

3815 South Lamar Boulevard Austin, TX 78704

### **Confidentiality and Disclaimer**

Marcus & Millichap hereby advises all prospective purchasers of Net Leased property as follows:

The information contained in this Marketing Brochure has been obtained from sources we believe to be reliable. However, Marcus & Millichap has not and will not verify any of this information, nor has Marcus & Millichap conducted any investigation regarding these matters. Marcus & Millichap makes no guarantee, warranty or representation whatsoever about the accuracy or completeness of any information provided.

As the Buyer of a net leased property, it is the Buyer's responsibility to independently confirm the accuracy and completeness of all material information before completing any purchase. This Marketing Brochure is not a substitute for your thorough due diligence investigation of this investment opportunity. Marcus & Millichap expressly denies any obligation to conduct a due diligence examination of this Property for Buyer.

Any projections, opinions, assumptions or estimates used in this Marketing Brochure are for example only and do not represent the current or future performance of this property. The value of a net leased property to you depends on factors that should be evaluated by you and your tax, financial and legal advisors.

Buyer and Buyer's tax, financial, legal, and construction advisors should conduct a careful, independent investigation of any net leased property to determine to your satisfaction with the suitability of the property for your needs.

Like all real estate investments, this investment carries significant risks. Buyer and Buyer's legal and financial advisors must request and carefully review all legal and financial documents related to the property and tenant. While the tenant's past performance at this or other locations is an important consideration, it is not a guarantee of future success. Similarly, the lease rate for some properties, including newly-constructed facilities or newly-acquired locations, may be set based on a tenant's projected sales with little or no record of actual performance, or comparable rents for the area. Returns are not guaranteed; the tenant and any guarantors may fail to pay the lease rent or property taxes, or may fail to comply with other material terms of the lease; cash flow may be interrupted in part or in whole due to

market, economic, environmental or other conditions. Regardless of tenant history and lease guarantees, Buyer is responsible for conducting his/her own investigation of all matters affecting the intrinsic value of the property and the value of any long-term lease, including the likelihood of locating a replacement tenant if the current tenant should default or abandon the property, and the lease terms that Buyer may be able to negotiate with a potential replacement tenant considering the location of the property, and Buyer's legal ability to make alternate use of the property.

By accepting this Marketing Brochure you agree to release Marcus & Millichap Real Estate Investment Services and hold it harmless from any kind of claim, cost, expense, or liability arising out of your investigation and/or purchase of this net leased property.

#### CONFIDENTIALITY AND DISCLAIMER

The information contained in the following Marketing Brochure is proprietary and strictly confidential. It is intended to be reviewed only by the party receiving it from Marcus & Millichap and should not be made available to any other person or entity without the written consent of Marcus & Millichap. This Marketing Brochure has been prepared to provide summary, unverified information to prospective purchasers, and to establish only a preliminary level of interest in the subject property. The information contained herein is not a substitute for a thorough due diligence investigation. Marcus & Millichap has not made any investigation, and makes no warranty or representation, with respect to the income or expenses for the subject property, the future projected financial performance of the property, the size and square footage of the property and improvements, the presence or absence of contaminating substances, PCB's or asbestos, the compliance with State and Federal regulations, the physical condition of the improvements thereon, or the financial condition or business prospects of any tenant, or any tenant's plans or intentions to continue its occupancy of the subject property. The information contained in this Marketing Brochure has been obtained from sources we believe to be reliable: however. Marcus & Millichap has not verified, and will not verify. any of the information contained herein, nor has Marcus & Millichap conducted any investigation regarding these matters and makes no warranty or representation whatsoever regarding the accuracy or completeness of the information provided. All potential buyers must take appropriate measures to verify all of the information set forth herein.

#### NON-ENDORSEMENT NOTICE

Marcus & Millichap Real Estate Investment Services, Inc. ("M&M") is not affiliated with, sponsored by, or endorsed by any commercial tenant or lessee identified in this marketing package. The presence of any corporation's logo or name is not intended to indicate or imply affiliation with, or sponsorship or endorsement by, said corporation of M&M, its affiliates or subsidiaries, or any agent, product, service, or commercial listing of M&M, and is solely included for the purpose of providing tenant lessee information about this listing to prospective customers.

ALL PROPERTY SHOWINGS ARE BY APPOINTMENT ONLY. PLEASE CONSULT YOUR MARCUS & MILLICHAP AGENT FOR MORE DETAILS.

#### SPECIAL COVID-19 NOTICE

All potential buyers are strongly advised to take advantage of their opportunities and obligations to conduct thorough due diligence and seek expert opinions as they may deem necessary, especially given the unpredictable changes resulting from the continuing COVID-19 pandemic. Marcus & Millichap has not been retained to perform, and cannot conduct, due diligence on behalf of any prospective purchaser. Marcus & Millichap's principal expertise is in marketing investment properties and acting as intermediaries between buyers and sellers. Marcus & Millichap and its investment professionals cannot and will not act as lawyers, accountants, contractors, or engineers. All potential buyers are admonished and advised to engage other professionals on legal issues, tax, regulatory, financial, and accounting matters, and for questions involving the property's physical condition or financial outlook. Projections and pro forma financial statements are not guarantees and, given the potential volatility created by COVID-19, all potential buyers should be comfortable with and rely solely on their own projections, analyses, and decision-making.)



### **Table of Contents**

**Investment Highlights Financial Analysis Concept Overview** 6-12 **Surrounding Area** 13 **Location Overview** 14 **Property Photos** 15 **Surrounding Area Photos** 16 **Local Map** 17 **Regional Map** 18 **Demographics / Market** 19-20 **Overview** 







### **Investment Highlights**

PRICE: \$5,611,800 | CAP: 5.50% | RENT: \$308,649



#### **About the Investment**

- ✓ Long-Term, Absolute Triple Net (NNN) Lease, Zero Landlord Obligations
- √ 19 Years Of Lease Term Remaining
- ✓ Attractive 2.00% Annual Rental Bumps
- ✓ Four (4), Five (5)-Year Tenant Renewal Options
- ✓ Corporate Tenant | Corporate Guarantee

#### **About the Location**

- ✓ Dense Retail Corridor | Olive Garden, Starbucks, Hobby Lobby, Sprouts Farmers Market, Pei Wei, Advance Auto Parts, Walgreens, Wells Fargo And Many More
- ✓ Compelling Location Fundamentals | Five Miles Away From The University of Texas at Austin, A Public Research University With Over 50,950 Students Enrolled And Over 3,000 Teaching Faculty Members
- ✓ Strong & Growing Demographics | Population Exceeds 342,800 Individuals Within a Five-Mile Radius | 8% Growth Expected in 5 Years
- ✓ Positive Real Estate Fundamentals | Five-Miles From Downtown Austin
- ✓ Strong Traffic Counts | Over 40,000 and 190,000 Along South Lamar Boulevard and US Route 290
- ✓ Medical Presence | St. David's South Austin | 334 Beds | State-of-the-Art Inpatient & Outpatient Facilities
- ✓ Excellent Visibility & Frontage on South Lamar Boulevard | Multiple Points of Ingress & Egress

#### **About the Tenant / Brand**

- ✓ Red Lobster Is The Largest Seafood Restaurant Concept In The World And Is An Iconic Full Service Brand With Broad Demographic Appeal And A Significant Advertising Budget (2nd Largest In Casual Dining).
- ✓ The Company Was Founded In 1968 And Currently Operates 705 Restaurants
  Throughout The United States And Canada And Has 43 Franchised Restaurants In
  International Markets.
- ✓ Red Lobster Is Led By An Experienced Management Team With A History Of Success Leading The Brand (Average 27+ Years Experience Across Executive Team).
- √ The Company Generates \$2.5B In Revenue And Is The 6<sup>th</sup> Largest Casual Dining Concept In North America.







### **Financial Analysis**





PROPERTY DESCRIPTION		
Property	Red Lobster	
Property Address	3815 South Lamar Boulevard	
City, State ZIP	Austin, TX 78704	
Building Size (SF)	9,129 SF	
Lot Size (Acres)	+/- 1.55 Acres	
Type of Ownership	Fee Simple	
THE OFFERING		
Purchase Price	\$5,611,800	
CAP Rate	5.50%	
Annual Rent	\$308,649	
LE	EASE SUMMARY	
Property Type	Net Leased Restaurant	
Tenant	Red Lobster Restaurants, LLC	
Tenant / Guarantor	Red Lobster Intermediate Holdings, LLC	
Lease Commencement	December 17 <sup>th</sup> , 2015	
Lease Expiration	July 31 <sup>st</sup> , 2039	
Lease Term Remaining	19 Years	
Lease Type	Absolute Triple-Net (NNN)	
Roof & Structure	Tenant Responsible	
Rental Increases	2.00% Annually	
Options to Renew	Four (4), Five (5)-Year Options	

RENT SCHEDULE			
Lease Year	Annual Rent	Monthly Rent	Rent Escalation
Year 6	\$308,649	\$25,721	2%
Year 7	\$314,822	\$26,235	2%
Year 8	\$321,119	\$26,760	2%
Year 9	\$327,541	\$27,295	2%
Year 10	\$334,092	\$27,841	2%
Year 11	\$340,774	\$28,398	2%
Year 12	\$347,589	\$28,966	2%
Year 13	\$354,541	\$29,545	2%
Year 14	\$361,632	\$30,136	2%
Year 15	\$368,864	\$30,739	2%
Year 16	\$376,242	\$31,353	2%
Year 17	\$383,766	\$31,981	2%
Year 18	\$391,442	\$32,620	2%
Year 19	\$399,271	\$33,273	2%
Year 20	\$407,256	\$33,938	2%
Year 21	\$415,401	\$34,617	2%
Year 22	\$423,709	\$35,309	2%
Year 23	\$432,183	\$36,015	2%
Year 24	\$440,827	\$36,736	2%
Year 25	\$449,643	\$37,470	2%

#### **INVESTMENT SUMMARY**

Marcus & Millichap is pleased to present the exclusive listing for a Red Lobster located at 3815 South Lamar Boulevard in Austin, Texas. The site consists of roughly 9,129 rentable square feet of building space on an estimated 1.55-acre parcel of land.

This Red Lobster is subject to a long-term absolute triple-net (NNN) lease, which commenced December 17th, 2015. The current annual rent is \$308,649 and is scheduled to increase by 2.00% annually throughout the remainder of the base term and in each of the four (4), five (5)-year tenant renewal options.







- Red Lobster is the largest seafood restaurant concept in the world and is an iconic full service brand with broad demographic appeal and a significant advertising budget (2<sup>nd</sup> largest in casual dining).
- The Company was founded in 1968 and currently operates 700+ restaurants throughout the United States and Canada and has 40+ franchised restaurants in international markets.
- Red Lobster is led by an experienced management team with a history of success leading the brand (average 27+ years experience across executive team).
- The company generates \$2.5B in revenue and is the 6<sup>th</sup> largest casual dining concept in North America.

### ------ The Transaction

- On August 31st, 2020, a group led by Thai Union Group ("TUG") acquired Red Lobster from Golden Gate Capital.
- Thai Union Group was previously a minority owner of Red Lobster first acquiring a 25% stake in the company in 2016.
- The new ownership group now includes Thai Union Group, current Red Lobster management, and a newly formed investment group, Seafood Alliance, which is led by two prominent global restaurant operators.







### **OUR HISTORY**

#### FRESH IS IN OUR FOOD

Each day, you'll find an updated selection of fresh fish on our Today's Fresh Fish menu, not to mention live Maine lobster, freshly baked Cheddar Bay Biscuits™, crisp salads and a host of fresh seafood recipes waiting to be explored.

#### FRESH IS IN OUR KNOWLEDGE

No one knows seafood better than we do. As global seafood buyers, we have employees stationed throughout the world who inspect our seafood the moment it comes out of the water. They ensure it meets standards that are second to none. Then, the renowned chefs at our culinary center deliver the fresh expertise that turns it all into something truly special.

#### FRESH IS IN OUR DEDICATION

We hold ourselves to the highest standards for service, quality and a welcoming atmosphere. And we're focused on doing what's right - for our employees, in our communities and in the world.

#### FRESH IS IN OUR COMMITMENT

You deserve the freshest food and thinking. So every time you visit one of our seafood restaurants or our online seafood store, you'll find an uncommon commitment to deliver the best of the sea with fresh energy and fresh ideas that we hope will make you want to come back again and again.

We invite you to come in and experience our commitment to quality for yourself. Whether it's choosing your favorite fresh fish from our "Today's Fresh Fish" menu, or selecting your favorite seafood to be prepared over our wood-fired grill, Red Lobster is the place you can enjoy fresh, delicious seafood now and for generations.





RED I	LOBSTER 196	
1970	Bill Darden opens the first Red Lobster in Lakeland, Florida	
General Mills acquires Red Lobster and rapidly expands nationally	1983	
1984	Our 1st Canadian restaurant opens in Ontario	
Out Lobsterfest® promotion begins, giving guests the best variety of lobster anywhere	1988	
1989	We introduce our famous and delicious Cheddar Bay Biscuits®	
We operate 450 US and 55 Canadian restaurants	1996	
2003	We introduce "Walt's Favorite Shrimp", named after one of our earliest employees	
We celebrate our 35th anniversary of serving fresh, delicious seafood	2004	
2006	Endless Shrimp® is introduced, and becomes an annual guest-favorite promotion	
"Today's Fresh Fish" gives guests a daily selection of national and local fresh fish favorites	2008	
2013	We introduce Wood-Fire Grills and Certified Grill Masters in every restaurant	
We celebrate our 45th anniversary and operate more than 700 locations worldwide	2014	
2018	Acquisition by Golden Gate Capital ("GG	
We celebrate our 50 <sup>th</sup> anniversary of serving fresh, delicious seafood	2020	
	Acquisition by Thai Union Group	





#### **Strong Market Position**

- Red Lobster is the largest seafood restaurant concept in the world and the 6<sup>th</sup> largest casual dining concept in the United States with over \$2.5 billion in annual sales and 700+ restaurants.
- The Company is the category killer in the seafood casual dining space, holding almost 50% market share.
  - Largest share of any restaurant concept in any segment.
- 6<sup>th</sup> largest overall casual dining concept in the US.

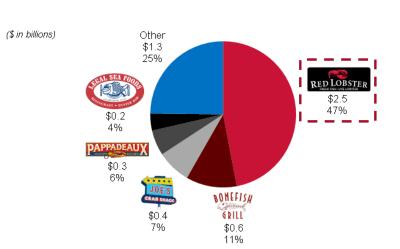
### **Significant Scale With Broad Geographic Reach**



### **6<sup>th</sup> Largest Casual Dining Concept in the US**

#### (\$ in billions) Chill's Outback Friday's Hooters BJ's O'Charley's Olive Garden Buffalo Wild Wings Cheesecake Factory Red Lobster Texas Roadhouse Ruby Tuesday Red Robin LongHorn F. Chang's Logan's Roadhouse Carrabba's Cheddar's

#### ~50% Share in Seafood Casual Dining







### Iconic Brand With Unparalleled Customer Loyalty

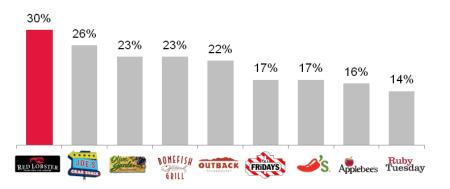
- Red Lobster has strong consumer appeal and broad usage across multiple dining out occasions, including high-crave, healthier "good for you" and special meal occasions.
- The brand has a strong foundation of loyal guests, who visit 1-2 times per month and account for more than 50% of sales.
- Red Lobster is the clear leader in casual dining seafood, and the most indispensable brand among major casual dining concepts, further indicating strong consumer loyalty.

### **Healthy and Recently Remodeled Restaurant Base**

- Over \$320 million invested in remodels covering >90% of restaurants over the past 8 years.
- \$1.4 billion in overall capital expenditure investment over the past 10 years.
- New Bar Harbor format has strong appeal across customer base.
- 100% of restaurants are cash flow positive.

### **Indispensability vs. Peers**

Indispensability (How difficult it would be for me to 'give up' ever going there again ) - % very difficult (10 out of 10) shown



### **New Bar Harbor Format**

**Before** 















#### Red Lobster is led by an experienced management team with prior success leading the brand.



Kim Lopdrup CEO (30 years in Restaurant Industry)

- Kim served as President of Red Lobster from FY2005 to FY2011, a period of consistent, above-market growth for the brand
- Prior to his return to Red Lobster, Kim served as President of Specialty Restaurant Group and New Business
- Before joining Darden, Kim served as EVP and COO of North America for Burger King, and at Dunkin' Brands as VP of Marketing and CEO of its international division
- BBA, College of William & Mary; MBA with distinction, Harvard Business School



Salli Setta President (27 years in Restaurant Industry)

- Salli was named President of Red Lobster in July of 2013
- Prior to her promotion to President, Salli served as Red Lobster's EVP of Marketing, before which she
  held numerous roles in Marketing and Culinary at Olive Garden during its turnaround, including VP
  Marketing and SVP Culinary and Beverage
- 24 years of experience in restaurant marketing, advertising and menu development; named "Menu Strategist of the Year" in 2003; recipient of three Menu Masters' Awards and a Silver Effie for her work on the "Hospitaliano" ad campaign
- BA, University of Central Florida; MBA, Florida Institute of Technology



Bill Lambert CFO (11 years in Restaurant Industry)

- Bill served as CFO of Red Lobster from FY2006 to FY2010
- Prior to his return to Red Lobster, Bill served as CFO of LongHorn Steakhouse
- Prior to joining Darden and Red Lobster, Bill spent 21 years with Federated Department Stores in various roles including CFO of Macy's Central
- BS, Duke University; MBA, University of Michigan



Chip Wade
EVP
Operations
(29 years in Restaurant
Industry)

- Darryl "Chip" Wade is EVP of Operations at Red Lobster
- Previously, Chip held positions in Enterprise Operations at Darden and as SVP of its Smokey Bones brand
- Outside of Darden, Chip previously served as COO of Legal Sea Foods and in various operations management roles at TGI Friday's
- BA, Widener University; MBA, University of Texas







- Founded in 1977, Thai Union has a rich history of commitment to seafood expertise and innovation around the world.
- Thai Union Group, based out of Thailand with offices North America, Europe, the Middle-East and Asia, currently serves as a main supplier of seafood for Red Lobster's across the world.
- Thai Union Group has been listed on the Stock Exchange of Thailand (SET) since November 1994
  - Prior to the Red Lobster acquisition, Thai Union Group reported annual sales of over \$4.1 Billion
- Through acquisitions and organic growth, TUG's ambitious expansion strategy has established a diverse global brand portfolio. Covering three continents, their brands are consumer favorites and market leaders with a wide range of products including shelf-stable seafood products, frozen and chilled seafood, PetCare products and more.
- TUG has a long, successful track record and significant experience servicing consumers, supermarkets, restaurants, hospitality and others.

### **Global Brands and Partnerships**











### **Surrounding Area**

3815 South Lamar Boulevard - Austin, TX 78704







### **Location Overview**

3815 South Lamar Boulevard – Austin, TX 78704



This Red Lobster investment property is situated on South Lamar Boulevard which has an average daily traffic count exceeding 40,000 vehicles. South Lamar Boulevard is directly off US Route 290 which brings an additional 190,000 vehicles per day to the immediate area. There are over 16,000 individuals within a one-mile radius, over 118,000 individuals within a three-mile radius of the subject property and over 342,000 individuals within a five-mile radius. In the next five years the population in the immediate area is expected to grow by over eight percent.

The subject property is strategically situated in a highly dense retail corridor that consists of numerous regional and national tenants, shopping centers and hospitality accommodations, all within close proximity of this site. Major national tenants in the immediate area include: Olive Garden, Walmart, Home Depot, Wells Fargo, Pei Wei, Advance Auto Parts, Walgreens, and McDonald's in addition to many others. This Red Lobster benefits from being only five-miles from The University of Texas at Austin, a public research university with almost 51,000 students and over 3,000 faculty members. Additionally, the Toney Burger Activity Center is less than one-mile from the subject property. The activity center is an athletics facility that features a track and field stadium, baseball park, basketball courts, and soccer fields. The complex can accommodate over 15,000 people. Just over two-miles from the subject property is St. David's South Austin Medical Center, a state-of-the-art inpatient & outpatient medical campus with 334 beds.

Located in Central Texas on the eastern edge of the American Southwest, Austin is the capital of the state of Texas, the Lone Star State. It is the 11th-most populous city in the United States and the 4th-most populous city in Texas, with a metro population of 2,056,405. U.S. News & World Report named Austin the #1 place to live in the U.S. for 2017 and 2018. In 2016, Forbes ranked Austin #1 on its "Cities of the Future" list. Austin is considered to be a major center for technology. This strength has also created a strong pharmaceutical and biotechnology presence in the city. Other industries that have strong presences in Austin are advanced manufacturing, clean energy & power, and data management. A number of Fortune 500 companies have headquarters or regional offices in Austin, including Amazon, Apple Inc., Cisco, eBay, General Motors, Google, IBM, Intel, Oracle Corporation, Paypal, Texas Instruments, 3M, and Whole Foods Market. Apple's campus in north Austin is more than a million square feet and houses over 6,000 employees.





### **Property Photo**

3815 South Lamar Boulevard – Austin, TX 78704







### **Surrounding Area Photos**









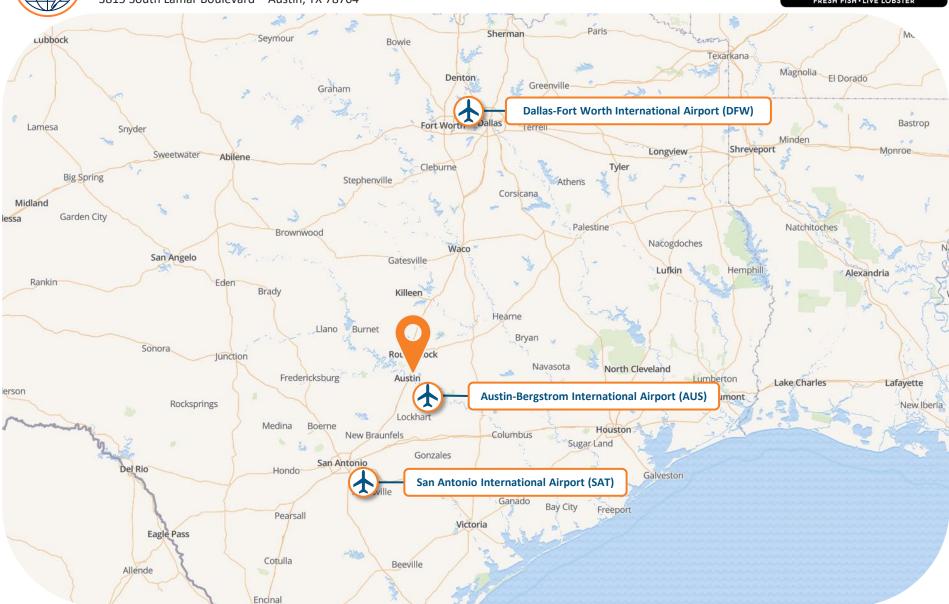


**16** 

# **Local Map**



3815 South Lamar Boulevard - Austin, TX 78704





### **Regional Map**

3815 South Lamar Boulevard - Austin, TX 78704







### **Demographics**

3815 South Lamar Boulevard – Austin, TX 78704



996	Emma Long Metropolitan Park	
	5 Miles	WINDS
Barton Creek	West Lake Hills CENT AL AUSTIN AL AUSTIN AL AUSTIN AL AUSTIN AUSTIN AL AUSTI	MUELLER
	Baron Creek Vilderness Park Barton Creek Park Barton Creek	AS AUSTIN
DAK HILL	Greenbo (230) Sunset Valle (WESTON OLTORF	DE MONTOPO
	GARRISON PARK SOUTH CONGRESS AU	
ANCH	©75 INCKINI Palls State	ney e Park
(45)	SOUTHPARK MEADOWS Bluff Springs	Pilot
224	San Leanna Manchaca	Colto

	1 Mile	3 Miles	5 Miles
POPULATION			
2024 Projection	18,125	129,148	371,342
2019 Estimate	16,254	118,658	342,040
2010 Census	13,137	100,376	292,690
2000 Census	14,434	99,125	272,979
INCOME			
Average	\$88,499	\$100,127	\$97,809
Median	\$63,098	\$68,681	\$65,776
Per Capita	\$46,217	\$48,794	\$42,330
HOUSEHOLDS			
2024 Projection	9,611	63,901	161,943
2019 Estimate	8,472	57,608	146,062
2010 Census	6,755	47,829	121,699
2000 Census	7,114	43,804	109,187
HOUSING			
2019	\$336,665	\$320,805	\$290,065
2013	<b>7330,003</b>	<b>7320,003</b>	Ψ230,003
EMPLOYMENT			
2019 Daytime Population	17,955	157,285	556,695
2019 Unemployment	2.52%	2.54%	3.18%
2019 Median Time Traveled	23 mins	24 mins	25 mins
RACE & ETHNICITY			
White	75.64%	76.22%	70.01%
Native American	0.06%	0.05%	0.08%
African American	3.38%	3.58%	5.33%
Asian/Pacific Islander	2.85%	3.74%	5.55%
A Statif Lacinic Islanaci	2.03/0	3.77/0	3.3370





### **Austin** is the capital city of Texas and is located in Central Texas. It is the

11th-most populous city in the United States and the 4th-most populous city in Texas, with a metro population of 2,056,405. U.S. News & World Report named Austin the #1 place to live in the U.S. for 2017 and 2018. In 2016, Forbes ranked Austin #1 on its "Cities of the Future" list. Austin is considered to be a major center for technology. This strength has also created a strong pharmaceutical and biotechnology presence in the city. Other industries that have strong presences in Austin are advanced manufacturing, clean energy & power, and data management. A number of Fortune 500 companies have headquarters or regional offices in Austin, including Amazon, Apple, Cisco, eBay, General Motors, Google, IBM, Intel, Oracle Corporation, PayPal, Texas Instruments, 3M, and Whole Foods Market. Apple's campus in north Austin is more than a million square feet and houses over 6,000 employees.

Austin is also home to a wonderful ballet, world-class museums, one-of-a-kind shopping and beautiful outdoor spaces. Music is still a driver of entertainment and interest in the city, the music festival Austin City Limits draws in nearly 500,000 people for the six-day festival. As Austin has grown in popularity, the Austin-Bergstrom Airport has seen an increase in passenger traffic. Located on the east side of Austin, the airport had an annual passenger traffic of 13.9 million people in 2017, an increase of almost 5 million from 2012. The Austin area is also home to many higher educational institutions, including: the University of Texas, St. Edward's University, Huston-Tillotson University, Austin Community College, Concordia University, the Seminary of the Southwest, and the Acton School of Business.

### **Major Employers**

iviajor Emproyers	
EMPLOYER	# OF EMPLOYEES*
Capital Litigation Division	4,050
Law Enforcement Defense Division	4,000
University of Texas At Austin	3,304
DSHS	3,007
Hazardous Waste Division	3,000
Environmental Quality Texas Commission On	2,331
University of Texas System	2,324
Auxi Health	2,200
Public Safety Texas Department	2,012

<sup>\*</sup>Based on a 5-mile radius

## INFORMATION ABOUT BROKERAGE SERVICES



#### 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.

#### 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:
- o that the owner will accept a price less than the written asking price;
- o 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.

Marcus & Millichap	9002994		972.755.5200
Licensed Broker /Broker Firm Name or Primary Assumed Business Name	License No.	Email	Phone
Tim Speck	432723	Tim.Speck@marcusmillichap.com	972.755.5200
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
Buver/Te	nant/Seller/Land	lord Initials Date	



### Marcus & Millichap

### **EXCLUSIVE NET-LEASE OFFERING**



#### **BROKER OF RECORD:**

Dallas, TX 75244

Office: (972) 755-5200

Mr. Tim Speck
First Vice President/District Manager
Marcus & Millichap Real Estate Investment Services
Brokerage
Tim.Speck@marcusmillichap.com
Dallas Office
5001 Spring Valley Road
Suite 100W

