

POTENTIALLY ELIGIBLE FOR BONUS OR  
ACCELERATED DEPRECIATION



AVG HH INCOME: \$96,747  
2017 LARGEST GROWING  
METRO AREA (US CENSUS)



FILE PHOTO

**EXCLUSIVE OFFERING** | \$5,259,000  
7-ELEVEN, INC. – MODIFIED NNN



6530 HAWKS RUN RD, WESTWORTH VILLAGE, TX (FORT WORTH)

214.675.0175

**MATTHEW SCOW**  
mscow@trivanta.com

**BOB MOORHEAD**  
bob@trivanta.com

6530 HAWKS RUN RD, WESTWORTH VILLAGE, TX (FORT WORTH)



- PAGE 2: TABLE OF CONTENTS**
- PAGE 3: INVESTMENT | TENANT | LEASE OVERVIEW**
- PAGE 4: IN THE NEWS**
- PAGE 5: CONSTRUCTION PROGRESS PHOTOS 8.9.18**
- PAGE 6: SITE PLAN**
- PAGE 7-10: AERIAL PHOTOS**
- PAGE 10-12: LOCATION OVERVIEW**
- PAGE 13-14: LOCATION MAPS**
- PAGE 15: DEMOGRAPHICS**
- PAGE 16: DISCLAIMER**



REPRESENTATIVE PHOTO

6530 HAWKS RUN RD, WESTWORTH VILLAGE, TX (FORT WORTH)

<b>PRICE:</b>	\$5,259,000
<b>NET OPERATING INCOME:</b>	\$249,801
<b>BUILDING AREA:</b>	3,150± Square Feet
<b>LAND AREA:</b>	0.85± Acres
<b>YEAR BUILT:</b>	2018
<b>LANDLORD RESPONSIBILITY:</b>	Roof * Structure **
<b>OWNERSHIP:</b>	Fee Simple Interest
<b>OCCUPANCY:</b>	100%

\* Tenant Maintains Non-Structural Portions of Roof Surface / 20-Year Roof Warranty  
 \*\* 10-Year Structure Warranty Available

### TENANT OVERVIEW

7-Eleven, Inc., a Texas corporation



### 7-ELEVEN | [www.7-eleven.com](http://www.7-eleven.com) | S&P Rating: AA-

The brand name 7-Eleven is now part of an international chain of convenience stores, operating under Seven-Eleven Japan Co., Ltd., primarily operating as a franchise. It is the largest chain store operator with approximately 65,000+ locations operating around the world, surpassing the previous record-holder McDonald's Corporation in 2007. Its stores are located in sixteen countries, with its largest markets being Japan, the United States, Canada, the Philippines, Hong Kong, Taiwan, Malaysia and Thailand. 7-Eleven, Inc. as a former U.S.-originating company, is a subsidiary of Seven-Eleven Japan Co., Ltd, which in turn is owned by Seven & I Holdings Co. of Japan. The US chain has its headquarters in Irving, Texas.

The company operates, franchises and licenses more than 9,800+ stores in the U.S. and Canada. Of the more than 9,800 stores the company operates and franchises in the United States, approximately 8,000 are franchised. Outside of the U.S. and Canada, there are more than 55,300 7-Eleven and other convenience stores in Japan, Taiwan, Thailand, South Korea, China, Malaysia, Mexico, Singapore, Australia, Philippines, Indonesia, Norway, Sweden and Denmark.

7-Eleven also is one of the nation's largest independent gasoline retailers. Its company's name was changed from The Southland Corporation to 7-Eleven, Inc. after approval by shareholders on April 28, 1999.

7-Eleven focuses on meeting the needs of convenience-oriented customers by providing a broad selection of fresh, high-quality products and services at everyday fair prices, speedy transactions and a clean and friendly shopping environment. Each store's selection of about 2,500 different products and services is tailored to meet the needs and preferences of local customers. Stores typically vary in size from 2,400 to 3,000 square feet and are most often located on corners for great visibility and easy access. 7-Eleven Accolades include: Ranked #1 on Entrepreneur magazine's 2017 Top Global Franchises List; Ranked #1 spot on Entrepreneur magazine's Franchise 500's Top 10 Most Popular Retail Companies for 2016, and No.2 in Forbes magazine's Top 20 Franchises to Start. 7-Eleven is No. 2 on FranchiseRanking.com for Best Convenience Store Franchise Company USA, and among GI jobs magazine's Top 100 Military Friendly Employers.

### LEASE OVERVIEW

<b>Lease Term:</b>	15-Years, Plus (4), 5-Year Options to Extend
<b>Projected Rent Commencement:</b>	October 2018
<b>Projected Lease Expiration:</b>	October 2033
<b>Lease Type:</b>	Modified NNN
<b>Rent Increases:</b>	10% Every 5 Years In Primary Term & Options
<b>Annual Rent Yrs 1-5:</b>	<b>\$249,801</b>
<b>Annual Rent Yrs 6-10:</b>	\$274,781 (10%)
<b>Annual Rent Yrs 11-15:</b>	\$302,259 (10%)
<b>Option 1   Yrs 16-20:</b>	\$332,484 (10%)
<b>Option 2   Yrs 21-25:</b>	\$365,733 (10%)
<b>Option 3   Yrs 26-30:</b>	\$402,306 (10%)
<b>Option 4   Yrs 31-35:</b>	\$442,538 (10%)
<b>ROFR:</b>	Yes

## 7-Eleven® Adding More Than 1,100 Stores in \$3.3 Billion Deal

**Korri Kezar – Dallas Business Journal (April 6, 2017)** – Convenience store giant 7-Eleven is tacking on more than 1,100 stores in a \$3.3 billion acquisition, it's parent company announced Thursday.

Seven & I Holdings, a Japanese company that owns Irving-based 7-Eleven Inc., said its North Texas subsidiary will purchase 1,108 Sunoco LP (NYSE: SUN) stores in 18 states in a transaction expected to close in the second half of the year.

Sunoco, which moved its operations to office space at The Shops at Park Lane in Dallas last year, operates roughly 1,350 fuel stations under brand names like Stripes and APlus.

Seven & I has also agreed to continue to buy gasoline from Sunoco for 15 years. Sunoco, which is owned by Dallas'-based Energy Transfer Equity (NYSE: ETE), distributes fuel to 6,800 convenience stores, independent dealers, commercial customers and other distributors in the U.S.

Last year, Sunoco's retail business posted a revenue decrease from \$8.26 billion to \$7.7 billion. Seven & I attributed the dip to drops in gasoline prices and increases in selling, general and administrative expenses due to opening more stores. The Japanese company said it will work on improving profitability at Sunoco's locations.

"By acquiring part of SUN's ... gasoline retail business, 7-Eleven, Inc. will expand its store network and offer greater convenience, while also improving profitability," Seven & I said in a prepared statement.

7-Eleven's 2016 revenues were not disclosed. As of 2013, it was North Texas' largest private company, with sales of \$27.03 billion.

With the purchase, 7-Eleven will boast 9,815 stores in the U.S. and Canada. Seven & I said in October it's aiming to grow to 10,000 locations in the two countries by 2019, and 7-Eleven Inc.'s president and CEO Joe DePinto told the DBJ the company will grow to 20,000 by 2029.

"This acquisition supports our growth strategy in key geographic areas including Florida, mid-Atlantic states, Northeast state, and Central Texas," DePinto said in an emailed statement to the Dallas Business Journal. "It also provides 7-Eleven entry into Houston, the fourth largest city in the United States, and a strong presence in Corpus Christi and South Texas."

7-Eleven has been involved in acquisitions since 2006, when it acquired the White Hen Pantry brand for \$35 million. And last year, it acquired 79 convenience stores from San Antonio-based CST Brands for \$408 million.

But DePinto says the company is focusing primarily on organic growth as it expands in North America. This year, it will grow by 300 locations in the U.S. and Canada. Its growth markets include New York, Florida and California, where it can concentrate stores.

Texas' growth has also made the state's Interstate 35 corridor an important expansion area. "One, it's extremely business friendly, and two, it's growing so fast," DePinto added. "The whole I-35 corridor is incredible."

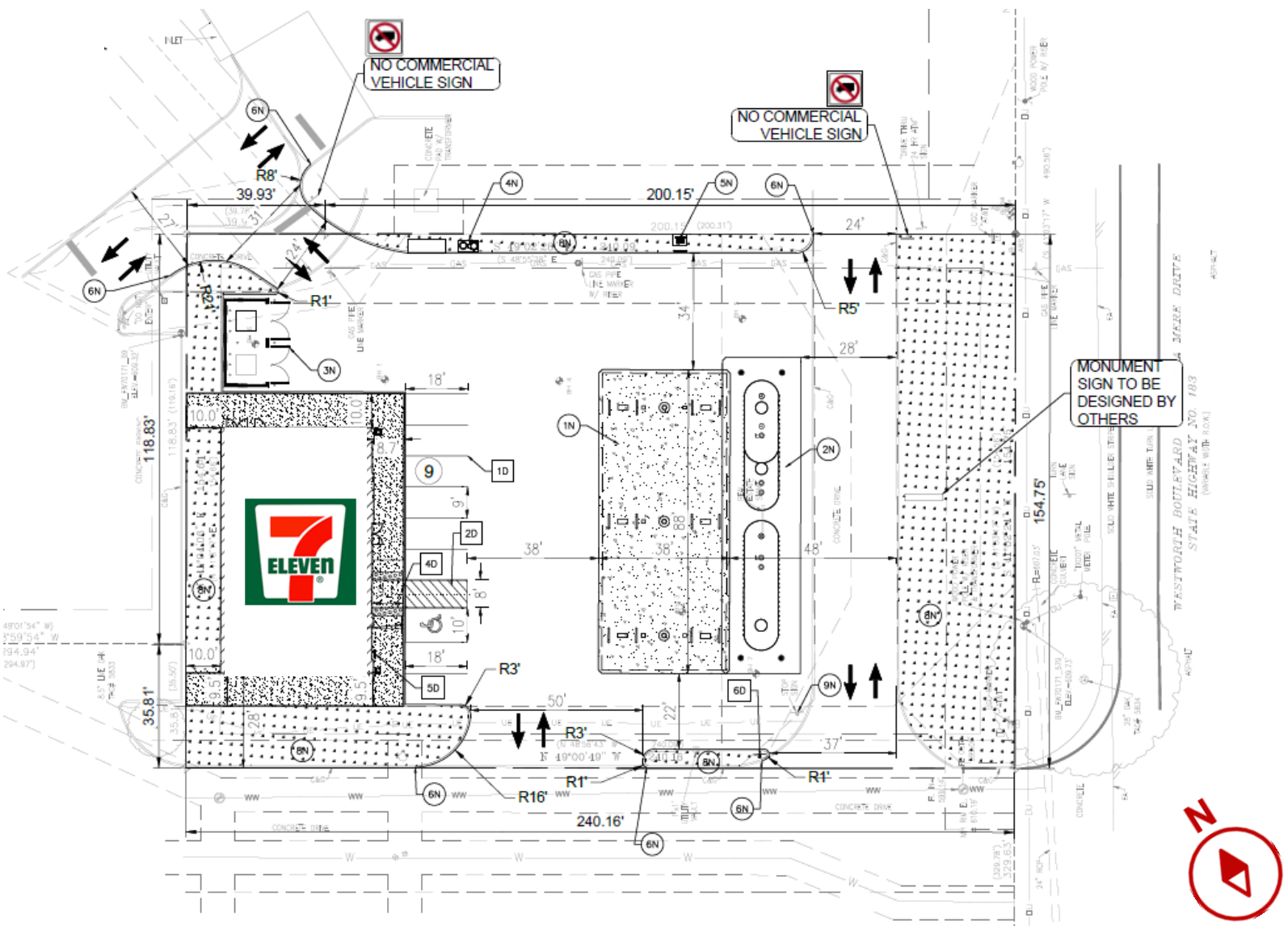
On news of the acquisition, shares of Sunoco were trading up more than 22 percent as of 9 a.m. Thursday. As of Wednesday's closing price of \$23.86, the stock is trading down 26 percent over the past 12 months.

Source: Kezar, Korri. "7-Eleven Adding More than 1,100 Stores in \$3.3 Billion Deal." *Bizjournals.com, The Business Journals*, 6 Apr. 2017, [www.bizjournals.com/dallas/news/2017/04/06/7-eleven-adding-more-than-1-100-stores-in-3-3.html](http://www.bizjournals.com/dallas/news/2017/04/06/7-eleven-adding-more-than-1-100-stores-in-3-3.html).

6530 HAWKS RUN RD, WESTWORTH VILLAGE, TX (FORT WORTH)



6530 HAWKS RUN RD, WESTWORTH VILLAGE, TX (FORT WORTH)



6530 HAWKS RUN RD, WESTWORTH VILLAGE, TX (FORT WORTH)



6530 HAWKS RUN RD, WESTWORTH VILLAGE, TX (FORT WORTH)





6530 HAWKS RUN RD, WESTWORTH VILLAGE, TX (FORT WORTH)





# Business

7-Eleven is named  
#1 Franchisor by  
Entrepreneur Magazine.

FILE PHOTO

## IMMEDIATE TRADE AREA / WESTWORTH VILLAGE, TX

7-Eleven is strategically located along Westworth Blvd. (32,000 VPD) in Westworth Village, TX. Westworth Blvd. is a local thoroughfare and main retail corridor in the immediate trade area, providing direct access to several shopping centers including Westover Village Place and Ridgmar Mall (1,247,470 SF). The immediate trade area features strong population demographics of 76,474 and above average household income of \$78,282 within a 3-mile radius. The subject property is surrounded by notable national credit tenants including Walmart, Sam's Club, Dillard's, Sears, JC Penney, Ross, Lowe's, Raising Cane's, Whataburger, Starbucks, Chick-fil-A, Sonic, and many more. 7-Eleven is located approximately 7-miles from downtown Fort Worth, TX.

The City of Westworth Village is a quiet residential community, with a population of 3100 residents, approximately two square miles in area, on the west side of the Dallas-Fort Worth Metroplex, in North Central Texas. Located on the banks of the Trinity River, five miles west of downtown Fort Worth, the City is surrounded by long-developed communities amid natural vegetation and landscape features that complement the pleasant appearance. This bedroom community enjoys an exceptionally low crime rate and one of the lowest ad valorem tax rates in Tarrant County.

Following the transition of Carswell Air Force Base to the Naval Air Station Joint Reserve Base Fort Worth in 1998, the City embarked on an ambitious program to transform 400 acres of federal government property and 500 abandoned houses into a high quality, multi-use urban development. Over the last several years, the City has added two high-end residential developments, with at least two more expected in the near future.

Westworth Village remains one of the most fiscally sound incorporated cities in the Metroplex. Commercial development includes large power center retailers, as well as smaller boutique shops offering a wide range of specialty merchandise and services. Capitalizing on its proximity to the recently renovated Ridgmar Mall, shoppers may experience one of the most convenient and diversified retail mixes in the Fort Worth area. Contemporary restaurant facilities complement the shopping experience.

Under the 2007 Capital Improvements Plan, City officials embarked on a ten-year program to replace aging streets and water and sewer lines. Through careful planning this project is expected to be completed on time (by the end of 2017). In 2014, the City was awarded a coveted Federal Transportation Authority Grant (TAP) to improve our Parks and Trails Plan. The City is working with the Trinity River Vision Authority (TRVA) to expand the trail system and improve recreation areas throughout the community. Grant funds are expected to be disbursed in the spring of 2015, allowing the City to commence with this project. The City stands committed to its comprehensive development program, designed to improve the quality of life for the entire community while ensuring a sound financial base for many years to come.



## **FORT WORTH, TX**

Fort Worth is the 16th-largest city in the United States of America and the 5<sup>th</sup> largest city in the state of Texas with a population of 741,206. It has been estimated that by 2030 it will have 1,211,665 residents. The city is the 2<sup>nd</sup> most populous in the Dallas–Fort Worth–Arlington MSA. Fort Worth was the fastest-growing large city in the United States from 2000 to 2006 and was voted one of "America's Most Livable Communities." Fort Worth has undergone a recent economic boom with the discovery of large deposits of natural gas in the Barnett Shale.

With over 1,000 gas wells in the city of Fort Worth this formation is the second largest natural gas source in the U.S. Drilling industry advocacy groups claim that by 2015 the Barnett Shale may be responsible for more than 108,000 jobs. In addition to the energy driven economic growth, Fort Worth has traditionally been a diverse center of manufacturing. Fort Worth is a major center for industry, technology, distribution, and transportation. Tourism is also a major contribution to the economy bringing in approximately \$7.5 million visitors and contributing over \$900 million to Fort Worth's economy. In 2013, Fort Worth-Arlington ranked No. 15 on Forbes' list of the best places for business and careers. The city has shown strong economic growth since the 1980s.

Companies with corporate headquarters in Fort Worth include American Airlines, Radio Shack, BNSF, Pier One Imports, and EnscO. According to the Dallas Business Journal's 2006 Book of Lists, American Airlines is the largest employer in the Metroplex. The construction of Fort Worth Alliance Airport has significantly enhanced the growth and economic diversification that Fort Worth has enjoyed. Billed as the world's first purely industrial airport this installation hosts tenants such as the American Airlines, BNSF, Bell Helicopter, DynCorp International, and FedEx. The DEA aviation operations center is also based at Fort Worth Alliance Airport.

The region benefits from more than 60 colleges and universities, with a combined enrollment exceeding 325,000 students, graduating in excess of 35,000 annually. The city is stimulated by several university communities: Texas Christian, Texas Wesleyan, University of North Texas Health Science Center, and Texas A&M University School of Law. The presence of Texas Christian University less than 5 miles from downtown and national competitiveness in football, baseball, and men's and women's basketball have sustained TCU as an important part of Fort Worth's sports scene as well.



### **DALLAS - FORT WORTH - ARLINGTON MSA**

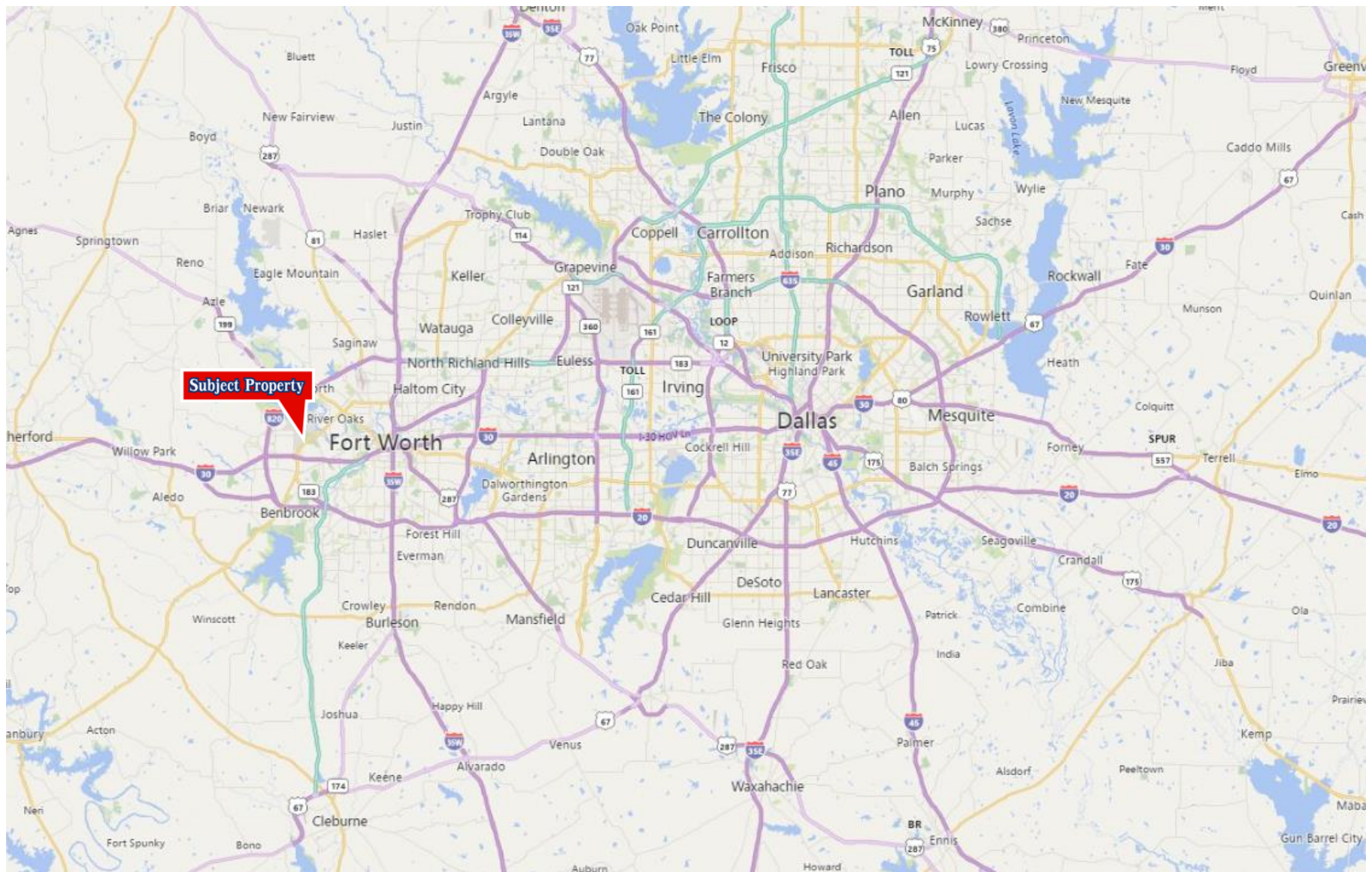
The Dallas – Fort Worth – Arlington Metropolitan Statistical Area (MSA) encompasses 13 counties within the U.S. state of Texas. It is the economic and cultural hub of the region commonly called North Texas or the Metroplex and is the largest land-locked metropolitan area in the United States.

The projected Dallas-Fort Worth Metroplex population for 2016 was 7,268,910. During the 12-month period from July 2008 to July 2009, the Dallas-Fort Worth-Arlington metropolitan area gained 146,530 new residents, more than any other metropolitan area in the United States. The area's population has grown by about 1 million since the last census was administered in 2000. The Dallas–Fort Worth–Arlington MSA is, by population, the largest metropolitan area in Texas, the largest in the South, the 4th largest in the United States, and the 10th largest in the Americas. The metropolitan area has the 4th largest gross metropolitan product (GMP) in the United States, and approximately 10th largest by GMP in the world.

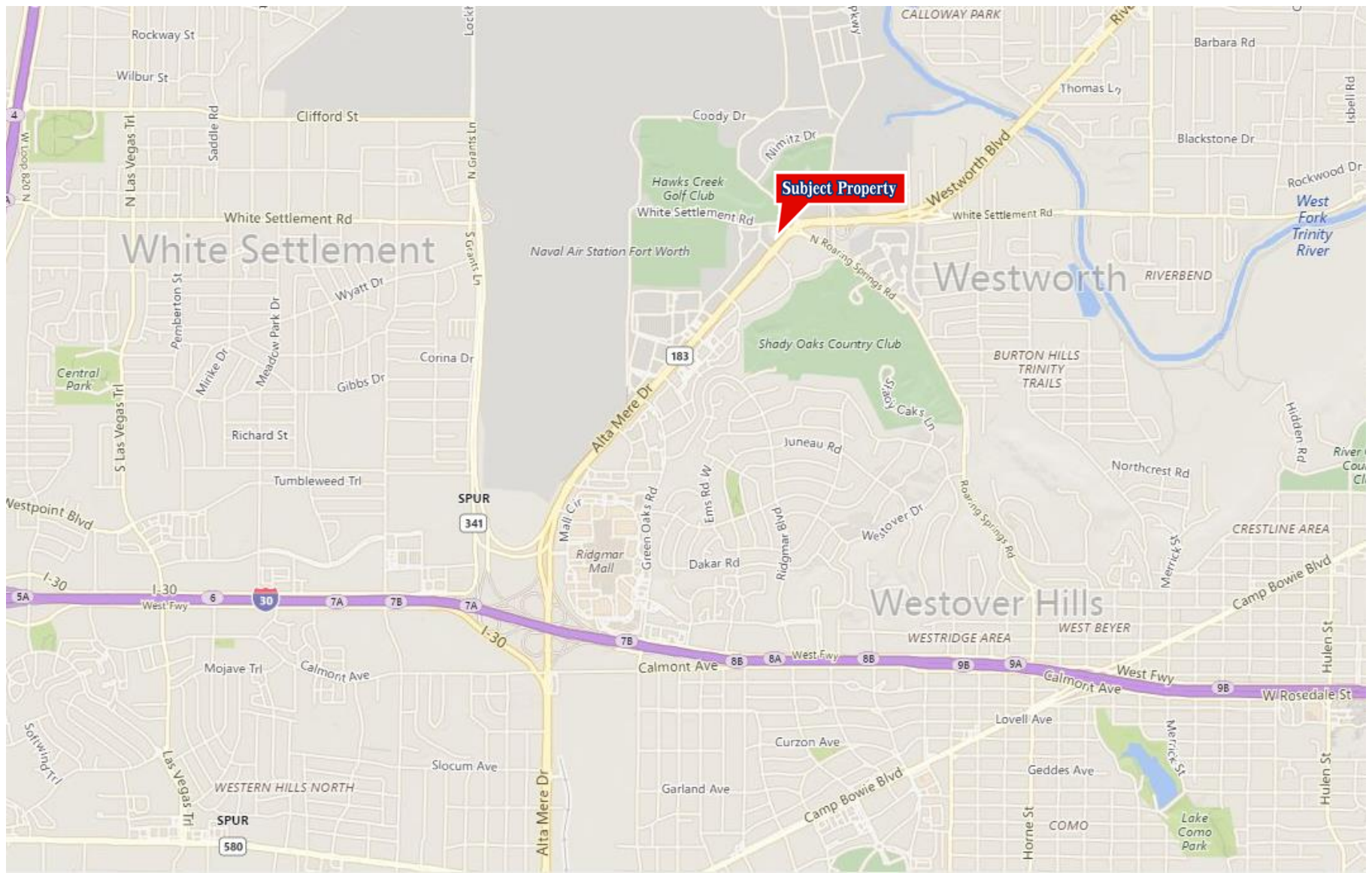
The Metroplex has one of the highest concentrations of corporate headquarters in the United States. 20 Fortune 500 companies are headquartered in the area. The city of Dallas alone has the 3rd largest concentration of Fortune 500 headquarters in the country. The Metroplex also contains the largest Information Technology industry base in the state (often referred to as Silicon Prairie or the Telecom Corridor), due to the large number of corporate IT projects and the presence of numerous electronics, computing and telecommunication firms. The Telecom Corridor located just north of Dallas in Richardson is home to more than 5,700 companies including Texas Instruments which employs over 10,000 people at its headquarters.

HP Enterprises Services, Dell Services, i2, AT&T, Ericsson, CA and Verizon also have headquarters or major operations in and around Dallas. The Texas farming and ranching industry, based in Fort Worth adds to the economic diversification of the area. Several major defense manufacturers, including Lockheed Martin, Bell Helicopter Textron, and Raytheon, maintain significant operations in the Metroplex. ExxonMobil, the #1 corporation on the Fortune 500 listings, is headquartered in Irving, Texas.

6530 HAWKS RUN RD, WESTWORTH VILLAGE, TX (FORT WORTH)



6530 HAWKS RUN RD, WESTWORTH VILLAGE, TX (FORT WORTH)



6530 HAWKS RUN RD, WESTWORTH VILLAGE, TX (FORT WORTH)

6530 Hawks Creek Rd		1 mi radius	3 mi radius	5 mi radius
Westworth Village, TX 76114				
POPULATION	2018 Estimated Population	3,644	76,474	220,941
	2023 Projected Population	3,965	83,938	242,219
	2010 Census Population	3,068	68,762	193,973
	2000 Census Population	2,613	67,245	180,111
	Projected Annual Growth 2018 to 2023	1.8%	2.0%	1.9%
	Historical Annual Growth 2000 to 2018	2.2%	0.8%	1.3%
	HOUSEHOLDS	2018 Estimated Households	1,681	30,427
2023 Projected Households		1,793	32,886	92,790
2010 Census Households		1,423	27,596	75,876
2000 Census Households		1,087	27,331	70,519
Projected Annual Growth 2018 to 2023		1.3%	1.6%	1.5%
Historical Annual Growth 2000 to 2018		3.0%	0.6%	1.2%
AGE	2018 Est. Population Under 10 Years	11.6%	13.1%	13.7%
	2018 Est. Population 10 to 19 Years	9.8%	12.0%	12.8%
	2018 Est. Population 20 to 29 Years	16.0%	15.2%	16.1%
	2018 Est. Population 30 to 44 Years	16.8%	19.1%	19.1%
	2018 Est. Population 45 to 59 Years	18.0%	19.2%	18.7%
	2018 Est. Population 60 to 74 Years	18.0%	14.3%	13.4%
	2018 Est. Population 75 Years or Over	9.8%	7.1%	6.2%
	2018 Est. Median Age	40.3	36.8	35.4
MARITAL STATUS & GENDER	2018 Est. Male Population	47.6%	47.8%	48.6%
	2018 Est. Female Population	52.4%	52.2%	51.4%
	2018 Est. Never Married	28.9%	35.9%	36.3%
	2018 Est. Now Married	47.1%	37.5%	39.3%
	2018 Est. Separated or Divorced	16.9%	20.0%	18.5%
	2018 Est. Widowed	7.1%	6.6%	5.9%
INCOME	2018 Est. HH Income \$200,000 or More	9.7%	6.4%	7.2%
	2018 Est. HH Income \$150,000 to \$199,999	6.8%	4.2%	4.4%
	2018 Est. HH Income \$100,000 to \$149,999	10.7%	10.4%	12.2%
	2018 Est. HH Income \$75,000 to \$99,999	13.2%	11.7%	11.9%
	2018 Est. HH Income \$50,000 to \$74,999	16.3%	17.4%	19.4%
	2018 Est. HH Income \$35,000 to \$49,999	11.1%	13.3%	13.4%
	2018 Est. HH Income \$25,000 to \$34,999	9.6%	12.7%	11.0%
	2018 Est. HH Income \$15,000 to \$24,999	12.1%	11.8%	9.6%
	2018 Est. HH Income Under \$15,000	10.5%	12.1%	10.9%
	2018 Est. Average Household Income	\$96,747	\$78,282	\$83,310
2018 Est. Median Household Income	\$63,814	\$57,658	\$62,989	
2018 Est. Per Capita Income	\$44,636	\$31,593	\$32,697	
2018 Est. Total Businesses	173	3,120	9,371	
2018 Est. Total Employees	2,362	41,774	105,302	

6530 Hawks Creek Rd		1 mi radius	3 mi radius	5 mi radius
Westworth Village, TX 76114				
LABOR FORCE	2018 Est. Labor Population Age 16 Years or Over	3,007	60,889	174,082
	2018 Est. Civilian Employed	60.0%	58.2%	61.8%
	2018 Est. Civilian Unemployed	2.0%	2.4%	2.1%
	2018 Est. in Armed Forces	1.6%	0.6%	0.3%
	2018 Est. not in Labor Force	36.4%	38.7%	35.9%
	2018 Labor Force Males	46.9%	47.0%	47.8%
	2018 Labor Force Females	53.1%	53.0%	52.2%
	OCCUPATION	2010 Occupation: Population Age 16 Years or Over	1,780	35,479
2010 Mgmt, Business, & Financial Operations		18.1%	12.7%	13.8%
2010 Professional, Related		23.6%	16.1%	18.1%
2010 Service		16.8%	20.1%	18.5%
2010 Sales, Office		26.2%	25.1%	24.4%
2010 Farming, Fishing, Forestry		0.2%	0.2%	0.2%
2010 Construction, Extraction, Maintenance		6.3%	11.1%	11.4%
2010 Production, Transport, Material Moving		8.9%	14.7%	13.7%
2010 White Collar Workers		67.8%	53.9%	56.3%
2010 Blue Collar Workers		32.2%	46.1%	43.7%
TRANSPORTATION TO WORK	2010 Drive to Work Alone	82.4%	82.8%	82.2%
	2010 Drive to Work in Carpool	9.0%	9.9%	10.8%
	2010 Travel to Work by Public Transportation	1.1%	0.8%	0.7%
	2010 Drive to Work on Motorcycle	-	0.2%	0.2%
	2010 Walk or Bicycle to Work	2.3%	1.5%	1.4%
	2010 Other Means	0.5%	0.5%	0.5%
	2010 Work at Home	4.7%	4.3%	4.2%
TRAVEL TIME	2010 Travel to Work in 14 Minutes or Less	38.2%	27.4%	25.8%
	2010 Travel to Work in 15 to 29 Minutes	34.0%	36.9%	39.7%
	2010 Travel to Work in 30 to 59 Minutes	19.7%	21.8%	23.9%
	2010 Travel to Work in 60 Minutes or More	5.9%	6.2%	7.4%
	2010 Average Travel Time to Work	17.7	19.8	20.6
CONSUMER EXPENDITURE	2018 Est. Total Household Expenditure	\$115 M	\$1.78 B	\$5.25 B
	2018 Est. Apparel	\$4.05 M	\$62.2 M	\$184 M
	2018 Est. Contributions, Gifts	\$8.50 M	\$124 M	\$371 M
	2018 Est. Education, Reading	\$4.83 M	\$70.8 M	\$212 M
	2018 Est. Entertainment	\$6.48 M	\$99.4 M	\$294 M
	2018 Est. Food, Beverages, Tobacco	\$17.3 M	\$271 M	\$797 M
	2018 Est. Furnishings, Equipment	\$4.00 M	\$60.7 M	\$181 M
	2018 Est. Health Care, Insurance	\$9.97 M	\$155 M	\$455 M
	2018 Est. Household Operations, Shelter, Utilities	\$35.8 M	\$551 M	\$1.63 B
	2018 Est. Miscellaneous Expenses	\$1.67 M	\$26.1 M	\$76.9 M
	2018 Est. Personal Care	\$1.49 M	\$23.0 M	\$68.0 M
	2018 Est. Transportation	\$21.3 M	\$333 M	\$984 M

6530 HAWKS RUN RD, WESTWORTH VILLAGE, TX (FORT WORTH)



**DISCLAIMER**

Trivanta ("Agent") has been engaged as an agent for the sale of the property located at 6530 Hawks Run Rd., Westworth Village, TX ("Property") by the owner of the Property ("Seller"). The Property is being offered for sale in an "as-is, where-is" condition and Seller and Agent make no representations or warranties as to the accuracy of the information contained in this Offering Memorandum. The enclosed materials include highly confidential information and are being furnished solely for the purpose of review by prospective purchasers of the interest described herein. The enclosed materials are being provided solely to facilitate the prospective investor's own due diligence for which it shall be fully and solely responsible. The material contained herein is based on information and sources deemed to be reliable, but no representation or warranty, express or implied, is being made by Agent or Seller or any of their respective representatives, affiliates, officers, employees, shareholders, partners and directors, as to the accuracy or completeness of the information contained herein. Summaries contained herein of any legal or other documents are not intended to be comprehensive statements of the terms of such documents, but rather only outlines of some of the principal provisions contained therein. Neither the Agent nor the Seller shall have any liability whatsoever for the accuracy or completeness of the information contained herein or any other written or oral communication or information transmitted or made available or any action taken or decision made by the recipient with respect to the Property. Interested parties are to make their own investigations, projections and conclusions without reliance upon the material contained herein. Seller reserves the right, at its sole and absolute discretion, to withdraw the Property from being marketed for sale at any time and for any reason or no reason. Seller and Agent each expressly reserves the right, at their sole and absolute discretion, to reject any and all expressions of interest or offers regarding the Property and/or to terminate discussions with any entity at any time, with or without notice. This offering is made subject to omissions, correction of errors, change of price or other terms, prior sale or withdrawal from the market without notice. Agent is not authorized to make any representations or agreements on behalf of Seller. Seller shall have no legal commitment or obligation to any interested party reviewing the enclosed materials, performing additional investigation and/or making an offer to purchase the Property unless and until a binding written agreement for the purchase of the Property has been fully executed, delivered, and approved by Seller (it being expressly understood and agreed that any such commitment and obligation of Seller shall in any and all events be limited to that which is expressly set forth in any such fully executed, delivered, approved and binding written agreement, executed by Seller and all other parties thereto, for the purchase of the Property) and any conditions to Seller's obligations hereunder, and thereunder have been satisfied or waived. By taking possession of and reviewing the information contained herein, the recipient agrees that (a) the enclosed materials and their contents are of a highly confidential nature and will be held and treated in the strictest confidence and shall be returned to Agent or Seller promptly upon request; and (b) the recipient shall not contact employees or tenants of the Property directly or indirectly regarding any aspect of the enclosed materials or the Property without the prior written approval of the Seller and Agent; and (c) no portion of the enclosed materials may be copied or otherwise reproduced without the prior written authorization of Seller and Agent. By accepting this Offering Memorandum and/or otherwise engaging in the receipt, review and/or use of the Offering Memorandum and the contents hereof, and/or contents not contained therein, you hereby release Agent and Seller, and their respective agents, employees, contractors, affiliates, shareholders, partners, members and/or successors and assigns (collectively, the "Released and Indemnified Parties") from any and all loss, cost, expense, or liability of any kind or nature whatsoever; and you hereby further agree to hold harmless and defend the Released Parties from any and all loss, cost, expense, or liability of any kind or nature whatsoever, arising out of and/or in connection with, your receipt, review and/or other use of this Offering Memorandum.







**Approved by the Texas Real Estate Commission for Voluntary Use**  
*Texas law requires all real estate licensees to give the following information about brokerage services to prospective buyers, tenants, sellers and landlords.*

## Information About Brokerage Services

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

### **IF THE BROKER REPRESENTS THE OWNER:**

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

### **IF THE BROKER REPRESENTS THE BUYER:**

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

### **IF THE BROKER ACTS AS AN INTERMEDIARY:**

A broker may act as an intermediary between the parties if the broker complies with The Texas Real Estate License Act. The broker must obtain the written consent of each party to the transaction to act as an

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

(1) shall treat all parties honestly;

(2) may not disclose that the owner will accept a price less than the asking price unless authorized in writing to do so by the owner;

(3) may not disclose that the buyer will pay a price greater than the price submitted in a written offer unless authorized in writing to do so by the buyer; and

(4) may not disclose any confidential information or any information that a party specifically instructs the broker in writing not to disclose unless authorized in writing to disclose the information or required to do so by The Texas Real Estate License Act or a court order or if the information materially relates to the condition of the property.

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

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

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

Buyer, Seller, Landlord or Tenant

Date

Texas Real Estate Brokers and Salespersons are licensed and regulated by the Texas Real Estate Commission (TREC). If you have a question or complaint regarding a real estate licensee, you should contact TREC at P.O. Box 12188, Austin, Texas 78711-2188, 512-936-3000 (<http://www.trec.texas.gov>)