



APPROVED BY THE TEXT REAL ESTATE COMMISSION (TREC)



SELLER'S DISCLOSURE NOTICE

CONCERNING PROPERTY AT: 211 Costa Bella Drive, Austin, Texas 78734

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)]:

- | | | |
|--|--|--|
| <u>Y</u> Range | <u>Y</u> Oven | <u>Y</u> Microwave |
| <u>Y</u> Dishwasher | <u>N</u> Trash Compactor | <u>Y</u> Disposal |
| <u>Y</u> Washer/Dryer Hookups | <u>N</u> Window Screens | <u>Y</u> Rain Gutters |
| <u>Y</u> Security System | <u>Y</u> Fire Detection Equipment | <u>Y</u> Intercom System |
| | <u>Y</u> Smoke Detector | |
| | <u>N</u> Smoke Detector - Hearing Impaired | |
| | <u>Y</u> Carbon Monoxide Alarm | |
| | <u>N</u> Emergency Escape Ladder(s) | |
| <u>N</u> TV Antenna | <u>Y</u> Cable TV Wiring | <u>Y</u> Satellite Dish |
| <u>Y</u> Ceiling Fan(s) | <u>N</u> Attic Fan(s) | <u>Y</u> Exhaust Fan(s) |
| <u>Y</u> Central A/C | <u>Y</u> Central Heating | <u>N</u> Wall/Window Air Conditioning |
| <u>Y</u> Plumbing System | <u>Y</u> Septic System | <u>N</u> Public Sewer System |
| <u>Y</u> Patio/Decking | <u>Y</u> Outdoor Grill | <u>Y</u> Fences |
| <u>Y</u> Pool | <u>Y</u> Sauna | <u>Y</u> Spa <u>Y</u> Hot Tub |
| <u>Y</u> Pool Equipment | <u>Y</u> Pool Heater | <u>Y</u> Automatic Lawn Sprinkler System |
| <u>Y</u> Fireplace(s) & Chimney (Wood burning) | | <u>N</u> Fireplaces & Chimney (Mock) |
| <u>N</u> Natural Gas Lines | | <u>Y</u> Gas Fixtures |
| <u>Y</u> Liquid Propane Gas | <u>Y</u> LP Community (Captive) | <u>N</u> LP on Property |
| Garage: <u>Y</u> Attached | <u>N</u> Not Attached | <u>N</u> Carport |
| Garage Door Openers: | <u>Y</u> Electronic | <u>Y</u> Control(s) |
| Water Heater: | <u>Y</u> Gas | <u>N</u> Electric |
| Water Supply: <u>Y</u> City | <u>Y</u> Well | <u>N</u> MUD |
| | | <u>N</u> Co-op |
| Roof Type: Tile (Clay or Concrete) | | Age: 2(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):



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.

<u> N </u> Interior Walls	<u> N </u> Ceilings	<u> N </u> Floors
<u> N </u> Exterior Walls	<u> N </u> Doors	<u> Y </u> Windows
<u> N </u> Roof	<u> N </u> Foundation/Slab(s)	<u> N </u> Sidewalks
<u> N </u> Walls/Fences	<u> N </u> Driveways	<u> N </u> Intercom System
<u> N </u> Plumbing/Sewers/Septics	<u> N </u> Electrical Systems	<u> N </u> Lighting Fixtures
<u> N </u> Other Structural Components (Describe):		

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

Windows – A few double pane windows are fogged due to seal failure - have replacements already that just need to be installed.

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.

<u> N </u> Active Termites (includes wood destroying insects)	<u> Y </u> Previous Structural or Roof Repair
<u> N </u> Termite or Wood Rot Damage Needing Repair	<u> N </u> Hazardous or Toxic Waste
<u> N </u> Previous Termite Damage	<u> N </u> Asbestos Components
<u> N </u> Previous Termite Treatment	<u> N </u> Urea-formaldehyde Insulation
<u> N </u> Improper Drainage	<u> N </u> Radon Gas
<u> Y </u> Water Damage Not Due to a Flood Event	<u> N </u> Lead Based Paint
<u> Y </u> Landfill, Settling, Soil Movement, Fault Lines	<u> N </u> Aluminum Wiring
<u> N </u> Single Blockable Main Drain in Pool/Hot Tub/Spa*	<u> N </u> Previous Fires
	<u> N </u> Unplatted Easements
	<u> N </u> Subsurface Structure or Pits



N Previous Use of Premises for Manufacture of Methamphetamine

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

Water Damage Not Due to a Flood Event – Had an outside dripping hose bib (by kitchen window) repaired by a local plumbing company in August of 2013. The repair was done improperly and leaked inside the wall, and we discovered the problem in December 2015 when the wood floors near the kitchen began to “cup”. This required an insurance claim beginning in January of 2016. There was major work done to remediate and repair the kitchen and media room area. We have a complete 32-page report with pictures and test results available upon request - the completion is certified (Certificate Number: MISTX1473, Issued: 04/08/2015) to be mold free and done properly and tested in accordance with all requirements. During this repair process, we had to move out of the house for 9 months and the entire kitchen, pantry, and media room areas were gutted to bare slab and studs and rebuilt with new floors, cabinets, granite counters, sinks, and all new appliances (cooktop, ovens, microwave, dishwashers, disposals). The insurance company paid \$233,301 and the Owner adds/upgrades for the new things we wanted totaled \$71,546. We also used the old kitchen granite to remodel and upgrade the counters and back-splash in the garage workshop area.

Landfill, Settling, Soil Movement, Fault Lines – Added 2nd "lower pool" in 2011 - installation was not done properly with footings not dug sufficiently to solid bedrock and therefore the "lower pool" settled and caused cracking in lower pool. Problem was fixed with contractor bringing in heavy equipment and drilling 5 holes approximately 18" in diameter to a depth of approximately 35ft to solid bedrock and filling those holes with rebar and concrete to properly stabilize, lift and align, and support the lower pool structure. Has been stable now for approximately 7 years - all cracks were filled and no leaks are known. Still need to "replaster" the lower pool for cosmetic reasons of all the filled cracks, which we plan to do.

Previous Structural or Roof Repair – In April 2017 there was a Tornado that damaged the Costa Bella marina and several houses, including ours. This resulted in a 2+ year repair/renovation project involving an insurance claim as well as many Owner-added repairs and upgrades totaling \$1,008,873. Extensive repairs/upgrades were done including removing and replacing the entire roof including all the chimneys and caps, pool shade arbor, repainting the entire house and eaves, replacing all gutters, repairing our boat dock and landscape, and much more. During that process everything was inspected carefully and there was some additional damage identified on several exterior walls and one external terrace patio on the west side of the home from prior water penetration over the years - that was all removed and rebuilt as well with new wood/flashing/waterproofing/stucco/tile. Other repairs/upgrades included replacing all exterior stone balustrades on back patio/terraces and replacing several windows. The uprooting of many trees and lighting throughout the landscape on the property exterior resulted in shorts in some external wiring that damaged essentially all of electronics on the estate. As a result, the repairs also included new exterior landscape lighting and all new smart whole-home automation systems including complete new Crestron home control system with 18 audio/video touch panels, complete new Lutron lighting system (LED compatible) including new buttons, keypads and switches throughout the estate, new LED lighting including on all interior ceiling accent areas, new Mesh WiFi systems that cover the entire property including boat dock, complete new security system, new audio/video doorbell and intercom system, new VOIP phone system, new audio/video equipment in media, family, and master bedroom, new WiFi enabled thermostats, pool controller, sprinkler irrigation controllers, garage door controllers, and more. Everything in this home can be controlled and monitored via touchscreens throughout the house as well as remotely via computer or phone app, including whole home audio/video, audio and video intercom, lighting (internal, external and landscape), security, thermostats, doorbells, cameras, pool and hot tub, boat dock, fireplaces, sprinkler irrigation system, garage doors, etc. More information can be provided upon request.

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

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're not aware) If yes, explain. (Attach additional sheets if necessary):

I believe the sauna unit in the garage attic that provides the steam to the sauna bath needs servicing. The light bulb in lower pool is out and needs replacing, and the lower pool needs replastering for cosmetic appeal (which we plan to do).

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.

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

Y Located wholly partly in a reservoir

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

Located wholly or partly in a flood resevoir – Lake Travis is a variable level lake managed by the LCRA. The top of Mansfield Dam that creates Lake Travis is at 714' above sea level, and the "full" level of Lake Travis is 682'. The cart path turnaround at the Lake Travis lakefront area of our property is at approximately 706'. The boat dock utilizes a self-adjusting cable/roller system - the top of the metal stairs for this self adjusting system is at approximately 690'. Therefore, if the level of Lake Travis rises above approximately 690', the system is designed allow the dock to simply "float" out of it's metal stair guides. This has happened twice in the 20 years we have lived here. In this case the dock itself is fine - however the winch cables must be loosened to provide sufficient "slack" to accommodate the rising lake level and the dock must be secured with temporary ropes to hold it in place until the water recedes and the self-adjusting system is re-engaged. When the water recedes back below 690', the dock needs to be positioned such that the trolley rollers re-attach to the metal stairs and the winch guide cables tightened sufficiently to take up the slack. There are numerous Lake Travis dock "service" companies that perform these services when such events happen.

*For purpose 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 refered 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 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 necessary):

[Empty box for explanation of flood damage assistance]

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.

- 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.
- Homeowners' Association or maintenance fees or assessments.
- Any "common area" (facilities such as pools, tennis courts, walkways, or other areas) co-owned in undivided interest with others.
- Any notices of violations of deed restrictions or governmental ordinances affecting the condition or use of the Property.
- Any lawsuits directly or indirectly affecting the Property.
- Any condition on the Property which materially affects the physical health or safety of an individual.
- 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.
- 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):

Homeowners' Association or maintenance fees or assessments – Costa Bella subdivision has an active HOA.

Any "common area" (facilities such as pools, tennis courts, walkways, or other areas) co-owned in undivided interest with others. – There is a Costa Bella Community HOA with facilities including community Clubhouse, pool, tennis and basketball courts, parking lot, dumpster, mail kiosk. There is also a Costa Bella Marina Association that manages the community Marina for Owners that purchase boat slips - we are not part of this (no cost) because we have our own private boat dock. If you decided that you want a slip in the Costa Bella Community Marina for another (perhaps larger) boat they are available for purchase to accommodate boats up to 50' in length.

- 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.

Ronald T. Wolfe
Signature of Seller


10/18/1960
Date

Pamela K. Burda-Wolfe
Signature of Seller

02/06/1960
Date

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, 2019. Texas Real Estate Commission, P.O. Box 12188, Austin, TX 78711-2188, 512-936-3000 (<http://www.trec.texas.gov>) TREC NO. OP-H