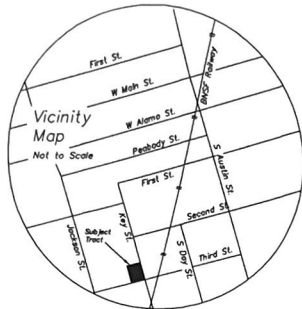




Replat of Part of Lot 1 of the
Key's First Addition, Block 9
To Form Two Lots: Lot 1A (0.1287 Ac.)
and Lot 1B (0.1289) containing
0.257 Acres Total

A. Harrington Survey, Abstract No. 55
City of Brenham, Washington County, Texas

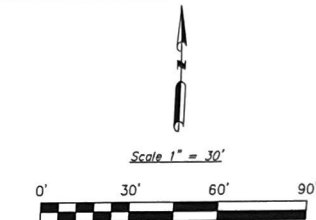
Showing a survey of 0.257 acres of land, situated in Washington County, Texas, being out of the A. Harrington Survey, Abstract No. 55, in the City of Brenham, and being all or a portion of a called 0.258 acre tract (designated Tract Twenty-Four) described in that deed dated April 20, 2012, from David W. Hermann and Wanda K. Hermann to Home Town Properties, L.P., recorded in Volume 1401, Page 1004 of the Official Records of Washington County, Texas.

PLANNING AND ZONING COMMISSION APPROVAL

Approved this _____ day of _____,
2024, by the Planning and Zoning Commission of the
City of Brenham, Texas.

Chairman

Secretary

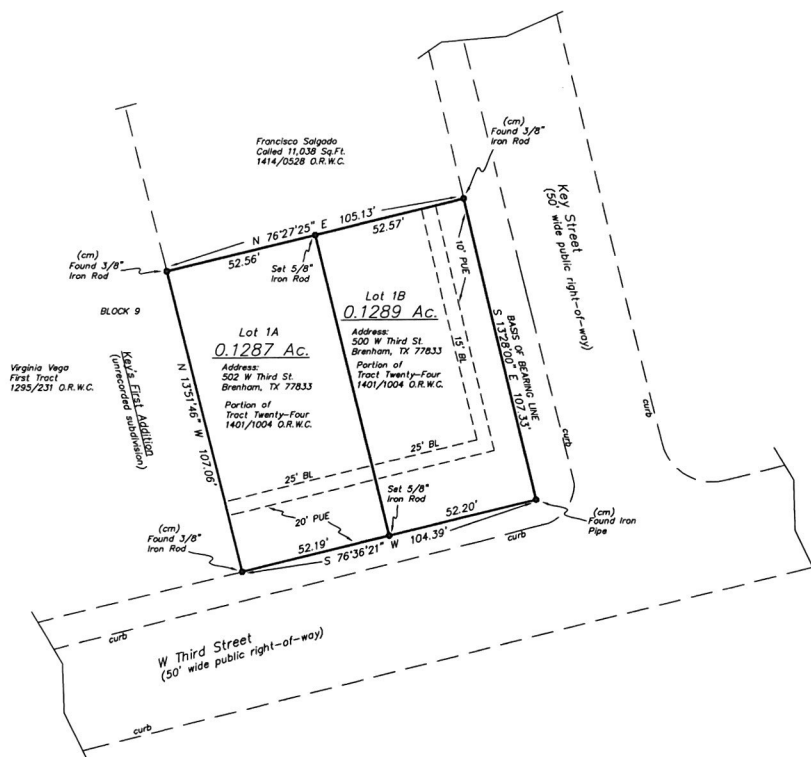


cm = control monument
D.R.W.C. = Deed Records of Washington County, Texas
O.R.W.C. = Official Records of Washington County, Texas

NOTES:

*Bearings shown hereon are based on the record bearing for the East line of the original called 0.258 acre tract (Tract Twenty-Four), recorded in 1401/1004 O.R.W.C.

*A variance from Part II, Division 2, Section 2.05(1)(a)(ii) of the City of Brenham Zoning Ordinance was approved by the Board of Adjustment on August 12, 2024, per Case Number B-24-006.



OWNER'S ACKNOWLEDGEMENT

We, David W. Hermann and Wanda K. Hermann
(Home Town Properties, L.P.), owners of the land described hereon
and whose name is subscribed hereto, do hereby acknowledge the changes
to said property in accordance with the plat shown hereon. The platted
property remains subject to existing dedications, covenants, restrictions
and easements except as shown or stated hereon.

David Hermann

NOTARY PUBLIC ACKNOWLEDGEMENT

THE STATE OF TEXAS
COUNTY OF WASHINGTON

This instrument was acknowledged before me on this _____ day of _____, 2024.

Notary Public
State of Texas

Notary's Name (Printed)
Notary's Commission Expires:

Wanda Hermann

NOTARY PUBLIC ACKNOWLEDGEMENT

THE STATE OF TEXAS
COUNTY OF WASHINGTON

This instrument was acknowledged before me on this _____ day of _____, 2024.

Notary Public
State of Texas

Notary's Name (Printed)
Notary's Commission Expires:

COUNTY CLERK FILING ACKNOWLEDGEMENT STATEMENT

I, Beth Rothermel, Clerk of the County Court of Washington County, Texas,
do hereby certify that the within instrument was filed with my office on the _____ day of _____, 2024, at _____ o'clock, _____ m., and duly recorded on the _____ day of _____, _____ o'clock, _____ m., in cabinet _____ sheet _____ of the _____ records of said county.

Beth Rothermel
Clerk of the County Court of Washington County, Texas.

By: _____

KNOW ALL MEN BY THESE PRESENTS: That I, do hereby certify that I prepared this plat from an actual and accurate survey of the land and that the corner monuments shown hereon were properly placed and under my personal supervision, in accordance with the Subdivision Regulations of the City of Brenham, Texas.

Michael J. Blakey
Registered Professional Land Surveyor No. 35333
August 29, 2024

NOTE:

- 1) This plat does not attempt to amend or remove any valid covenants or restrictions.
- 2) Lot 1A received variances for minimum lot size, lot width, lot depth, and east side yard setback. Lot 1B received variances to the minimum lot size, lot width, lot depth, and west side yard setback on August 12, 2024 by the Board of Adjustment, Case No. B-24-006.
- 3) The subject tracts/lots shown hereon do not lie within the Special Flood Hazard Area according to the FEMA Flood Insurance Rate Map for Washington County, Texas, Map Number 48477C0295C, effective date August 16, 2011.
- 4) All oil/gas pipelines or pipeline easements with ownership through subdivision have been shown.
- 5) All oil/gas wells with ownership (plugged, abandoned, and/or active) through the subdivision have been shown.
- 6) No building or structure shall be constructed across any pipelines, building lines, and/or easements. Building setback lines will be required adjacent to oil/gas pipelines. The setbacks at a minimum should be 15 (fifteen) feet off centerline of low pressure gas lines, and 30 (thirty) feet off centerline of high pressure gas lines.

Blakey Surveying, LLC

RPLS 4052 RPLS 5935

TEXAS FIRM REGISTRATION NO. 10085000

4850 Pflugham Lane
Brenham, Texas 77835

(979) 277-8649

Concerning the Property at

502 W Third - Brenham Tx

Solar Panels	☐	☒	owned	leased from:
Water Heater	☒	☐	☒ electric	gas other: number of units:
Water Softener	☐	☒	owned	leased from:
Other Leased Items(s)	☐	☒	if yes, describe:	
Underground Lawn Sprinkler	☐	☒	☐ automatic ☐ manual	areas covered
Septic / On-Site Sewer Facility	☐	☒	if yes, attach Information About On-Site Sewer Facility (TXR-1407)	

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 TXR-1906 concerning lead-based paint hazards).

Roof Type: composition/shingle Age: unknown (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
Basement	☐	☒
Ceilings	☐	☒
Doors	☐	☒
Driveways	☐	☒
Electrical Systems	☐	☒
Exterior Walls	☐	☒

Item	Y	N
Floors	☐	☒
Foundation / Slab(s)	☐	☒
Interior Walls	☐	☒
Lighting Fixtures	☐	☒
Plumbing Systems	☐	☒
Roof	☐	☒

Item	Y	N
Sidewalks	☐	☒
Walls / Fences	☐	☒
Windows	☐	☒
Other Structural Components	☐	☒

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
Aluminum Wiring	☐	☒
Asbestos Components	☐	☒
Diseased Trees: <u>oak wilt</u>	☐	☒
Endangered Species/Habitat on Property	☐	☒
Fault Lines	☐	☒
Hazardous or Toxic Waste	☐	☒
Improper Drainage	☐	☒
Intermittent or Weather Springs	☐	☒
Landfill	☐	☒
Lead-Based Paint or Lead-Based Pt. Hazards	☐	☒
Encroachments onto the Property	☐	☒
Improvements encroaching on others' property	☐	☒
Located in Historic District	☐	☒
Historic Property Designation	☐	☒
Previous Foundation Repairs	☐	☒

Condition	Y	N
Radon Gas	☐	☒
Settling	☐	☒
Soil Movement	☐	☒
Subsurface Structure or Pits	☐	☒
Underground Storage Tanks	☐	☒
Unplatted Easements	☐	☒
Unrecorded Easements	☐	☒
Urea-formaldehyde Insulation	☐	☒
Water Damage Not Due to a Flood Event	☐	☒
Wetlands on Property	☐	☒
Wood Rot	☐	☒
Active infestation of termites or other wood destroying insects (WDI)	☐	☒
Previous treatment for termites or WDI	☐	☒
Previous termite or WDI damage repaired	☐	☒
Previous Fires	☐	☒

(TXR-1406) 07-10-23

Initialed by: Buyer:

and Seller:

Market Realty, Inc., 615 North Main Street Burton TX 77835

Gabri Means

Phone: 9792778687

Fax:

Produced with Lone Wolf Transactions (zipForm Edition) 717 N Harwood St. Suite 2200, Dallas, TX 75201 www.twolf.com

Page 2 of 7

Wanda Hermann

Concerning the Property at 502 W Third Brenham Tx

Previous Roof Repairs	☐	☒
Previous Other Structural Repairs	☐	☒
Previous Use of Premises for Manufacture of Methamphetamine	☐	☒

Termite or WDI damage needing repair	☐	☒
Single Blockable Main Drain in Pool/Hot Tub/Spa*	☐	☒

If the answer to any of the items in Section 3 is yes, explain (attach additional sheets if necessary):

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

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 conditions?* (Mark Yes (Y) if you are aware and check wholly or partly as applicable. Mark No (N) if you are not aware.)

Y N

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

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

***If Buyer is concerned about these matters, Buyer 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.

(TXR-1406) 07-10-23

Initialed by: Buyer: _____ and Seller: dh, wh

Page 3 of 7

Concerning the Property at 502 W Third - Brenham Tx

"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.

Section 6. 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).

Section 7. 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): _____

Section 8. Are you (Seller) aware of any of the following? (Mark Yes (Y) if you are aware. Mark No (N) if you are not aware.)

Y N

☒ Room additions, structural modifications, or other alterations or repairs made without necessary permits, with unresolved permits, or not in compliance with building codes in effect at the time.

☒ Homeowners' associations or maintenance fees or assessments. If yes, complete the following:

Name of association: _____

Manager's name: _____

Phone: _____

Fees or assessments are: \$ _____ per _____ and are: ☐ mandatory ☐ voluntary

Any unpaid fees or assessment for the Property? ☐ yes (\$ _____) ☐ no

If the Property is in more than one association, provide information about the other associations below or attach information to this notice.

☒ Any common area (facilities such as pools, tennis courts, walkways, or other) co-owned in undivided interest with others. If yes, complete the following:

Any optional user fees for common facilities charged? ☐ yes ☐ no If yes, describe: _____

☒ Any notices of violations of deed restrictions or governmental ordinances affecting the condition or use of the Property.

☒ Any lawsuits or other legal proceedings directly or indirectly affecting the Property. (Includes, but is not limited to: divorce, foreclosure, heirship, bankruptcy, and taxes.)

☒ Any death on the Property except for those deaths caused by: natural causes, suicide, or accident unrelated to the condition of the Property.

☒ Any condition on the Property which materially affects the health or safety of an individual.

☒ 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.

If yes, attach any certificates or other documentation identifying the extent of the remediation (for example, certificate of mold remediation or other remediation).

☒ 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.

(TXR-1406) 07-10-23

Initialed by: Buyer: _____ and Seller: DH WH

Page 4 of 7

Market Realty, Inc., 615 North Main Street Burton TX 77835
Gabri Means

Phone: 9792778687 Fax: _____
Produced with Lone Wolf Transactions (zipForm Edition) 717 N Harwood St, Suite 2200, Dallas, TX 75201 www.lwolf.com

Wanda Hermann

Concerning the Property at 502 W Third - Brenham Tx

- ☒ The Property is located in a propane gas system service area owned by a propane distribution system retailer.
- ☒ Any portion of the Property that is located in a groundwater conservation district or a subsidence district.

If the answer to any of the items in Section 8 is yes, explain (attach additional sheets if necessary): _____

Section 9. 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 10. 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 11. Have you (Seller) ever filed a claim for damage, other than flood damage, to the Property with any insurance provider? ☐ yes ☒ no

Section 12. 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 13. 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.*

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 installation. The parties may agree who will bear the cost of installing the smoke detectors and which brand of smoke detectors to install.

(TXR-1406) 07-10-23

Initialed by: Buyer: _____ and Seller: DH W

Page 5 of 7

Concerning the Property at 502 W Third Brenham Tx

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.

David Hermann 2/20/24 Wanda Hermann 2/20/24
Signature of Seller Date Signature of Seller Date

Printed Name: David Hermann Printed Name: Wanda Hermann

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 <https://publicsite.dps.texas.gov>. 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 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 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 the Property is located in a seacoast territory of this state designated as a catastrophe area by the Commissioner of the Texas Department of Insurance, the Property may be subject to additional requirements to obtain or continue windstorm and hail insurance. A certificate of compliance may be required for repairs or improvements to the Property. For more information, please review *Information Regarding Windstorm and Hail Insurance for Certain Properties* (TXR 2518) and contact the Texas Department of Insurance or the Texas Windstorm Insurance Association.
- (4) 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.
- (5) If you are basing your offers on square footage, measurements, or boundaries, you should have those items independently measured to verify any reported information.

- (6) The following providers currently provide service to the Property:

Electric: <u>City of Brenham</u>	phone #: _____
Sewer: <u>City of Brenham</u>	phone #: _____
Water: <u>City of Brenham</u>	phone #: _____
Cable: _____	phone #: _____
Trash: <u>Brannon Industrial Group</u>	phone #: _____
Natural Gas: <u>City of Brenham</u>	phone #: _____
Phone Company: _____	phone #: _____
Propane: <u>N/A</u>	phone #: _____
Internet: _____	phone #: _____

(TXR-1406) 07-10-23

Initialed by: Buyer: _____ and Seller: DH WH

Page 6 of 7

Market Realty, Inc., 615 North Main Street Burton TX 77835
Gabri Means

Phone: 9792778687 Fax: _____
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Wanda Hermann

Concerning the Property at 502 W Third Brenham Tx

(7) 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.

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

(TXR-1406) 07-10-23

Initialed by: Buyer: _____ and Seller: DH WH

Page 7 of 7

Market Realty, Inc., 615 North Main Street Burton TX 77835
Gabri Means

Phone: 9792778687 Fax:
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Wanda Hermann



APPROVED BY THE TEXAS REAL ESTATE COMMISSION
**ADDENDUM FOR SELLER'S DISCLOSURE OF INFORMATION
 ON LEAD-BASED PAINT AND LEAD-BASED PAINT HAZARDS
 AS REQUIRED BY FEDERAL LAW**

10-10-11

CONCERNING THE PROPERTY AT 502 W. Third St, Brenham
 (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 _____	Authorized: <u>Wanda Hermann</u>	02/20/2024
		Seller	Date
		Home Town Properties LP	
Buyer _____	Date _____	Authorized: <u>David Hermann</u>	02/22/2024
		Seller	Date
		Authorized: <u>Gabri Means</u>	02/20/2024
Other Broker _____	Date _____	Listing Broker	Date
		Roger Chambers & Gabri Means	

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, 512-936-3000 (<http://www.trec.texas.gov>)

(TXR 1906) 10-10-11

(Sec. 1.06) Parking regulations. Off-street parking spaces shall be provided in accordance with the requirements for specific uses set forth in part II, division 1, section 16 of this ordinance.

(Ordinance O-19-012, secs. 5, 6, adopted 3/7/19)

Sec. 2. R-2 Mixed Residential District

(Sec. 2.01) Purpose. The R-2 Mixed Residential District is established to protect and restore where necessary the integrity of historically residential neighborhoods. The R-2 Residential District will be characterized by the zoning requirements set forth in this section.

(Sec. 2.02) Permitted uses:

- (1) Any permitted use in district "R-1."
- (2) Cluster housing in accordance with cluster housing development provisions of the subdivision ordinance of the City of Brenham.
- (3) Group residential uses as provided by state law, such as "family homes."
- (4) Multifamily dwellings, including dormitories for students and fraternity or sorority houses, on sites of less than two (2) acres.
- (5) Dwelling, Two-family (duplex), but not including mobile homes or manufactured homes.
- (6) Single-family attached dwellings, (townhouses) in accordance with townhouse development provisions of the subdivision ordinance of the City of Brenham.
- (7) Zero lot line housing development, in accordance with zero lot line development provisions of the Subdivision Ordinance of the City of Brenham.
- (8) Accessory dwelling unit.
- (9) Accessory buildings and uses, customarily incidental to the above uses and located on the same lot therewith, but not involving the conduct of a retail business.
- (10) Twin homes. Single-family attached dwelling of two units on separate adjacent lots that share a common interior wall and property line. Each twin home unit is platted on a separate lot.

(Sec. 2.03) Specific uses:

- (1) Bed and breakfast house.
- (2) Churches and related auxiliary uses, including educational or philanthropic uses.
- (3) Country clubs or golf courses, but not including miniature golf courses, driving ranges or similar forms of commercial amusement.
- (4) Multifamily development, including dormitories for students and fraternity or sorority houses, that meets the standard density requirements for the R-2

District, and that is proposed for a development site of two (2) acres or more.

(5) Private and accredited elementary and secondary schools.

(6) Retirement villages with site areas of two (2) acres or more.

(Sec. 2.04) **Height regulations.** No building shall exceed forty (40) feet or two and one-half (2-1/2) stories in height, except that a multifamily (apartment) building shall not exceed forty-five (45) feet or three (3) stories in height.

(Sec. 2.05) **Area regulations:** ^[1]

(1) **Single-family detached units.**

(a) **Size of yards:**

(i) **Front yard.** There shall be a front yard having a depth of not less than twenty-five (25) feet. Where lots have double frontage, running through from one street to another, the required front yard shall be provided on both streets.

(ii) **Side yard.** There shall be a side yard on each side of the lot having a width of not less than ten (10) feet. A side yard adjacent to a side street shall not be less than fifteen (15) feet.

(iii) **Rear yard.** There shall be a rear yard having a depth of not less than twenty-five (25) feet.

(b) **Size of lot:**

(i) **Lot area.** No building shall be constructed on any lot of less than seven thousand (7,000) square feet.

(ii) **Lot width.** The width of the lot shall not be less than sixty (60) feet at the front street building line, nor shall its average width be less than sixty (60) feet.

(iii) **Lot depth.** The average depth of the lot shall not be less than one hundred fifteen (115) feet, except that a corner lot, having a minimum width of not less than eighty (80) feet, may have an average depth of less than one hundred fifteen (115) feet, provided that the minimum depth is no less than ninety (90) feet.

(iv) **Legally existing nonconforming lots.** Where a legally existing lot having less area, width and/or depth than herein required existed under separate ownership upon the effective date of this ordinance, the above regulations shall not prohibit the erection of a one-family dwelling thereon, or a two-family dwelling on a lot containing not less than five thousand (5,000) square feet.

(c) **Lot coverage:** In no case shall more than fifty-five (55) percent of the total lot area be covered by the combined area of the main buildings, accessory buildings and other impervious surfaces, excluding pools.

(2) **Single-family attached units (townhomes).**

(a) Minimum site area. The minimum area for townhouse development shall be nine thousand (9,000) square feet.

(b) Size of yards:

(i) Front yard. There shall be a front yard having a depth of not less than twenty (20) feet, and a front yard [width] of not less than thirty (30) feet adjacent to all major streets.

(ii) Side yard. No side yard shall be required, except where contiguous townhomes are separated, a minimum of ten (10) feet shall be maintained between the separated units and on corner lots a minimum of fifteen (15) feet shall be maintained between the building line and the side lot line of the corner lot.

(iii) Rear yard. A rear yard of fifteen (15) feet shall be maintained for all attached townhome units, except that a rear yard of not less than twenty-five (25) feet shall be maintained where adjacent to a major street.

(c) Size of lots:

(i) Lot area. No building shall be constructed on any lot of less than three thousand (3,000) square feet.

(ii) Lot width. The width of the lot shall be not less than thirty (30) feet at the front street building line, nor shall its average width be less than thirty (30) feet.

(iii) Lot depth. The average depth of the lot shall not be less than one hundred (100) feet.

(iv) Legally existing nonconforming lots. Where a legally platted lot for townhomes having less area, width, and/or depth than herein required existed upon the effective date of this ordinance, the above regulations shall not prohibit the erection of a single-family attached or detached unit thereon, provided the applicable setbacks as provided above shall be maintained.

(d) Lot coverage: In no case shall more than eighty (80) percent of the total lot area be covered by the combined area of the main buildings, and accessory buildings and other impervious surfaces, excluding pools.

(e) Utility access: All utilities shall be located adjacent to a public or private all-weather surface. Utility layouts shall be approved by the General Manager of Public Utilities or designee prior to approval of civil plans.

(3) Dwelling, two-family (duplex): Two (2) single-family attached units.

(a) Minimum site area. The minimum area for a duplex development is six thousand (6,000) square feet.

(b) Size of yards:

(i) Front yard. There shall be a front yard having a depth of not less than twenty-five (25) feet.

- (ii) **Side yard.** A minimum of ten (10) feet shall be maintained between the exterior building line and side lot line. On corner lots a side street setback of fifteen (15) feet shall be maintained between the building line and the side lot line of the corner lot.
- (iii) **Rear yard.** A rear yard of twenty (20) feet shall be maintained for all attached home units, except that a rear yard of not less than twenty-five (25) feet shall be maintained where adjacent to a major street.

(c) **Size of lots:**

- (i) **Lot area.** Duplex units shall not be constructed on any lot of less than six thousand (6,000) square feet.
 - (ii) **Lot width.** The width of the lot shall be not less than sixty (60) feet at the front street building line, nor shall its average width be less than sixty (60) feet.
 - (iii) **Lot depth.** The average depth of the lot shall not be less than one hundred (100) feet.
- (d) **Lot coverage:** In no case shall more than sixty (60) percent of the total lot area be covered by the combined area of the main buildings, and accessory buildings and other impervious surfaces, excluding pools.

(4) **Twin homes:** Single-family attached units on individual lots.

- (a) **Minimum site area.** The minimum area for twin home development shall be six thousand (6,000) square feet.

(b) **Size of yards:**

- (i) **Front yard.** There shall be a front yard having a depth of not less than twenty-five (25) feet.
- (ii) **Side yard.** A minimum of ten (10) feet shall be maintained between the exterior building line and the side lot line. On corner lots, a minimum side street setback of fifteen (15) feet shall be maintained between the building line and the side lot line of the corner lot.
- (iii) **Rear yard.** A rear yard of twenty (20) feet shall be maintained for all attached home units, except that a rear yard of not less than twenty-five (25) feet shall be maintained where adjacent to a major street.

(c) **Size of lots:**

- (i) **Lot area.** No twin home unit shall be constructed on any lot of less than three thousand (3,000) square feet.
- (ii) **Lot width.** The width of the lot shall be not less than thirty (30) feet at the front street building line, nor shall its average width be less than thirty (30) feet.
- (iii) **Lot depth.** The average depth of the lot shall not be less than one hundred (100) feet.

- (iv) **Legally existing nonconforming lots.** Where a legally platted lot for twin homes having less area, width, and/or depth than herein required existed upon the effective date of this ordinance, the above regulations shall not prohibit the erection of a single-family attached or detached unit thereon, provided the applicable setbacks as provided above shall be maintained.
- (d) **Lot coverage:** In no case shall more than sixty (60) percent of the total lot area be covered by the combined area of the main buildings, and accessory buildings and other impervious surfaces, excluding pools.
- (5) **Zero lot line (patio homes):**
 - (a) **Minimum site area.** The minimum area for patio home development shall be twelve thousand (12,000) square feet.
 - (b) **Size of yards:**
 - (i) **Front yard.** There shall be a front yard having a depth of not less than twenty (20) feet.
 - (ii) **Side yard.** A side yard of ten (10) feet shall be maintained adjacent to one property line, except that a side yard where the side yard is adjacent to a plat boundary that is contiguous to a standard single family subdivision, said side yard shall be ten feet. Adjacent to public streets, a side yard of not less than fifteen (15) feet is required.
 - (iii) **Rear yard.** A rear yard of fifteen (15) feet shall be maintained. There shall be a rear yard of not less than twenty-five (25) feet adjacent to all major streets.
 - (c) **Size of lots:**
 - (i) **Lot area.** No building shall be constructed on any lot of less than four thousand (4,000) square feet.
 - (ii) **Lot width.** The width of the lot shall not be less than forty (40) feet at the front building line nor shall its average width be less than forty (40) feet.
 - (iii) **Lot depth.** The average depth of the lot shall not be less than one hundred (100) feet.
 - (iv) **Legally existing nonconforming lots.** Where a legally platted lot for patio homes having less area, width, and/or depth than herein required existed upon the effective date of this ordinance, the above regulations shall not prohibit the erection of a single family detached unit thereon, provided the applicable setbacks as provided above shall be maintained.
 - (d) **Lot coverage.** In no case shall more than sixty (60) percent of the total lot area be covered by the combined area of the main buildings, and accessory buildings and other impervious surfaces, excluding pools.
 - (e) **Openings prohibited.** Openings are prohibited on the zero-lot line side. The wall of the dwelling located on the lot line shall have

no windows, doors, air conditioning units, or any other type of openings; provided, however, that atriums or courts shall be permitted on the zero-lot line side when the court or atrium is enclosed by three (3) walls of the dwelling unit and a solid wall of at least eight (8) feet in height is provided on the zero-lot line. Said wall shall be constructed of the same material as exterior walls of the unit.

(6) **Multifamily units (apartments):**

(a) **Minimum site area.** The minimum site for multifamily development shall be six thousand (6,000) square feet.

(b) **Size of yards:**

(i) **Front yard.** There shall be a front yard having a depth of not less than twenty-five (25) feet.

(ii) **Side yard.** There shall be a side yard of not less than fifteen (15) feet, including, but not limited to, side yards adjacent to public streets.

(iii) **Rear yard.** A rear yard of fifteen (15) feet shall be maintained. There shall be a rear yard of not less than twenty-five (25) feet adjacent to all major streets.

(c) **Size of lots:**

(i) **Lot area.** There shall be a minimum of two thousand (2,000) square feet of lot area per multifamily dwelling unit.

(ii) **Lot width.** The width of the lot shall not be less than fifty (50) feet at the front building line nor shall its average width be less than fifty (50) feet.

(iii) **Lot depth.** The average depth of the lot shall not be less than one hundred (100) feet.

(d) **Lot coverage:** In no case shall more than seventy-five (75) percent of the total lot area be covered by the combined area of the main buildings, and accessory buildings and other impervious surfaces.

[1] *In event that new development is adjacent to a use that falls within a different use category, a bufferyard shall be added to the applicable yard regulations (Part II, Division I, Section 12, Table 3).*

(Sec. 2.06) **Parking regulations.** Off-street parking spaces shall be provided in accordance with the applicable requirements for specific uses set forth in part II, division I, section 16 of this ordinance.

(Ordinance adopted 4/17/97, sec. 3; Ordinance O-19-012, sec. 7, adopted 3/7/19; Ordinance O-23-028 adopted 10/19/2023)

Sec. 2.1. R-3 Manufactured Home Residential

(Sec. 2.1.01) **Purpose.** The R-3 Manufactured Home Residential District is established to provide locations for manufactured homes, manufactured home



Information About Brokerage Services

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

11-03-2025



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.

WRITTEN AGREEMENTS ARE REQUIRED IN CERTAIN SITUATIONS: A license holder who performs brokerage activity for a prospective buyer of residential property must enter into a written agreement with the buyer before showing any residential property to the buyer or if no residential property will be shown, before presenting an offer on behalf of the buyer. This written agreement must contain specific information required by Texas law. For more information on these requirements, see section 1101.563 of the Texas Occupations Code. **Even if a written agreement is not required, to avoid disputes, all agreements between you and a broker should be in writing and clearly establish: (i) the broker's duties and responsibilities to you and your obligations under the agreement; and (ii) the amount or rate of compensation the broker will receive and how this amount is determined.**

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 by the buyer or buyer's agent. **An owner's agent fees are not set by law and are fully negotiable.**

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. **A buyer/tenant's agent fees are not set by law and are fully negotiable.**

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.

A LICENSE HOLDER CAN SHOW PROPERTY TO A BUYER/TENANT WITHOUT REPRESENTING THE BUYER/TENANT IF:

- The broker has not agreed with the buyer/tenant, either orally or in writing, to represent the buyer/tenant;
- The broker is not otherwise acting as the buyer/tenant's agent at the time of showing the property;
- The broker does not provide the buyer/tenant opinions or advice regarding the property or real estate transactions generally; and
- The broker does not perform any other act of real estate brokerage for the buyer/tenant.

Before showing a residential property to an unrepresented prospective buyer, a license holder must enter into a written agreement that contains the information required by section 1101.563 of the Texas Occupations Code. The agreement may not be exclusive and must be limited to no more than 14 days.

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.

Market Realty, Inc.	462379	agents@marketrealty.com	979.836.9600
Name of Sponsoring Broker (Licensed Individual or Business Entity)	License No.	Email	Phone
Susan S. Kiel	558624	burton@marketrealty.com	979.251.4078
Name of Designated Broker of Licensed Business Entity, if applicable	License No.	Email	Phone
Name of Licensed Supervisor of Sales Agent/Associate, if applicable	License No.	Email	Phone
Gabri R. Means	779479	gabrimmeans@gmail.com	979.277.8687
Name of Sales Agent/Associate	License No.	Email	Phone

Buyer/Tenant/Seller/Landlord Initials

Date



Market Realty, Inc.

TREC #462379

Gabri Ripple Means

TREC #779479

gabrimeans@gmail.com

979.277.8687

Office Info:

2201 Becker Drive
Brenham, TX 77833

979.836.9600