

THE TOWERS OF GRAPEVINE

NEW SHOPPING CENTER DEVELOPMENT



FOR LEASE

SITE INFORMATION

ADDRESS: NEC Highway 114 & William D Tate Avenue
Grapevine, TX 76051

AVAILABLE SPACE: Building III • 3,590 SF

AREA TENANTS:

- Uncle Julio's
- Eatzi's
- Chili's
- PF Chang's
- Macaroni Grill
- Papadeaux
- La Madeleine

PRICING

LEASE RATE: Contact Broker

DEMOGRAPHICS

Area	Population	Employees	Avg HH Inc
1 mile	3,155	11,234	\$73,032
3 mile	44,831	46,455	\$102,609
5 mile	110,120	86,360	\$115,433

TRAFFIC COUNTS

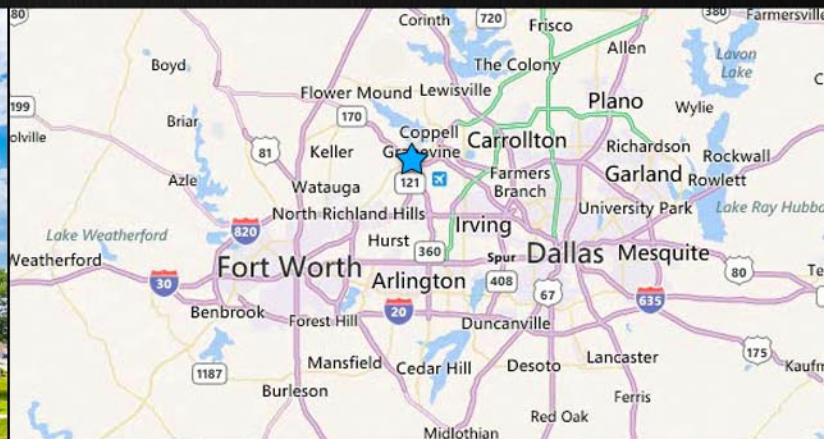
*(TXDOT 2009/2010)

HIGHWAY 114:	111,547 VPD
WILLIAM D TATE:	21,150 VPD

CONTACT:

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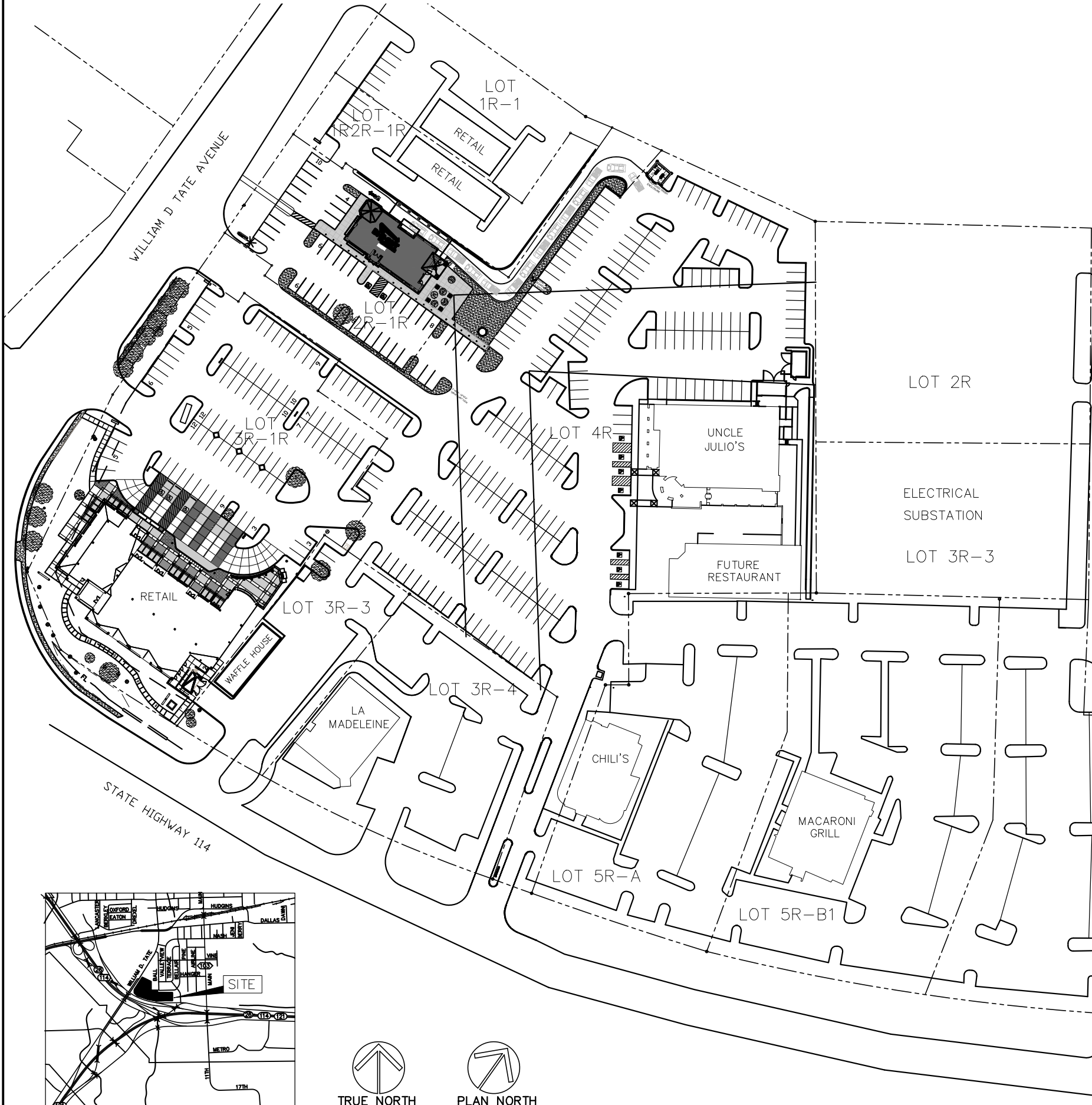
1401 WILLIAM D. TATE AVE | GRAPEVINE, TX

www.jtevens.com | 8350 North Central Expressway, Suite 1300 - Dallas, TX 75206 | [P] 214.891.3200 | [F] 214.891.3232



**JOHN T. EVANS
COMPANY**





PROJECT DATA							
	LAND AREA (SF)	BLDG AREA (SF)	OCCUPANCY	PARKING REQ	PARKING PROV	COVERAGE	LANDSCAPED AREA
LOT 1							
R-1	23,430	3,060	RETAIL	21	21	10.1%	4,940 (21%)
R2R-1R	19,398	3,678	RETAIL	30	30	18.96%	2,535 (12.2%)
LOT 2							
R-1R	37,019	3,750	RESTAURANT	42	42	10.13%	9,612 (25.97%)
LOT 3							
R-1R	81,042	13,208	RETAIL	68	107	16.13%	18,651 (21.3%)
R-4	41,856	5,402	RESTAURANT	60	54	12.9%	8,987 (21.3%)
R-3	22,450	1,786	RESTAURANT	19	32 (6 SHARED)	8%	3,662 (16.3%)
SUB-TOTAL	220,419	33,314	N/A	284	295	15.11%	47,689 (21.64%)
LOT 4R							
	175,770	9,074	REST 1 (377 S)	216	265	8.86%	26,612 (15.2%)
		6,500	REST 2 (270 S)				
LOT 5							
R-A	57,748	5,995	RESTAURANT	74	108	10.3%	14,000 (24.2%)
R-B1	80,000	7,880	RESTAURANT	129	152	9.9%	11,400 (24.2%)
R-B2A	85,852	7,500	RESTAURANT	80	162	11.5%	16,153 (18.5%)
R-B2B-2	121,472	11,675	RESTAURANT	167	219	9.61 %	25,843 (21.3%)
GRAND TOTAL	746,045 (17.13 AC)	81,938		950	1,203	10.98%	141,697 (18.99%)
ZONING:	HIGHWAY COMMERCIAL						

- NOTES:
1. THE PROPERTY IS CURRENTLY ZONED HIGHWAY COMMERCIAL.
 2. ALL REQUIREMENTS OF SECTION 53, LANDSCAPING REGULATIONS SHALL BE MET.
 3. ALL REQUIREMENTS OF SECTION 56, OFF-STREET PARKING REQUIREMENTS SHALL BE MET.
 4. ALL REQUIREMENTS OF SECTION 60, SIGN STANDARDS SHALL BE MET.
 5. THE CURRENT LAND USE DESIGNATION AS CONTAINED IN THE COMPREHENSIVE MASTER PLAN IS INDUSTRIAL/COMMERCIAL LAND USES.
 6. SITE LIGHTING SHALL CONFORM TO CITY OF GRAPEVINE ORDINANCE SECTION 58E.
 7. PARKING FOR DISABLED PERSONS SHOULD BE DESIGNATED ACCORDING TO CHAPTER 23, SECTION 23.64 THROUGH 23.69 OF THE CODE OF ORDINANCES.
 8. ALL REFUSE STORAGE AREAS (DUMPSTER ENCLOSURE) SHALL BE SCREENED IN ACCORDANCE WITH SECTION 50.6.3. (SECTION 47.E1b.22.).
 9. ALL REQUIREMENTS FOR THE GRAPEVINE SOIL EROSION CONTROL ORDINANCE SHALL BE MET DURING THE PERIOD OF CONSTRUCTION (SECTION 47.E.1.b.18.).
 10. PROPOSED GRADING TO CONFORM TO THE CITY OF GRAPEVINE DRAINAGE REQUIREMENTS.

CONDITIONAL USE REQUEST CU11-23 IS A REQUEST TO AMEND THE PREVIOUSLY APPROVED SITE PLAN OF CU10-18 (ORD. 10-35) FOR A PLANNED COMMERCIAL CENTER, SPECIFICALLY TO REVISE THE LOT LAYOUT FOR A RESTAURANT WITH DRIVE-THROUGH SERVICE, OUTDOOR SPEAKERS, AND ALLOW FOR A 20' POLE SIGN.

CASE NAME: TOWERS OF GRAPEVINE
CASE NUMBER: CU 11-23
LOCATION: 1303 AND 1401 WILLIAM D. TATE AVE., LOT 2R-1R AND 3R-1R, BLOCK 1, HAYLEY ADDN.

MAYOR

SECRETARY

DATE: _____

PLANNING AND ZONING COMMISSION

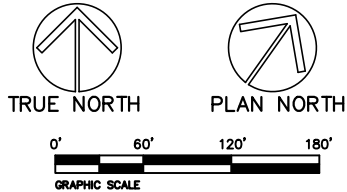
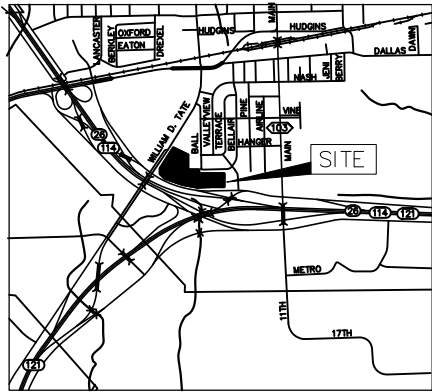
CHAIRMAN

DATE: _____

SHEET: 2 OF 5

APPROVAL DOES NOT AUTHORIZE ANY WORK IN CONFLICT WITH ANY CODES OR ORDINANCES.

DEPARTMENT OF DEVELOPMENT SERVICES



REVISIONS

TOWERS OF GRAPEVINE
GRAPEVINE, TEXAS

1444 Oak Lawn Avenue
Suite 612 Dallas, Texas 75207
Telephone: 817-903-6663
dons@dfsarchitect.com

ARCHITECT

Seal of the State of Texas, Professional Engineer, License No. 8069

Signature
08-31-10

Sealed

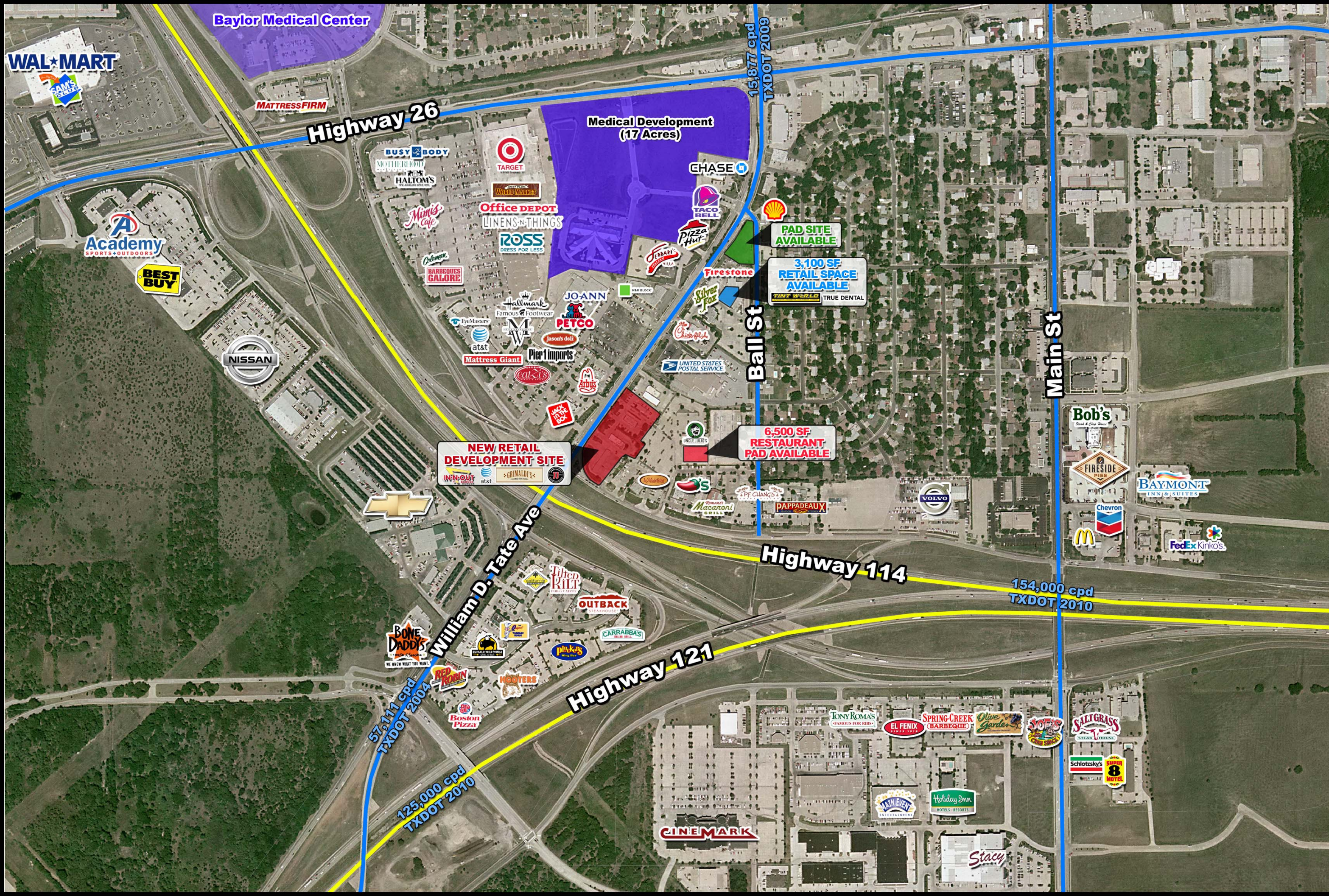
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2011-004

Sheet
1
OF 5 SHEETS





Executive Summary

Prepared by Thomas Paredes

1401 William D. Tate Ave
1401 William D Tate Ave, Grapevine, TX, 76051, Grapevine
Ring: 1, 3, 5 Miles

Latitude: 32.926101
Longitude: -97.087787

	1 mile radius	3 miles radius	5 miles radius
2010 Population			
Total Population	3,153	46,531	110,615
Male Population	47.7%	50.0%	49.6%
Female Population	52.3%	50.0%	50.4%
Median Age	38.3	36.0	37.0
2010 Income			
Median HH Income	\$58,900	\$83,257	\$87,651
Per Capita Income	\$29,908	\$38,954	\$42,744
Average HH Income	\$73,071	\$105,422	\$115,517
2010 Households			
Total Households	1,290	17,024	40,775
Average Household Size	2.41	2.72	2.71
2010 Housing			
Owner Occupied Housing Units	50.8%	58.1%	60.0%
Renter Occupied Housing Units	42.8%	35.9%	34.1%
Vacant Housing Units	6.4%	6.1%	5.9%
Population			
1990 Population	2,349	27,878	59,912
2000 Population	2,357	41,947	94,095
2010 Population	3,153	46,531	110,615
2015 Population	3,567	50,108	120,488
1990-2000 Annual Rate	0.03%	4.17%	4.62%
2000-2010 Annual Rate	2.88%	1.02%	1.59%
2010-2015 Annual Rate	2.5%	1.49%	1.72%

In the identified market area, the current year population is 110,615. In 2000, the Census count in the market area was 94,095. The rate of change since 2000 was 1.59 percent annually. The five-year projection for the population in the market area is 120,488, representing a change of 1.72 percent annually from 2010 to 2015. Currently, the population is 49.6 percent male and 50.4 percent female.

Households			
1990 Households	930	10,485	22,229
2000 Households	960	15,391	34,451
2010 Households	1,290	17,024	40,775
2015 Households	1,465	18,344	44,540
1990-2000 Annual Rate	0.32%	3.91%	4.48%
2000-2010 Annual Rate	2.92%	0.99%	1.66%
2010-2015 Annual Rate	2.58%	1.5%	1.78%

The household count in this market area has changed from 34,451 in 2000 to 40,775 in the current year, a change of 1.66 percent annually. The five-year projection of households is 44,540, a change of 1.78 percent annually from the current year total. Average household size is currently 2.71, compared to 2.72 in the year 2000. The number of families in the current year is 28,893 in the market area.

Housing

Currently, 60.0 percent of the 43,332 housing units in the market area are owner occupied; 34.1 percent, renter occupied; and 5.9 percent are vacant. In 2000, there were 35,851 housing units - 66.4 percent owner occupied, 29.7 percent renter occupied and 3.9 percent vacant. The rate of change in housing units since 2000 is 1.87 percent. Median home value in the market area is \$207,029, compared to a median home value of \$157,913 for the U.S. In five years, median home value is projected to change by 2.47 percent annually to \$233,871. From 2000 to the current year, median home value changed by 1.87 percent annually.

Source: U.S. Bureau of the Census, 2000 Census of Population and Housing. Esri forecasts for 2010 and 2015. Esri converted 1990 Census data into 2000 geography.

1401 William D. Tate Ave
 1401 William D Tate Ave, Grapevine, TX, 76051, Grapevine
 Ring: 1, 3, 5 Miles

Latitude: 32.926101
 Longitude: -97.087787

	1 mile radius	3 miles radius	5 miles radius
Median Household Income			
1990 Median HH Income	\$45,219	\$47,637	\$51,176
2000 Median HH Income	\$49,767	\$72,412	\$77,599
2010 Median HH Income	\$58,900	\$83,257	\$87,651
2015 Median HH Income	\$73,316	\$94,661	\$96,956
1990-2000 Annual Rate	0.96%	4.28%	4.25%
2000-2010 Annual Rate	1.66%	1.37%	1.2%
2010-2015 Annual Rate	4.48%	2.6%	2.04%
Per Capita Income			
1990 Per Capita Income	\$18,717	\$19,921	\$21,933
2000 Per Capita Income	\$26,004	\$32,683	\$36,656
2010 Per Capita Income	\$29,908	\$38,954	\$42,744
2015 Per Capita Income	\$34,345	\$42,533	\$46,194
1990-2000 Annual Rate	3.34%	5.08%	5.27%
2000-2010 Annual Rate	1.37%	1.73%	1.51%
2010-2015 Annual Rate	2.81%	1.77%	1.56%
Average Household Income			
1990 Average Household Income	\$46,479	\$53,402	\$59,110
2000 Average Household Income	\$62,608	\$87,930	\$99,722
2010 Average HH Income	\$73,071	\$105,422	\$115,517
2015 Average HH Income	\$83,946	\$114,916	\$124,502
1990-2000 Annual Rate	3.02%	5.11%	5.37%
2000-2010 Annual Rate	1.52%	1.79%	1.44%
2010-2015 Annual Rate	2.81%	1.74%	1.51%
Households by Income			
Current median household income is \$87,651 in the market area, compared to \$54,442 for all U.S. households. Median household income is projected to be \$96,956 in five years. In 2000, median household income was \$77,599, compared to \$51,176 in 1990.			
Current average household income is \$115,517 in this market area, compared to \$70,173 for all U.S. households. Average household income is projected to be \$124,502 in five years. In 2000, average household income was \$99,722, compared to \$59,110 in 1990.			
Current per capita income is \$42,744 in the market area, compared to the U.S. per capita income of \$26,739. The per capita income is projected to be \$46,194 in five years. In 2000, the per capita income was \$36,656, compared to \$21,933 in 1990.			
Population by Employment			
Total Businesses	854	3,113	5,457
Total Employees	10,961	47,044	86,193

Currently, 93.8 percent of the civilian labor force in the identified market area is employed and 6.2 percent are unemployed. In comparison, 89.2 percent of the U.S. civilian labor force is employed, and 10.8 percent are unemployed. In five years the rate of employment in the market area will be 94.9 percent of the civilian labor force, and unemployment will be 5.1 percent. The percentage of the U.S. civilian labor force that will be employed in five years is 91.2 percent, and 8.8 percent will be unemployed. In 2000, 76.6 percent of the population aged 16 years or older in the market area participated in the labor force, and 0.1 percent were in the Armed Forces.

In the current year, the occupational distribution of the employed population is:

- 76.4 percent in white collar jobs (compared to 61.6 percent of U.S. employment)
- 11.3 percent in service jobs (compared to 17.3 percent of U.S. employment)
- 12.3 percent in blue collar jobs (compared to 21.1 percent of U.S. employment)

In 2000, 84.9 percent of the market area population drove alone to work, and 4.5 percent worked at home. The average travel time to work in 2000 was 26.2 minutes in the market area, compared to the U.S. average of 25.5 minutes.

Population by Education

In 2010, the educational attainment of the population aged 25 years or older in the market area was distributed as follows:

- 5.6 percent had not earned a high school diploma (14.8 percent in the U.S.)
- 16.3 percent were high school graduates only (29.6 percent in the U.S.)
- 7.8 percent had completed an Associate degree (7.7 percent in the U.S.)
- 34.4 percent had a Bachelor's degree (17.7 percent in the U.S.)
- 13.8 percent had earned a Master's/Professional/Doctorate Degree (10.4 percent in the U.S.)



Community Summary

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1401 William D. Tate Ave
1401 William D Tate Ave, Grapevine, TX, 76051, Grapevine
Ring: 1 mile radius

Latitude: 32.926101
Longitude: -97.087787

Summary	2000	2010	2015	
Population	2,357	3,153	3,567	
Households	960	1,290	1,465	
Families	615	784	872	
Average Household Size	2.41	2.41	2.40	
Owner Occupied HUs	543	700	788	
Renter Occupied HUs	417	590	677	
Median Age	36.1	38.3	37.5	
Total Housing Units	1,027	1,378	1,568	
Vacant Housing Units	67	88	103	
Average Home Value	\$105,875	\$116,389	\$131,637	-

Households by Income	2000		2010		2015	
	Number	Percent	Number	Percent	Number	Percent
< \$15,000	148	14.6%	163	12.6%	149	10.2%
\$15,000 - \$24,999	77	7.6%	81	6.3%	74	5.1%
\$25,000 - \$34,999	130	12.8%	49	3.8%	46	3.1%
\$35,000 - \$49,999	152	15.0%	291	22.6%	242	16.6%
\$50,000 - \$74,999	179	17.7%	213	16.5%	234	16.0%
\$75,000 - \$99,999	227	22.4%	222	17.2%	285	19.5%
\$100,000 - \$149,999	47	4.6%	196	15.2%	325	22.2%
\$150,000 - \$199,000	13	1.3%	24	1.9%	35	2.4%
\$200,000+	39	3.9%	50	3.9%	72	4.9%
Median Household Income	\$49,767		\$58,900		\$73,316	
Average Household Income	\$62,608		\$73,071		\$83,946	
Per Capita Income	\$26,004		\$29,908		\$34,345	

Population by Age	2000		2010		2015	
	Number	Percent	Number	Percent	Number	Percent
0 - 4	160	6.8%	211	6.7%	239	6.7%
5 - 14	385	16.3%	404	12.8%	467	13.1%
15 - 19	147	6.2%	229	7.3%	210	5.9%
20 - 24	109	4.6%	208	6.6%	246	6.9%
25 - 34	324	13.8%	397	12.6%	521	14.6%
35 - 44	436	18.5%	412	13.1%	420	11.8%
45 - 54	289	12.3%	511	16.2%	516	14.5%
55 - 64	193	8.2%	343	10.9%	439	12.3%
65 - 74	136	5.8%	209	6.6%	277	7.8%
75 - 84	125	5.3%	150	4.8%	157	4.4%
85+	51	2.2%	79	2.5%	78	2.2%

Race and Ethnicity	2000		2010		2015	
	Number	Percent	Number	Percent	Number	Percent
White Alone	2,069	87.8%	2,475	78.5%	2,695	75.5%
Black Alone	68	2.9%	116	3.7%	139	3.9%
American Indian Alone	26	1.1%	58	1.8%	71	2.0%
Asian Alone	15	0.6%	22	0.7%	27	0.8%
Pacific Islander Alone	5	0.2%	9	0.3%	10	0.3%
Some Other Race Alone	126	5.3%	370	11.7%	495	13.9%
Two or More Races	48	2.0%	103	3.3%	131	3.7%
Hispanic Origin (Any Race)	268	11.4%	721	22.9%	972	27.2%

Data Note: Income is expressed in current dollars.

Source: U.S. Bureau of the Census, 2000 Census of Population and Housing. Esri forecasts for 2010 and 2015 were effective as of July 1, 2010. Copyright 2010, all rights reserved.



Community Summary

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1401 William D. Tate Ave
1401 William D Tate Ave, Grapevine, TX, 76051, Grapevine
Ring: 3 miles radius

Latitude: 32.926101
Longitude: -97.087787

Summary	2000	2010	2015
Population	41,947	46,531	50,108
Households	15,391	17,024	18,344
Families	11,221	11,981	12,699
Average Household Size	2.71	2.72	2.72
Owner Occupied HUs	10,038	10,520	11,228
Renter Occupied HUs	5,353	6,504	7,116
Median Age	34.1	36.0	35.9
Total Housing Units	16,106	18,121	19,546
Vacant Housing Units	715	1,097	1,202
Average Home Value	\$184,278	\$234,215	\$269,069

Households by Income	2000		2010		2015	
	Number	Percent	Number	Percent	Number	Percent
< \$15,000	834	5.4%	769	4.5%	623	3.4%
\$15,000 - \$24,999	924	6.0%	620	3.6%	498	2.7%
\$25,000 - \$34,999	1,483	9.6%	897	5.3%	675	3.7%
\$35,000 - \$49,999	1,916	12.4%	2,021	11.9%	1,455	7.9%
\$50,000 - \$74,999	2,793	18.1%	3,163	18.6%	3,407	18.6%
\$75,000 - \$99,999	2,488	16.1%	2,603	15.3%	3,023	16.5%
\$100,000 - \$149,999	3,121	20.2%	3,944	23.2%	4,903	26.7%
\$150,000 - \$199,000	903	5.8%	1,474	8.7%	1,914	10.4%
\$200,000+	986	6.4%	1,533	9.0%	1,846	10.1%
Median Household Income	\$72,412		\$83,257		\$94,661	
Average Household Income	\$87,930		\$105,422		\$114,916	
Per Capita Income	\$32,683		\$38,954		\$42,533	

Population by Age	2000		2010		2015	
	Number	Percent	Number	Percent	Number	Percent
0 - 4	3,147	7.5%	3,385	7.3%	3,612	7.2%
5 - 14	7,270	17.3%	7,032	15.1%	7,617	15.2%
15 - 19	3,031	7.2%	3,192	6.9%	3,131	6.2%
20 - 24	2,091	5.0%	2,489	5.3%	2,581	5.2%
25 - 34	5,994	14.3%	6,452	13.9%	7,430	14.8%
35 - 44	9,239	22.0%	7,609	16.4%	7,837	15.6%
45 - 54	6,583	15.7%	8,402	18.1%	7,946	15.9%
55 - 64	2,600	6.2%	4,948	10.6%	5,875	11.7%
65 - 74	1,054	2.5%	1,798	3.9%	2,674	5.3%
75 - 84	697	1.7%	844	1.8%	1,007	2.0%
85+	240	0.6%	381	0.8%	399	0.8%

Race and Ethnicity	2000		2010		2015	
	Number	Percent	Number	Percent	Number	Percent
White Alone	36,994	88.2%	37,856	81.4%	39,730	79.3%
Black Alone	1,023	2.4%	1,648	3.5%	1,942	3.9%
American Indian Alone	224	0.5%	357	0.8%	399	0.8%
Asian Alone	1,092	2.6%	1,613	3.5%	1,923	3.8%
Pacific Islander Alone	31	0.1%	53	0.1%	57	0.1%
Some Other Race Alone	1,887	4.5%	3,837	8.2%	4,661	9.3%
Two or More Races	696	1.7%	1,166	2.5%	1,397	2.8%
Hispanic Origin (Any Race)	4,793	11.4%	9,334	20.1%	11,644	23.2%

Data Note: Income is expressed in current dollars.

Source: U.S. Bureau of the Census, 2000 Census of Population and Housing. Esri forecasts for 2010 and 2015 were effective as of July 1, 2010. Copyright 2010, all rights reserved.



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Prepared by Thomas Paredes

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Ring: 5 miles radius

Latitude: 32.926101
Longitude: -97.087787

Summary	2000	2010	2015
Population	94,095	110,615	120,488
Households	34,451	40,775	44,540
Families	25,514	28,893	31,034
Average Household Size	2.72	2.71	2.70
Owner Occupied HUs	23,805	25,981	27,989
Renter Occupied HUs	10,646	14,794	16,551
Median Age	35.1	37.0	36.8
Total Housing Units	35,863	43,332	47,475
Vacant Housing Units	1,412	2,557	2,935
Average Home Value	\$220,176	\$276,439	\$317,147

Households by Income	2000		2010		2015	
	Number	Percent	Number	Percent	Number	Percent
< \$15,000	1,424	4.1%	1,303	3.2%	1,046	2.3%
\$15,000 - \$24,999	1,639	4.8%	1,186	2.9%	953	2.1%
\$25,000 - \$34,999	2,892	8.4%	1,658	4.1%	1,248	2.8%
\$35,000 - \$49,999	4,079	11.8%	4,476	11.0%	3,178	7.1%
\$50,000 - \$74,999	6,442	18.7%	7,538	18.5%	8,233	18.5%
\$75,000 - \$99,999	5,430	15.8%	7,227	17.7%	8,387	18.8%
\$100,000 - \$149,999	6,944	20.2%	8,970	22.0%	11,265	25.3%
\$150,000 - \$199,000	2,515	7.3%	3,636	8.9%	4,554	10.2%
\$200,000+	3,086	9.0%	4,779	11.7%	5,677	12.7%
Median Household Income	\$77,599		\$87,651		\$96,956	
Average Household Income	\$99,722		\$115,517		\$124,502	
Per Capita Income	\$36,656		\$42,744		\$46,194	

Population by Age	2000		2010		2015	
	Number	Percent	Number	Percent	Number	Percent
0 - 4	6,621	7.0%	7,481	6.8%	8,054	6.7%
5 - 14	16,745	17.8%	17,291	15.6%	18,843	15.6%
15 - 19	6,870	7.3%	7,996	7.2%	8,078	6.7%
20 - 24	4,226	4.5%	5,672	5.1%	6,163	5.1%
25 - 34	12,477	13.3%	13,433	12.1%	15,833	13.1%
35 - 44	20,684	22.0%	18,333	16.6%	18,676	15.5%
45 - 54	16,054	17.1%	20,896	18.9%	20,177	16.7%
55 - 64	6,351	6.7%	12,391	11.2%	14,622	12.1%
65 - 74	2,445	2.6%	4,569	4.1%	6,892	5.7%
75 - 84	1,257	1.3%	1,867	1.7%	2,367	2.0%
85+	367	0.4%	688	0.6%	783	0.6%

Race and Ethnicity	2000		2010		2015	
	Number	Percent	Number	Percent	Number	Percent
White Alone	83,827	89.1%	91,616	82.8%	97,326	80.8%
Black Alone	2,369	2.5%	4,208	3.8%	5,069	4.2%
American Indian Alone	438	0.5%	738	0.7%	830	0.7%
Asian Alone	2,987	3.2%	4,653	4.2%	5,607	4.7%
Pacific Islander Alone	106	0.1%	172	0.2%	183	0.2%
Some Other Race Alone	2,833	3.0%	6,423	5.8%	8,035	6.7%
Two or More Races	1,534	1.6%	2,804	2.5%	3,438	2.9%
Hispanic Origin (Any Race)	7,768	8.3%	16,925	15.3%	21,823	18.1%

Data Note: Income is expressed in current dollars.

Source: U.S. Bureau of the Census, 2000 Census of Population and Housing. Esri forecasts for 2010 and 2015 were effective as of July 1, 2010. Copyright 2010, all rights reserved.



JOHN T. EVANS
COMPANY

Texas law requires that all real estate licensees present this information to prospective sellers, landlords, buyers or tenants.

Information on Brokerage Services

What to Know Before Working with a Real Estate Broker

Before 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 instruction of one party and another person who is licensed under the Act and associated with the broker to communicate with and carry out instruction 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.

(Form 5/98)

Property: _____

In this transaction, John T. Evans Company, Inc. is:

☐ agent for Owner/Landlord only; ☐ agent for Buyer/Tenant only; or ☐ an intermediary.

Broker asks that you acknowledge receipt of this information about brokerage services for broker's records.

Owner or Landlord

Date

Buyer or Tenant

Date