of Buyer

Date

Julie Dering 7-22-25  
Signature of Seller

Date

\_\_\_\_\_  
Signature of Buyer

Date