



# COMMERCIAL PROPERTY CONDITION STATEMENT

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CONCERNING THE PROPERTY AT: 180 Fm 1696, Huntsville, TX 77340

THIS IS A DISCLOSURE OF THE SELLER'S OR LANDLORD'S KNOWLEDGE OF THE CONDITION OF THE PROPERTY AS OF THE DATE SIGNED. IT IS NOT A SUBSTITUTE FOR ANY INSPECTIONS OR WARRANTIES A BUYER OR TENANT MAY WISH TO OBTAIN. IT IS NOT A WARRANTY OF ANY KIND BY SELLER, SELLER'S AGENTS, LANDLORD, LANDLORD'S AGENTS OR ANY OTHER AGENT. THE TERM "LANDLORD" INCLUDES SUBLESSORS.

## PART I - Complete if Property is Improved or Unimproved

Are you (Seller or Landlord) aware of:

**Aware**      **Not  
Aware**

(1) any of the following environmental conditions on or affecting the Property:

(a) radon gas?

(b) asbestos components:

(i) friable components?

(ii) non-friable components?

(c) urea-formaldehyde insulation?

(d) endangered species or their habitat?

(e) wetlands?

(f) underground storage tanks?

(g) leaks in any storage tanks (underground or above-ground)?

(h) lead-based paint?

(i) hazardous materials or toxic waste?

(j) open or closed landfills on or under the surface of the Property?

(k) external conditions materially and adversely affecting the Property such as nearby landfills, smelting plants, burners, storage facilities of toxic or hazardous materials, refiners, utility transmission lines, mills, feed lots, and the like?

(l) any activity relating to drilling or excavation sites for oil, gas, or other minerals?

(2) previous environmental contamination that was on or that materially and adversely affected the Property, including but not limited to previous environmental conditions listed in Paragraph 1(a)-(l)?

(3) any improper drainage onto or away from the Property?

(4) any fault line at or near the Property that materially and adversely affects the Property?

(5) air space restrictions or easements on or affecting the Property?

(6) unrecorded or unplatted agreements for easements, utilities, or access on or to the Property?

(TXR-1408) 07-08-22      Initialed by Seller or Landlord: ES , SS and Buyer or Tenant: \_\_\_\_\_

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- |  | <b>Aware</b>             | <b>Not<br/>Aware</b>                |
|--|--------------------------|-------------------------------------|
| (7) special districts in which the Property lies (for example, historical districts, development districts, extraterritorial jurisdictions, or others)? .....  | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| (8) pending changes in zoning, restrictions, or in physical use of the Property? .....   | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| The current zoning of the Property is: _____   |                          |                                     |
| (9) your receipt of any notice concerning any likely condemnation, planned streets, highways, railroads, or developments that would materially and adversely affect the Property (including access or visibility)? ..... | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| (10) lawsuits affecting title to or use or enjoyment of the Property? .....  | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| (11) your receipt of any written notices of violations of zoning, deed restrictions, or government regulations from EPA, OSHA, TCEQ, or other government agencies? ....  | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| (12) common areas or facilities affiliated with the Property co-owned with others? .....   | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| (13) an owners' or tenants' association or maintenance fee or assessment affecting the Property? .....   | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| If aware, name of association: _____   |                          |                                     |
| Name of manager: _____   |                          |                                     |
| Amount of fee or assessment: \$ _____ per _____  |                          |                                     |
| Are fees current through the date of this notice? [ ] yes [ ] no [ ] unknown   |                          |                                     |
| (14) subsurface structures, hydraulic lifts, or pits on the Property? .....  | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| (15) intermittent or wet weather springs that affect the Property? .....   | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| (16) any material defect in any irrigation system, fences, or signs on the Property? .....   | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| (17) conditions on or affecting the Property that materially affect the health or safety of an ordinary individual? .....  | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| (18) any of the following rights vested in others:   |                          |                                     |
| (a) outstanding mineral rights? .....  | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| (b) timber rights? .....   | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| (c) water rights? .....  | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| (d) other rights? .....  | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| (19) any personal property or equipment or similar items subject to financing, liens, or lease(s)? .....   | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| If aware, list items: _____  |                          |                                     |

If you are aware of any of the conditions listed above, explain. (Attach additional information if needed.) \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

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**PART 2 - Complete if Property is Improved or Unimproved**

Are you (Seller or Landlord) aware of any of the following conditions\*:

**Aware**

**Not  
Aware**

- (1) Present flood insurance coverage?
- (2) Previous flooding due to a failure or breach of a reservoir or a controlled or emergency release of water from a reservoir?
- (3) Previous flooding due to a natural flood event?
- (4) Previous water penetration into a structure on the Property due to a natural flood event?
- (5) Located  wholly  partly in a 100-year floodplain (Special Flood Hazard Area-Zone A, V, A99, AE, AO, AH, VE, or AR)?
- (6) Located  wholly  partly in a 500-year floodplain (Moderate Flood Hazard Area-Zone X (shaded))?
- (7) Located  wholly  partly in a floodway?
- (8) Located  wholly  partly in a flood pool?
- (9) Located  wholly  partly in a reservoir?

If the answer to any of the above is "aware," explain: (attach additional sheets as necessary)

*"If Buyer or Tenant is concerned about these matters, Buyer or Tenant may consult Information About Flood Hazards (TXR 1414)*

*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 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.*

(10) Have you (Seller or Landlord) 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)

(11) Have you (Seller or Landlord) 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)

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Initialed by Seller or Landlord:

ES . SS

and Buyer or Tenant: \_\_\_\_\_

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**PART 3 - Complete only if Property is Improved**

A. Are you (Seller or Landlord) aware of any material defects in any of the following on the Property?

	Aware	Not Aware	Not Appl.
<b>(1) Structural Items:</b>			
(a) foundation systems (slabs, columns, trusses, bracing, crawl spaces, piers, beams, footings, retaining walls, basement, grading)? .....	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(b) exterior walls? .....	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(c) fireplaces and chimneys? .....	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(d) roof, roof structure, or attic (covering, flashing, skylights, insulation, roof penetrations, ventilation, gutters and downspouts, decking)? ...	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(e) windows, doors, plate glass, or canopies .....	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>(2) Plumbing Systems:</b>			
(a) water heaters or water softeners? .....	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(b) supply or drain lines? .....	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(c) faucets, fixtures, or commodes? .....	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(d) private sewage systems? .....	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(e) pools or spas and equipment? .....	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(f) fire sprinkler systems? .....	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(g) landscape sprinkler system? .....	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(h) water coolers? .....	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(i) private water wells? .....	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(j) pumps or sump pumps? .....	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(k) gas lines? .....	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>(3) HVAC Systems:</b> any cooling, heating, or ventilation systems? .....	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>(4) Electrical Systems:</b> service drops, wiring, connections, conductors, plugs, grounds, power, polarity, switches, light fixtures, or junction boxes? .....	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>(5) Other Systems or Items:</b>			
(a) security or fire detection systems? .....	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(b) fire detection systems? .....	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(b) porches or decks? .....	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(d) garage doors and door operators? .....	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(e) loading doors or docks? .....	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(f) rails or overhead cranes? .....	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(g) elevators or escalators? .....	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(h) parking areas, drives, steps, walkways? .....	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(i) appliances or built-in kitchen equipment? .....	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

If you are aware of material defects in any of the items listed under Paragraph A, explain. (Attach additional information if needed.) Loose railings on stairs.

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B. Are you (Seller or Landlord) aware of:

**Aware**      **Not Aware**

(1) any of the following water or drainage conditions materially and adversely affecting the Property:

- (a) ground water?
- (b) water penetration?
- (c) previous flooding or water drainage?
- (d) soil erosion or water ponding?

(2) previous structural repair to the foundation systems on the Property?

(3) settling or soil movement materially and adversely affecting the Property?

(4) pest infestation from rodents, insects, or other organisms on the Property?

(5) termite or wood rot damage on the Property needing repair?

(6) mold to the extent that it materially and adversely affects the Property?

(7) mold remediation certificate issued for the Property in the previous 5 years?    
*if aware, attach a copy of the mold remediation certificate.*

(8) previous termite treatment on the Property?

(9) previous fires that materially affected the Property?

(10) modifications made to the Property without necessary permits or not in compliance with building codes in effect at the time?

(11) any part, system, or component in or on the Property not in compliance with the Americans with Disabilities Act or the Texas Architectural Barrier Statute?

If you are aware of any conditions described under Paragraph B, explain. (Attach additional information, if needed.) Termites treated 20 years ago. No current issues.

The undersigned acknowledges receipt of the foregoing statement.

Seller or Landlord: Emmett Story

Buyer or Tenant: \_\_\_\_\_

By: Emmett Story

By: \_\_\_\_\_

By (signature): Emmett Story      09/14/2024  
Printed Name: Emmett Story

By (signature): \_\_\_\_\_  
Printed Name: \_\_\_\_\_  
Title: \_\_\_\_\_

By: Sheila Story

By: \_\_\_\_\_

By (signature): Sheila Story      09/14/2024  
Printed Name: Sheila Story  
Title: Owner

By (signature): \_\_\_\_\_  
Printed Name: \_\_\_\_\_  
Title: \_\_\_\_\_

**NOTICE TO BUYER OR TENANT: The broker representing Seller or Landlord, and the broker representing you advise you that this statement was completed by Seller or Landlord, as of the date signed. The brokers have relied on this statement 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.**

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## Information About Brokerage Services

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

11/2/2015

**TYPES OF REAL ESTATE LICENSE HOLDERS:**

- A **BROKER** is responsible for all brokerage activities, including acts performed by sales agents sponsored by the broker.
- A **SALES AGENT** must be sponsored by a broker and works with clients on behalf of the broker.

**A BROKER'S MINIMUM DUTIES REQUIRED BY LAW (A client is the person or party that the broker represents):**

- Put the interests of the client above all others, including the broker's own interests;
- Inform the client of any material information about the property or transaction received by the broker;
- Answer the client's questions and present any offer to or counter-offer from the client; and
- Treat all parties to a real estate transaction honestly and fairly.

**A LICENSE HOLDER CAN REPRESENT A PARTY IN A REAL ESTATE TRANSACTION:**

**AS AGENT FOR OWNER (SELLER/LANDLORD):** The broker becomes the property owner's agent through an agreement with the owner, usually in a written listing to sell or property management agreement. An owner's agent must perform the broker's minimum duties above and must inform the owner of any material information about the property or transaction known by the agent, including information disclosed to the agent or subagent by the buyer or buyer's agent.

**AS AGENT FOR BUYER/TENANT:** The broker becomes the buyer/tenant's agent by agreeing to represent the buyer, usually through a written representation agreement. A buyer's agent must perform the broker's minimum duties above and must inform the buyer of any material information about the property or transaction known by the agent, including information disclosed to the agent by the seller or seller's agent.

**AS AGENT FOR BOTH - INTERMEDIARY:** To act as an intermediary between the parties the broker must first obtain the written agreement of each party to the transaction. The written agreement must state who will pay the broker and, in conspicuous bold or underlined print, set forth the broker's obligations as an intermediary. A broker who acts as an intermediary:



- Must treat all parties to the transaction impartially and fairly;
- May, with the parties' written consent, appoint a different license holder associated with the broker to each party (owner and buyer) to communicate with, provide opinions and advice to, and carry out the instructions of each party to the transaction.
- Must not, unless specifically authorized in writing to do so by the party, disclose:
  - that the owner will accept a price less than the written asking price;
  - that the buyer/tenant will pay a price greater than the price submitted in a written offer; and
  - any confidential information or any other information that a party specifically instructs the broker in writing not to disclose, unless required to do so by law.

**AS SUBAGENT:** A license holder acts as a subagent when aiding a buyer in a transaction without an agreement to represent the buyer. A subagent can assist the buyer but does not represent the buyer and must place the interests of the owner first.

**TO AVOID DISPUTES, ALL AGREEMENTS BETWEEN YOU AND A BROKER SHOULD BE IN WRITING AND CLEARLY ESTABLISH:**

- The broker's duties and responsibilities to you, and your obligations under the representation agreement.
- Who will pay the broker for services provided to you, when payment will be made and how the payment will be calculated.

**LICENSE HOLDER CONTACT INFORMATION:** This notice is being provided for information purposes. It does not create an obligation for you to use the broker's services. Please acknowledge receipt of this notice below and retain a copy for your records.

<b>Homeland Properties</b>	<b>429061</b>	<b>agents@homelandprop.com</b>	<b>(936)295-2500</b>
Licensed Broker /Broker Firm Name or Primary Assumed Business Name	License No.	Email	Phone
<b>Andy Flack</b>	<b>344465</b>	<b>andy@homelandprop.com</b>	<b>(936)295-2500</b>
Designated Broker of Firm	License No.	Email	Phone
<b>Andy Flack</b>	<b>344465</b>	<b>andy@homelandprop.com</b>	<b>(936)295-2500</b>
Licensed Supervisor of Sales Agent/ Associate	License No.	Email	Phone
<b>Keith Scott</b>	<b>790712</b>	<b>keith@homelandprop.com</b>	<b>(936)718-5829</b>
Sales Agent/Associate's Name	License No.	Email	Phone
		09/14/2024	09/14/2024
Buyer/Tenant/Seller/Landlord Initials		Date	

Regulated by the Texas Real Estate Commission

Information available at [www.trec.texas.gov](http://www.trec.texas.gov)