

# KIDDIE ACADEMY<sup>SM</sup>

EDUCATIONAL CHILD CARE

✔ New 15-Year Lease    ✔ Rare 2% Annual Increase    ✔ Affluent Austin MSA; \$112,000 AHHI



In Association with Jeff Ashby of JDS Real Estate Services, Inc. | A Licensed Texas Broker #9004326

OFFERING MEMORANDUM  
CEDAR PARK, (AUSTIN) TEXAS



**HANLEY INVESTMENT GROUP**  
REAL ESTATE ADVISORS

# KIDDIE ACADEMY<sup>SM</sup>

EDUCATIONAL CHILD CARE

## OFFERING MEMORANDUM

CEDAR PARK, TEXAS

### TABLE OF CONTENTS:

Offering Summary	3
Investment Highlights	4
Why Buy a Daycare Center?	6
Site Plan / Parcel Map	8
Aerial Overview	9
Regional Map	12
Tenant Profile	13
Area Overview	14
Demographics	19

### EXCLUSIVELY LISTED BY:

**Jeff Lefko**

Vice President  
jlefk@higrea.com  
844.585.7682

**Bill Asher**

Executive Vice President  
basher@higrea.com  
844.585.7684



**HANLEY INVESTMENT GROUP**  
REAL ESTATE ADVISORS



# OFFERING SUMMARY

## KIDDIE ACADEMY



**HANLEY INVESTMENT GROUP**  
REAL ESTATE ADVISORS

### LOCATION

**Kiddie Academy**  
**1301 North Lakeline Boulevard**  
**Cedar Park (Austin), TX 78613**

### OFFERING SUMMARY

<b>Price:</b>	\$6,440,000
<b>Net Operating Income (NOI):</b>	\$428,369
<b>Capitalization Rate:</b>	6.65%
<b>2024 Capitalization Rate:</b>	\$463,681
<b>Proforma Capitalization Rate:</b>	7.20%
<b>Net Rentable Area: (1)</b>	14,059
<b>Year Built:</b>	2009; R: 2019
<b>Lot Size (Acres):</b>	2.02

(1) The Premises also includes a 1,175 square foot second floor and a 14,230 square foot fenced in playground area.

### LEASE TERMS (2)

<b>Lease Commencement:</b>	3/22/2019
<b>Lease Expiration:</b>	3/31/2034
<b>Lease Term:</b>	15 Years
<b>Lease Type:</b>	NN
<b>Roof &amp; Structure (Replacement Only):</b>	Landlord Responsibility
<b>Monthly Rent:</b>	\$35,697
<b>Annual Rent:</b>	\$428,369
<b>Rental Increases:</b>	2% Annually
<b>Renewal Options:</b>	Three 5-Year @ 2% Annually

(2) All lease provisions to be independently verified by Buyer during the Due Diligence Period.







- **New Construction Single-Tenant Kiddie Academy:**

- New 15-year lease with rare 2% annual increases
- Three 5-year renewal options with 2% annual increase
- Kiddie Academy is one of the leading childcare franchise providers in the nation
- Kiddie Academy posted the biggest sales gain among all franchisors in the childhood learning category with a 24% gain increasing to \$251 million
- Strong unit level enrollment

- **The Subject Property is Poised for Immediate Success Through Strategic Real Estate:**

- 49,000 households with over 10,000 children under the age of 5 within in a 5-mile radius of the subject property
- The property is located within the Leander ISD, the largest school district in Williamson County
- Wait list for several daycares in immediate area (3-mile radius)
- Walking distance to Mason Elementary school (630 students)

- **Rapid Population Growth in Cedar Park:** The population has grown over 153% within a 5-mile radius and is projected to grow another 16% by 2023

- Households have increased by 165% within 5-mile of the subject property and are projected to grow by another 18.5% by 2023
- Much of this growth has come from an influx of young families moving to the city
- #6 “Best Places to Raise a Family” – Smart Asset (2018)
- #7 “Best Cities for Families” – Apartments.com (2019)







- **Huge Growth in Child Care Centers in the U.S. and the Local Market (see page 6):**
  - \$47 billion industry (12.5 million children) and expected growth of over \$1.8 billion over the next 5 years
  - One in three families spends 20% or more of their annual household income on childcare
- **Dense, Affluent Demographics that are Ideal for a Child Learning Center:** Average household incomes in excess of \$111,000 and over 164,000 people within a 5-mile radius
  - Highest average household income in the county
  - The average household income in Cedar Park is projected to increase by 19% over the next 5 years
- **Close Proximity to Major Freeway:** Located less than 3-miles from U.S. Highway 183/183A, a major north/south thoroughfare connecting the city to Leander to the north and Austin to the South, which allows nearby residents to easily drop kids off at the subject property on their way to work
- **Austin MSA is the fastest growing in the United States**
  - State capital and the 4th most populous city in Texas
  - #1 "Largest Boomtown in America" by Magnify Money (2018)
  - #3 "Best Performing Economy in U.S. Metros" by Business Insider (2018)
  - Top 20 "Fastest Growing Large Cities" by Wallet Hub (2018)
  - Over 2 million people within the metro area
    - ◆ The population has doubled over the past decade and is expected to increase an additional 14% by 2023

**SUBJECT PROPERTY**  
**KIDDIE ACADEMY**  
EDUCATIONAL CHILD CARE

**#6** BEST  
PLACES  
TO RAISE A FAMILY



# WHY BUY A DAYCARE CENTER?

KIDDIE ACADEMY



**HANLEY INVESTMENT GROUP**  
REAL ESTATE ADVISORS

## DAYCARE INDUSTRY IS POISED FOR LONG-TERM GROWTH

- A daycare center is an **internet-resistant** investment
- Huge growth in child education centers in the U.S and in local market
- **25% growth** from 2007-2015 in average annual expenditure on child care services in the U.S.
- 210% revenue increase over the past 5 years in the daycare industry
- With increasing numbers of working mothers and single parent households, and wide-spread recognition that early learning contributes to life-long success, the demand for quality child care and early education continues to rise
- **\$3.3B in total sales** in 2018 for the childhood learning category, up 9.2% from 2017
- Kiddie Academy leads the way with a 23.7% increase in system wide sales among child care brands posting sales gains of more than 10%



**7%**  
INCREASE

In Children Under 5  
in the Next 20 Years

**\$47B**  
INDUSTRY

Expected Growth of  
Over \$1.8B Over the  
Next 5 Years

**12.5**  
MILLION

Children are in  
Daycare  
Every Week







## OUTDOOR PLAY AREAS



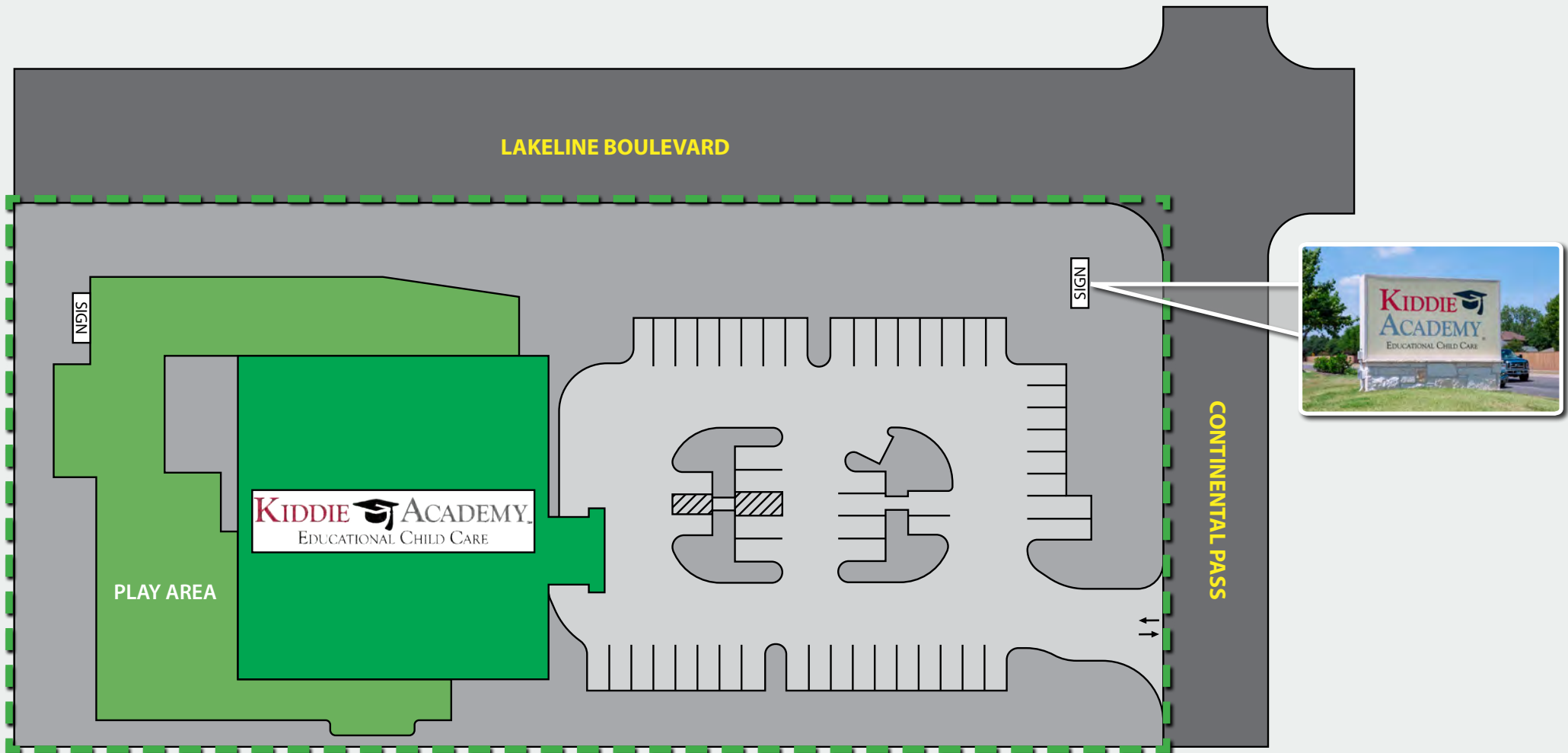


# SITE PLAN / PARCEL MAP

## KIDDIE ACADEMY



**HANLEY INVESTMENT GROUP**  
REAL ESTATE ADVISORS



**PARCEL PROPERTY**

**APN: R-17-W355-2000-0001**



**SUBJECT PROPERTY**



The information contained herein has been obtained from sources we deem reliable. We cannot assume responsibility for its accuracy.



# AERIAL OVERVIEW

## KIDDIE ACADEMY



**HANLEY INVESTMENT GROUP**  
REAL ESTATE ADVISORS







### DEMOGRAPHICS

	1-Mile	3-Mile	5-Mile
Population:	10,808	73,854	139,946
Household Income:	\$98,193	\$111,796	\$113,273



The population has more than doubled since 2000 and is expected to grow by another 16% by 2023



CRYSTAL FALLS (5,000-ACRE)  
- MASTER PLANNED COMMUNITY -



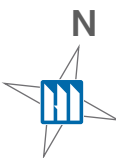
LEANDER  
- \$101,000 AHHI -



CEDAR PARK  
- \$112,000 AHHI -

**LARGEST**   
MASTER-PLANNED COMMUNITY  
IN CENTRAL TEXAS

**SUBJECT PROPERTY**  
KIDDIE ACADEMY  
EDUCATIONAL CHILD CARE





# AERIAL OVERVIEW

## KIDDIE ACADEMY



**HANLEY INVESTMENT GROUP**  
REAL ESTATE ADVISORS

### DOWNTOWN AUSTIN, TX

- Population 964,254; 30-Minute Drive -



**CONCORDIA  
UNIVERSITY TEXAS**  
- 1,347 STUDENTS -

### LAKELINE MALL

- 1,097,799 SF; 109 STORES -



**HILL COUNTRY  
CHRISTIAN SCHOOL  
OF AUSTIN**  
- 570 STUDENTS -



**AUSTIN  
COMMUNITY COLLEGE**  
- 9,130 STUDENTS -

**NORTH  
BUTTERCUP CREEK  
NEIGHBORHOOD**

**CORES LAB  
STRUCTURES**  
- 135 EMPLOYEES -



**WHITESTONE BOULEVARD** 30,000 CPD



### SUBJECT PROPERTY

**KIDDIE ACADEMY**  
EDUCATIONAL CHILD CARE

OVER  
**5K**

**HOMES PLANNED  
OR UNDER  
CONSTRUCTION**

**LAKELINE BOULEVARD** 20,000 CPD

**WALKING DISTANCE TO  
MASON ELEMENTARY**

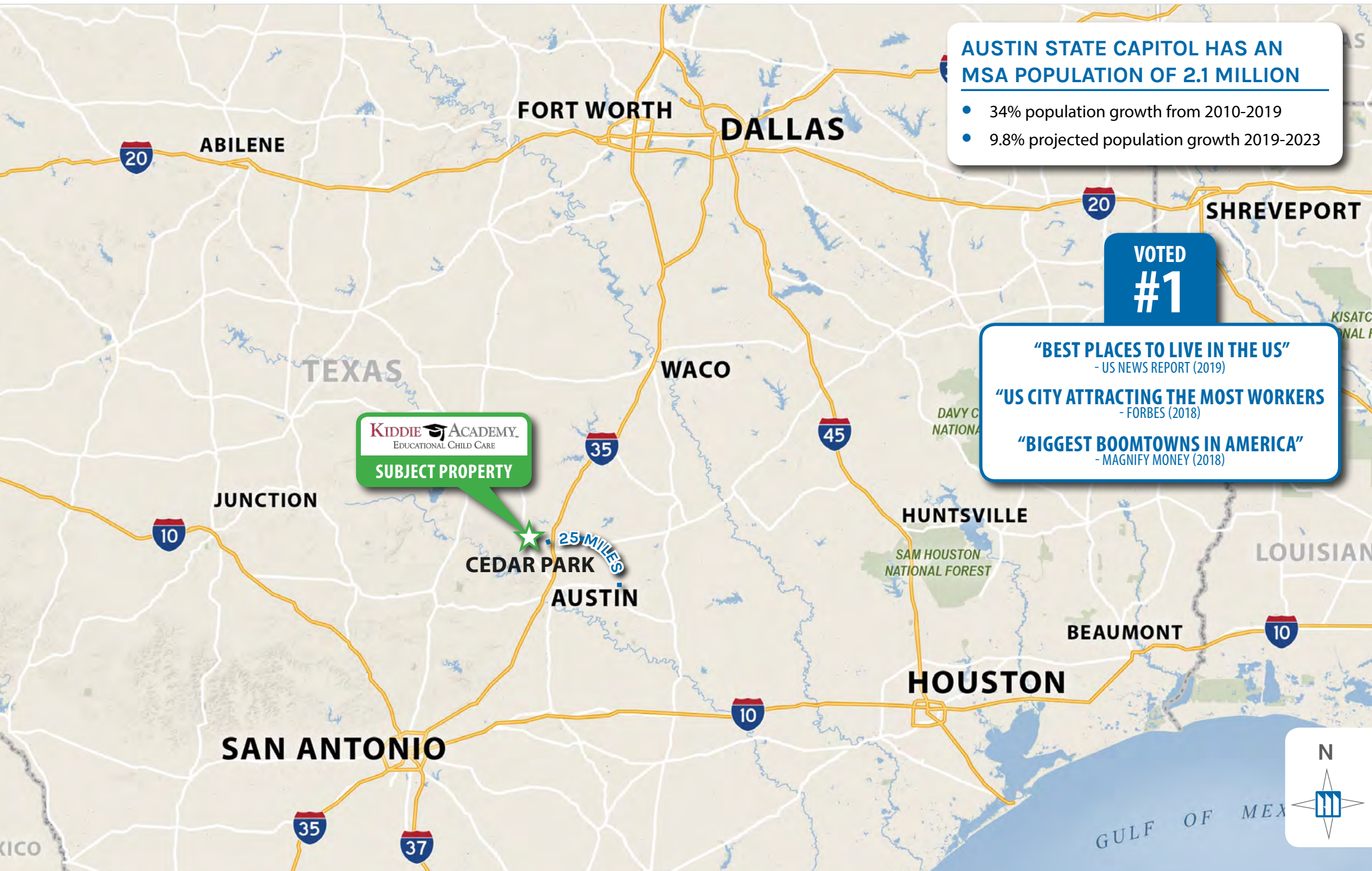


N



The information contained herein has been obtained from sources we deem reliable. We cannot assume responsibility for its accuracy.





**AUSTIN STATE CAPITOL HAS AN  
MSA POPULATION OF 2.1 MILLION**

- 34% population growth from 2010-2019
- 9.8% projected population growth 2019-2023

**VOTED  
#1**

**"BEST PLACES TO LIVE IN THE US"**  
- US NEWS REPORT (2019)

**"US CITY ATTRACTING THE MOST WORKERS"**  
- FORBES (2018)

**"BIGGEST BOOMTOWNS IN AMERICA"**  
- MAGNIFY MONEY (2018)

**KIDDIE ACADEMY.**  
EDUCATIONAL CHILD CARE  
**SUBJECT PROPERTY**

**CEDAR PARK**  
**AUSTIN**

25 MILES

**SAN ANTONIO**

**HUNTSVILLE**

SAM HOUSTON  
NATIONAL FOREST

**BEAUMONT**

**HOUSTON**

N







## KIDDIE ACADEMY<sup>SM</sup>

### EDUCATIONAL CHILD CARE

Kiddie Academy Educational Child Care is a nationally recognized provider of comprehensive educational child care programs. Founded in 1981, the company started franchising in 1992 and now has over 210 franchised academies in 29 states and the District of Columbia. On average, the company serves over 27,000 children, ages 6 weeks to 12 years old, each week offering full time care, before- and after-school care, and summer camp programs.

Since its inception, Kiddie Academy has been a leader in educational child care. Kiddie Academy's proprietary Life Essentials curriculum, supporting programs, methods, activities, and techniques help prepare children for life. Kiddie Academy has received corporate accreditation from the globally recognized AdvancED accreditation system, signifying its commitment to quality education.

In 2018, Kiddie Academy posted the biggest sales gains among franchisors in the childhood learning category with a 23.7% annual gain, increasing to \$251 million. Over the last three years, the franchise system has seen an average 22% revenue growth each year. In 2017, the company experienced over 22% growth, adding 36 locations. The company plans to continue their expansion within the United States with 40 new academies set to open in 2019, growing the brand's network to over 250 locations. Additionally, another 197 sites are either under construction or in the site selection phase. The company plans to double their size in the next three to four years. Additionally, as part of its growth strategy, Kiddie Academy is encouraging current franchise owners to expand into new markets, thereby increasing their multi-unit owner base. Currently, about 50% of its franchisees own more than one location. The company expects their multi-unit owner base to increase as the company offers financial incentives, such as reduced franchisee fees, to owners that are willing to expand into new markets.

- **#7 "Best Franchises to Buy"** - Forbes (2019)
- **#39 "Fast & Serious: Smartest-Growing Brands"** - Franchise Times (2018)
- **"Top 100 Franchise Systems in the World"** - Entrepreneur Magazine (2018)
- **Largest Year-Over-Year Jump in Ranking Among The Top 4 Child Care Brands** - PRNewsWire (2018)
- **#73 "Franchise 500"** - Franchise 500 (2018)





## Cedar Park, TX

- 17 miles from downtown Austin (20 minute drive)
- 61,664 population; 14.8% population increase from 2018-2023
- \$112,268 average household income (AHHI); 19.1% AHHI increase from 2018-2023 (\$59,000 U.S. AHHI)
- #3 "Top Cities for Millennials" - Nestpick (2018)
- #5 "Top Cities for Job Growth" - Forbes (2017)
- #6 "Safest City in Texas" - Safehome (2019)
- #7 "Best Cities for Families" - Apartments.com (2019)

### ECONOMY

- \$94,506 median household income 20.2% increase from 2018-2023
- \$258,200 median property value ; 2.3% unemployment rate
- 52.6% job growth predicted by 2027
- Major employers include Cedar Park Regional Medical Center, CoreSlab Structures, National Oilwell Varco, ETS-Lindgren, and Firefly Aerospace

### DEVELOPMENT

- **Bell Boulevard Development** - 52-acre mixed-use development; \$20 million in bond funding; construction begins in late 2019
  - 1,500–1,600 apartment units; 175,000–200,000 square feet of retail and dining space; 12 acres of parkland
- **Indigo Ridge North** - \$1.5 billion mixed-used development on 155 acres; under construction
  - 5 million square feet of commercial and residential development including a proposed for 1.6 million square foot office building
  - \$138 million in new net property and sales tax revenues expected over the first 20 years, averaging \$6.9 million of net new revenues per year from the proposed Indigo Ridge development



CEDAR PARK, TX



DOWNTOWN AUSTIN



INDIGO RIDGE NORTH

## Cedar Park *Highlights*

**\$112,268**  
AVERAGE HOUSEHOLD INCOME  
(**\$59,000 U.S. AHHI**)

**\$1.5B**  
INDIGO RIDGE NORTH  
MIXED-USE DEVELOPMENT

**2.3%**  
UNEMPLOYMENT RATE  
(**3.6% TEXAS UNEMPLOYMENT RATE**)





- **iSports Training and Performance Center** - 206,000 square foot youth sports facility on 15.4 acres; estimated completion date June 2020
  - Feature a private gym, bar, performance training and sports medicine, two hockey rinks, and indoor and outdoor turf fields
  - Key tenants include Chaparral Ice and D1 Training Group of Central Texas

### EDUCATION

- 13 colleges within 50 miles of Cedar Park
  - City center is located 25 minutes from Southwestern University, 26 minutes from University of Texas at Austin, 32 minutes from St. Edwards University, and 56 minutes from Texas State University
- **Concordia University Texas** - Private 4-year university with 2,500 students and 213 faculty members
  - 50 majors and concentrations

### TRANSPORTATION

- **Austin-Bergstrom International Airport (AUS)** - 25 miles from Cedar Park
- U.S.183 and toll road 183A are the major north-south thoroughfares through the city
  - In 2019, U.S. 183 added a new toll road lane
- \$36.86 million in 11 ongoing, recent and upcoming road construction projects throughout the city
  - \$8.2 million Bagdad Road five lane expansion
  - \$7.86 million Raider Way and Est Woodview Drive four lane expansion and improvements
  - \$7.8 million New Hope Drive four lane extension project
  - \$7.3 million Ander Mill Road reconstruction

## Cedar Park Highlights

**61,664**

**POPULATION**

**(14.8% PROJECTED INCREASE BY 2023)**

**52.6%**

**PREDICTED JOB GROWTH  
BY 2027**

**52 Acre**

**BELL BOULEVARD DEVELOPMENT  
(\$20 MILLION IN BOND FUNDING)**



**CONCORDIA UNIVERSITY TEXAS**



**ISPORTS PERFORMANCE CENTER**



**BRUSHY CREEK LAKE PARK**







## Austin MSA

- 2,168,316 MSA population
- 927,556 Austin population; 6.1% population increase from 2018-2023
- Counties in the MSA include Travis (1,248,743 population), Williamson (566,719 population), Hays (222,631 population), Bastrop (86,976 population), and Caldwell (43,247 population)
  - Travis County named “#2 Best Counties in the Nation for Young Professionals” and #1 “Healthiest County in Texas” – Niche (2018)
  - Williamson County named #5 “Best Counties for Families in Texas”
  - Hays County named #4 “Fastest Growing Counties in America” – US Census Bureau (2017)

### ECONOMY

- Austin MSA has the 24th largest GDP per Capita in U.S.
- City of Austin is referred to as the “Silicon Hills” due to the large number of technology companies including 3M, Apple Inc., Hewlett-Packard, Google, Facebook, AMD, Applied Material, Cirrus Logic, Cisco Systems, eBay, Bioware, Blizzard Entertainment, Hoover’s, Intel Corporation, and Oracle Corporation
- Largest employers in Austin include The University of Texas at Austin, H-E-B, City of Austin, Dell Technologies, and the Federal Government
- Highest paying industries in Austin include management, computer & mathematical engineering, architecture & engineering, and legal
- Central Texas is one of the top targets for venture capital investment in the country; Austin companies garnered over 62% of all venture capital investments in Texas in 2018
  - \$1.4 billion in software, \$388.2 million in industry/energy, and \$249.7 million in biotechnology

### DEVELOPMENTS

- **Elementary School No. 35 in Round Rock** – 118,500 square foot elementary school; \$508 million bond; estimated completion date 2021
  - Additional \$15 million indoor pool facility will be built for districtwide teaching, practice, and competitions
- **Round Rock Convention Center** – 200,000 square foot facility; completion date late 2020
  - \$21.3 million sales tax revenue bonds for project costs



**DOWNTOWN AUSTIN**



**TEXAS CAPITOL BUILDING**



**SIXTH STREET ENTERTAINMENT**

## City of Austin MSA *Highlights*

# 2.1M

**PEOPLE RESIDE IN  
THE AUSTIN MSA**

# 24th

**LARGEST GDP PER CAPITA  
IN THE U.S.**

# \$150M

**OMNO HOTEL AND RESORT  
UNDER CONSTRUCTION**







## Austin MSA

- **Omni Hotels & Resorts** - \$150 million, 10-story tower; under construction
  - 100 rooms; 86,625 square foot conference center and restaurant
- **SMART Terminal Industrial Park in San Marcos** - 934-acre development featuring a dual-service rail line; expected to bring 2,500-3,000 new jobs to the area; under construction
- **St. Elmo Public Market in Austin** - \$250 million mixed-use development; estimated completion date 2020
  - 100,000 square foot office building; 368 apartment units; 156-room boutique hotel; 40,000 square foot centralized marketplace
- **Downtown Google Expansion Block 185 Project in Austin** - 793,883 square foot, 35-story office building; estimated completion date 2022
  - Capacity for 5,000 employees
  - Includes a fitness center and recreation areas, lounges, kitchen and dining areas, and conference centers

## EDUCATION

- **University of Texas at Austin** - 51,832 students and 3,133 faculty; considered a "Public Ivy" school
  - 2nd largest university in the state
  - #7 "U.S. Public Colleges" - Business First (2019)
  - #32 "Best Global Universities" - U.S. News & World Report (2018)
- **Texas State University** - 38,661 students and 1,841 faculty; home to the largest forensics research facility in the world
  - Public research university in San Marcos
  - 5th largest university in the state
  - #4 "Best College Campuses in Texas" - Niche (2018)
- **St. Edwards University** - Private Catholic university in Austin; 4,447 students and 342 faculty
  - #12 "Best Regional Universities" - US News (2019)
- **Southwestern University** - Private liberal arts college in Georgetown, TX; 1,515 students and 386 faculty
  - #3 "Impact Schools in the Nation" - Princeton Review (2019)
  - First institution of higher learning in the state

## City of Austin MSA Highlights

# \$250M

**ST. ELMO PUBLIC MARKET  
MIXED-USE DEVELOPMENT**



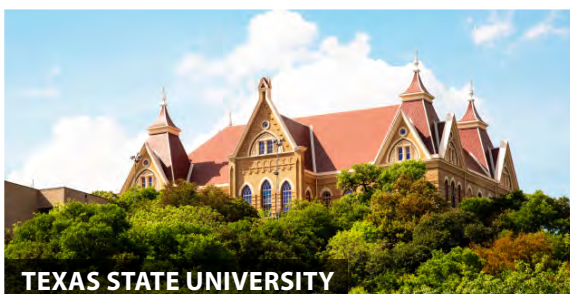
**NEARLY 1M PEOPLE RESIDE IN  
THE CITY OF AUSTIN**

# #2

**"LARGEST UNIVERSITY IN STATE"  
(UNIVERSITY OF TEXAS AT AUSTIN)**



UNIVERSITY OF TEXAS AT AUSTIN



TEXAS STATE UNIVERSITY



SOUTHWESTERN UNIVERSITY





## Austin MSA

### TRANSPORTATION

- Interstate 35 carries traffic from Waco and Dallas to the north through the city to San Antonio to the south; Interstate 10 runs east/west on the southern edge of the city
- The city of Austin is served by 4 federal highways – U.S.79, U.S.90, U.S.183, and U.S.290
- **Austin-Bergstrom International Airport (AUS)** - \$7.6 billion in economic impact
  - 15.8 million passengers 2018, 13.9% increase from 2017
- **Amtrak's Texas Eagle line** – Serves Dallas, Austin, and San Antonio; crosses into New Mexico
  - 346,000 annual passengers
- **Capital Metropolitan Transportation Authority** – Bus service for the city with one of the fastest growing transit systems in the U.S.
  - 20.8 million passengers annually; \$250 million operating budget

### TOURISM

- Tourists spent \$7.5 billion in Austin in 2018; 56,000 people employed within the tourism industry
- Austin is known as the live music capital of the world with more than 100 music venues and a vibrant art scene
- **Texas Longhorns Football at Darrell K Royal–Texas Memorial** – D1 NCAA football team; member of the Big 12 Conference
  - Stadium holds over 100,000 people
- **Austin City Limits Festival (ACL)** – Music and art festival held over two consecutive three-day weekends
  - ACL brought \$264 million and 3000 jobs to the city in 2018
- **South by Southwest** – Annual conglomerate of film, interactive media, music festivals, and conferences
  - 308,000 attendees in 2018; \$350.6 million economic impact in 2018
- **Circuit of The Americas™ Race Track** – 3.4-mile circuit track with live entertainment space, a museum, a retail center, also includes a 40,000 square foot conference/media center
  - Hosts Formula 1 U.S. Grand Prix (263,160 attendees in 2018) and Motorcycle Grand Prix of The Americas (56,528 attendees in 2017)
  - \$5 billion total economic impact on the Austin metro area since opening in 2012

## City of Austin MSA *Highlights*

# \$7.6B

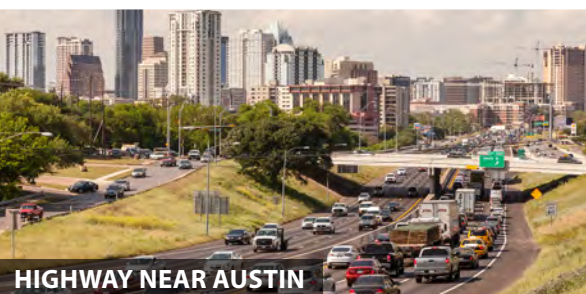
**AUSTIN-BERGSTROM AIRPORT  
ECONOMIC IMPACT**

# \$7.5B

**ECONOMIC TOURIST IMPACT**

# 100+

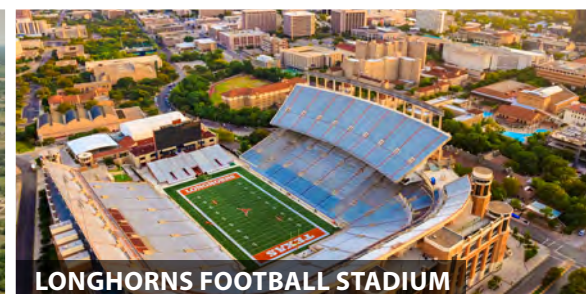
**MUSIC VENUES IN  
THE AUSTIN AREA**



**HIGHWAY NEAR AUSTIN**



**AUSTIN-BERGSTROM INTERNATIONAL AIRPORT**



**LONGHORNS FOOTBALL STADIUM**



	<u>1-Mile</u>	<u>3-Mile</u>	<u>5-Mile</u>
<b>Population</b>			
2023 Projection	11,677	85,543	162,849
2018 Estimate	10,808	73,854	139,946
2010 Census	9,310	59,580	107,437
2000 Census	6,769	33,379	55,276
Growth 2000-2010	37.54%	78.50%	94.36%
Growth 2010-2018	16.09%	23.96%	30.26%
Growth 2018-2023	8.04%	15.83%	16.37%
<b>Households</b>			
2023 Projection	4,138	29,473	57,997
2018 Estimate	3,731	24,999	48,912
2010 Census	3,222	20,275	37,481
2000 Census	2,183	10,891	18,483
Growth 2000-2010	47.60%	86.16%	102.79%
Growth 2010-2018	15.80%	23.30%	30.50%
Growth 2018-2023	10.91%	17.90%	18.57%
<b>2018 Est. Population by Single-Classification Race</b>			
White Alone	8,654	59,187	110,445
Black or African American Alone	589	3,043	5,850
American Indian and Alaska Native Alone	41	384	728
Asian Alone	402	3,774	9,334
Native Hawaiian and Other Pacific Islander Alone	8	81	140
Some Other Race Alone	724	4,387	7,935
Two or More Races	335	2,419	4,233
<b>2018 Est. Population by Ethnicity (Hispanic or Latino)</b>			
Hispanic or Latino	2,319	15,241	28,139
Not Hispanic or Latino	8,489	58,613	111,807
<b>2018 Est. Average Household Income</b>	<b>\$98,193</b>	<b>\$111,796</b>	<b>\$113,273</b>



# CONFIDENTIALITY AGREEMENT

KIDDIE ACADEMY



**HANLEY INVESTMENT GROUP**  
REAL ESTATE ADVISORS

The information contained herein does not purport to provide a complete or fully accurate summary of the Property or any of the documents related thereto, nor does it purport to be all-inclusive or to contain all of the information which prospective buyers may need or desire. All financial projections are based on assumptions relating to the general economy, competition, and other factors beyond the control of the Owner and Broker and, therefore, are subject to material variation. This Marketing Package does not constitute an indication that there has been no change in the business or affairs of the Property or the Owner since the date of preparation of the information herein. Additional information and an opportunity to inspect the Property will be made available to interested and qualified prospective buyers.

Neither Owner nor Broker nor any of their respective officers, Agents or principals has made or will make any representations or warranties, express or implied, as to the accuracy or completeness of this Marketing Package or any of its contents, and no legal commitment or obligation shall arise by reason of the Marketing Package or its contents. Analysis and verification of the information contained in the Marketing Package is solely the responsibility of the prospective buyer, with the Property to be sold on an as is, where-is basis without any representations as to the physical, financial or environmental condition of the Property.

Owner and Broker expressly reserve the right, at their sole discretion, to reject any or all expressions of interest or offers to purchase the Property and/or terminate discussions with any entity at any time with or without notice. Owner has no legal commitment or obligations to any entity reviewing this Marketing Package or making an offer to purchase the Property unless and until such sale of the Property is approved by Owner in its sole discretion, a written agreement for purchase of the Property has been fully delivered, and approved by Owner, its legal counsel and any conditions to the Owner's obligations thereunder have been satisfied or waived.

This Marketing Package and its contents, except such information which is a matter of public record or is provided in sources available to the public (such contents as so limited herein called the Contents), are of a confidential nature. By accepting this Marketing Package, you unconditionally agree that you will hold and treat the Marketing Package and the Contents in the strictest confidence, that you will not photocopy or duplicate the Marketing Package or any part thereof, that you will not disclose the Marketing Package or any of the Contents to any other entity (except in the case of a principal, who shall be permitted to disclose to your employees, contractors, investors and outside advisors retained by you, or to third-party institutional lenders for financing sought by you, if necessary, in your opinion, to assist in your determination of whether or not to make a proposal) without the prior authorization of the Owner or Broker, and that you will not use the Marketing Package or any of the Contents in any fashion or manner detrimental to the interest of the Owner or Broker.

## EXCLUSIVELY LISTED BY:

### Jeff Lefko

Vice President  
jlefkohigrea.com  
844.585.7682

### Bill Asher

Executive Vice President  
basherhigrea.com  
844.585.7684

In Association with Jeff Ashby of JDS Real Estate Services, Inc. | A Licensed Texas Broker #9004326



**\$6+ BILLION**  
retail sales nationwide



**SHARED DATABASE**  
collaborative proprietary database



**TOP BROKERAGE GLOBALLY**  
in investment sales



**COSTAR POWER BROKER**  
top sales brokers & firm in OC



**NATIONWIDE REACH**  
retail & investors across the U.S.





# 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.*

11-2-2015



## TYPES OF REAL ESTATE LICENSE HOLDERS:

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

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

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

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

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

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

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

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

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

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

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

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

JDS Real Estate Services, Inc.	9004326	jstein@jdsreservices.com	(213) 446-5366
Licensed Broker /Broker Firm Name or Primary Assumed Business Name	License No.	Email	Phone
Jeffrey M. Ashby	550021	jstein@jdsreservices.com	(213) 446-5366
Designated Broker of Firm	License No.	Email	Phone
Licensed Supervisor of Sales Agent/ Associate	License No.	Email	Phone
Sales Agent/Associate's Name	License No.	Email	Phone

\_\_\_\_\_  
Buyer/Tenant/Seller/Landlord Initials

\_\_\_\_\_  
Date