

REPRESENTATIVE PHOTO



REPRESENTATIVE PHOTO



NWQ HWY 287 & SUBLETT RD

ARLINGTON, TX 76017

**MATTHEWS**<sup>TM</sup>  
REAL ESTATE INVESTMENT SERVICES





REPRESENTATIVE PHOTO



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## LISTING AGENTS

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**KYLE MATTHEWS**

BROKER OF RECORD

LIC # 9005919 (TX)

# INVESTMENT HIGHLIGHTS



## LIST PRICE

\$3,571,428



## CAP RATE

3.50%



## YEAR BUILT

2021



## NOI

\$125,000

## INVESTMENT HIGHLIGHTS

- **Iconic Brand** - Whataburger is Texas Born, with Over 820 locations, 670+ of which in their Home State of Texas
- **Strong Corporate Guaranty** - Opened Their First Location in 1950
- **Absolute NNN** - Ground Lease, Creating Secure and Passive Ownership
- **Long Term Lease** - Brand New 15 Year Lease to Commence in July 2021
- **Rental Increases** - 8% Every 5 Years, Including the Three, 5 Year Renewal Options
- **Recession/Pandemic Proof** - Essential Retail Quick Service Restaurant with Drive Thru
- **Top 4 MSA in the Country** - DFW Core Market Growing Year Over Year, boasting a 205,000+ population within a 5-mile radius of the subject property
- **Affluent Area** - \$107,000 Household Income Within a 2-Mile Radius
- **Great Visibility** - From Highway 287, which sees 168,000+ VPD
- **Outparcel to Dominant and New Kroger Marketplace** - Kroger's Larger Format to Compete with Target/Walmart Including Home Goods, Clothing, Kitchen Appliances, etc.
- **Surrounded By New Development** - Residential and Commercial, including the Kroger Marketplace (with Gas), Starbucks, Chick-fil-A, Pet Supplies Plus, Andy's Frozen Custard, LA Fitness, Self Storage, and More Under Construction
- **Retail Synergy** - Also Across the Street From Albertsons, Jack in the Box, Burger King, Chicken Express, and Other Neighborhood Retail
- **Close Proximity to Schools** - Just over 1 Mile From Kennedale High School, RF Patterson Elementary, & St Paul's Prep Academy.



## INVESTMENT OVERVIEW

Address	NWQ Hwy 287 & Sublett Road Arlington, TX 76017
GLA	±4,500 SF
Lot Size	±59,027 SF
Tenant Trade Name	Whataburger
Type of Ownership	Ground Lease
Lease Guarantor	Corporate
Lease Type	NNN
Original Lease Term	15-Years
Lease Commencement Date	Estimated 7/1/21
Lease Expiration Date	15-Years from Lease Commencement
Term Remaining on Lease	15-Years
Increase	8% Every 5-Years in Base and Options
Options	Three, 5-Year Options

## ANNUALIZED OPERATING DATA

Date	Monthly Rent	Annual Rent	Cap Rate
Years 1-5	\$10,416.67	\$125,000.00	3.50%
Years 6-10	\$11,250.00	\$135,000.00	3.78%
Years 11-15	\$12,150.00	\$145,800.00	4.08%
Option 1	\$13,122.00	\$157,464.00	4.41%
Option 2	\$14,171.75	\$170,061.00	4.76%
Option 3	\$15,305.58	\$183,667.00	5.14%





PHASE 1			
LOT NUMBER	LOT TYPE	BUILDING SF	ACREAGE
1	RETAIL	118,500	12.3
2	DRIVE THROUGH RESTAURANT	2,200	0.6
3	DRIVE THROUGH RESTAURANT	3,400	0.7
4	FUEL CENTER	700	2.6
5	RESTAURANT / DENTAL OFFICE	4,800	0.9
6	DRIVE THROUGH RESTAURANT	5,000	1.4
TOTAL		134,600	18.5

PHASE 2			
LOT NUMBER	LOT TYPE	BUILDING SF	ACREAGE
7A	FITNESS CENTER	37,000	4.0
7B & 7C	DRIVE THROUGH RESTAURANT	3,750	1.3
7D	AUTO SERVICE	11,100	1.7
7E	RETAIL	17,502	1.6
7X	DETENTION		1.6
TOTAL		69,352	10.2

PHASE 3	
ACREAGE	9.06
DENSITY	15 DU/AC
TWO BEDROOMS	108
THREE BEDROOMS	27
TOTAL	135
OPEN SPACE REQUIRED	8%
OPEN SPACE PROVIDED	32%
PARKING REQUIRED	284
PARKING PROVIDED	315



## TENANT OVERVIEW



- |                |                 |
|----------------|-----------------|
| » COMPANY NAME | » INDUSTRY      |
| Whataburger    | QSR             |
| » OWNERSHIP    | » HEADQUARTERS  |
| Private        | San Antonio, TX |
| » YEAR FOUNDED | » EMPLOYEES     |
| 1950           | ±40,000         |

## ABOUT WHATABURGER

Whataburger is an American privately held, regional fast food restaurant chain, headquartered and based in San Antonio, Texas, that specializes in hamburgers. There are more than 670 stores in Texas and over 150 in New Mexico, Arizona, and the southern United States. Whataburger was known for many years for its distinct stripe-roofed buildings.

The first A-frame restaurant was built in Odessa, Texas and is now a historical landmark. The site is scheduled to be demolished in 2019 and transformed into a "more modern" building.

The company's core products include the "Whataburger", the "Whataburger Jr.", the "Justaburger", the "Whatacatch" (fish sandwich), and the "Whatachick'n". The company also has a breakfast menu.



BRAND NEW  
RESIDENTIAL DEVELOPMENT  
135 UNITS



± 111,500 VPD



W. SUBLETT RD  
± 17,000 VPD





INDUSTRIAL  
SECTOR



GALLERY SALON  
& SPA



W. SUBLETT RD  
± 17,000 VPD





DOLLAR GENERAL

Uncle Bo's  
PUPU BAR & GRILL



287

± 111,500 VPD



GALLERY SALON  
& SPA



W. SUBLETT RD  
± 17,000 VPD







BRAND NEW  
RESIDENTIAL DEVELOPMENT  
135 UNITS



± 111,500 VPD



W. SUBLETT RD  
± 17,000 VPD





# AREA OVERVIEW



## ARLINGTON, TX

Located in Tarrant County and sitting directly in between the cities of Dallas and Fort Worth, Arlington is the third-largest municipality in the DFW Metropolitan Area. Dallas/Fort Worth is a thriving metropolis of over 6.5 million people that spans in every direction and Arlington is in the center of the action, allowing businesses to enjoy convenient access to both cities. The City of Arlington has been recognized as the best run City in Texas by WalletHub for the second consecutive year and recently received recognition from the Bloomberg Foundation as one of 13 cities in the United States that best use innovation to improve service.

Positioned along Union Pacific Railroad's main transcontinental route, intersected by two major interstates, and within proximity to multiple major air cargo facilities, logistically, Arlington is an obvious choice for national and international businesses. Arlington is only 8 miles from DFW International Airport, providing access to non-stop flights to over 200 destinations. Arlington is also home to the Arlington Municipal Airport, one of DFW's major reliever airports.

With an unemployment rate well below the state and national averages, Arlington has a healthy economy. The largest industries in the city are manufacturing and construction. Future job growth over the next 10 years is projected to be 38.3%, which is higher than the national average.



## PROPERTY DEMOGRAPHICS

POPULATION	1-MILE	3-MILE	5-MILE
2025 Projection	15,275	81,820	231,860
2020 Population	14,263	77,042	217,335
2010 Population	12,393	69,282	192,398
Annual Growth 2020-2025	7.09%	6.20%	6.68%
HOUSEHOLDS	1-MILE	3-MILE	5-MILE
2025 Projection	5,511	30,142	81,300
2020 Population	5,150	28,398	76,424
2010 Population	4,496	25,617	68,671
Annual Growth 2020-2025	7.01%	6.14%	6.38%
INCOME	1-MILE	3-MILE	5-MILE
2020 Avg. Household Income	\$107,826	\$110,913	\$99,750



## ATTRACTIONS

Arlington attracts North Texas visitors with a \$250 million entertainment complex that includes sports teams, theme parks, shopping, hotels, and restaurants. Home of the Dallas Cowboys, the Texas Rangers, Six Flags Over Texas Theme Park, Texas Live!, and a host of other attractions, Arlington is the entertainment capital of North Texas, seeing over 48.9 million visitors annually. North Texas tourists create an estimated economic impact of \$1.4 billion. In recent years, Arlington has hosted the Super Bowl, NBA Final Four, College Football National Championship, and The Country Music Awards.

Arlington is also home to the University of Texas at Arlington, the largest university in North Texas. UT Arlington is a growing research powerhouse, conducting cutting edge research in aerospace, manufacturing, medical sciences, and general engineering with over 42,000 students. UTA cultivates talent and invests in research and development, and has an estimated annual economic impact of \$17.1 billion.





# AREA OVERVIEW



## AT&T STADIUM

AT&T Stadium is home to the Dallas Cowboys, the most valuable sports franchise in the world as well as the annual Cotton Bowl Classic and the Big 12 Championship Game. The Cowboys moved to Arlington in 2009 after the completion of AT&T Stadium, a \$1.5 billion project. AT&T Stadium is the largest special events venue in North America with capacity for 105,000+ patrons. The stadium seats 80,000 guests, making it the fourth largest stadium in the NFL by seating capacity. AT&T also has the world's 2nd largest high definition video screen. The stadium is used for much more than football games: concerts, basketball games, soccer matches, rodeos, motocross races, and many more activities are held at AT&T each year.



## GLOBE LIFE PARK

Globe Life Park is home to the Texas Rangers and the Texas Rangers Baseball Hall of Fame. In November 2016, voters approved an extension of hotel and sales taxes to fund Globe Life Field, a new \$1.1 billion ballpark development set to be built in the area adjacent to the current ballpark and open in March 2020. Globe Life Park in Arlington contains approximately 1,400,000 square feet. The ballpark measures 114 feet from street level to the top of the roof canopy. Because of the venue size, design, central location, and state-of-the-art technology, Globe Life Field will host a multitude of events like collegiate sports, concerts, festivals, and other professional sporting events.



## SIX FLAGS OVER TEXAS

Sitting on 212 acres, Six Flags Over Texas was the first Six Flags Theme Park location, opening in 1961. Six Flags is the world's largest regional theme park company. The company recently reported that 2018 marked its 9th consecutive year of record growth for both revenue and annual visitors. Six Flags over Texas features more than 100 rides, shows, and attractions including 13 world-class roller coasters and the neighboring Hurricane Harbor Water Park, which houses over 40 rides and attractions. The company's headquarters are in Grand Prairie, Texas, just 5 miles down the road from the park.



# AREA OVERVIEW



## TEXAS LIVE!

Texas Live! is a unique attraction that combines entertainment, restaurants, and accommodations into one exciting destination. The complex is nestled between three legendary arenas, AT&T Stadium, Globe Life Field and Globe Life Park in Arlington. An upscale experience in an unbeatable location, Texas Live! is the place you'll want to be before, after, or during a game. One thrilling part is Arlington Backyard, an outdoor concert venue unlike any other. With spectacular views of AT&T Stadium, the 5,000-person venue hosts festivals and cultural events in addition to live music. Join fellow fans at the Live! Arena, a multilevel sports bar and gathering space with a 100-foot LED HD screen. With over 200,000 square feet and seven distinct venues to choose from, this state-of-the-art event complex can easily accommodate 20 to 10,000 guests. Options include a lush beer garden, intimate private lounges, glamorous hotel ballroom, or the spacious outdoor pavilion.



## LIVE! BY LOEWS

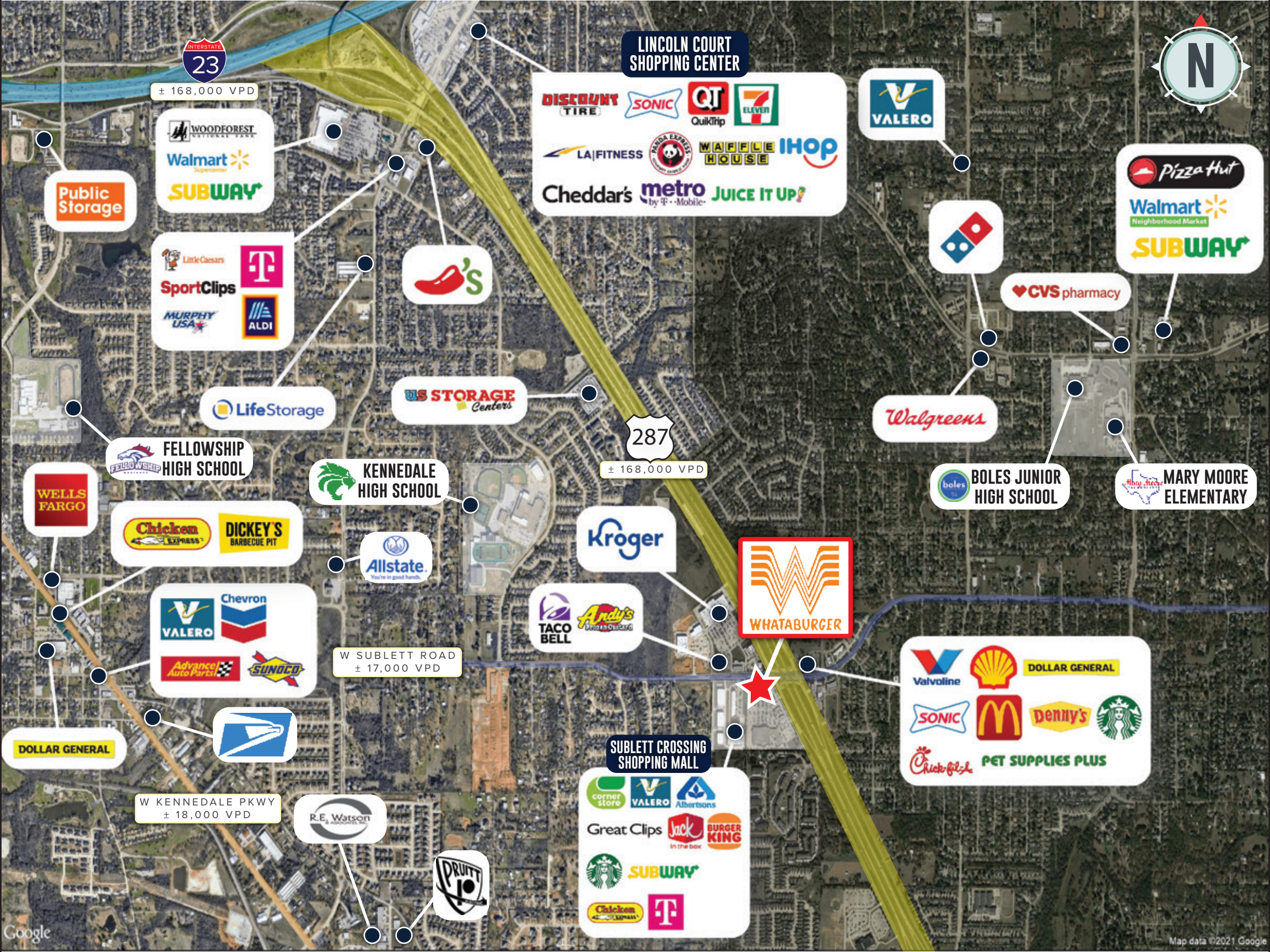
When visitors look for the most exciting dining and entertainment in the Dallas-Fort Worth Metroplex, they find themselves at Texas Live!, the recreation hub nestled among the Dallas Cowboys' AT&T Stadium, the Texas Rangers' Globe Life Field, and the Esports Stadium & Expo Center. Staying at Live! by Loews - Arlington puts visitors at the center of all the action, with all the benefits of a stylish, modern retreat. The new \$150 million Live! by Loews hotel is the first of its kind in the nation. Step inside the expansive lobby after a busy day of meetings or a night out at Texas Live! and experience the best in true Texas hospitality. The hotel has a long list of amenities including a stunning terrace pool and bar with views of AT&T Stadium, in-room dining, complimentary Wi-Fi, a 24-hour business center, and a high-end fitness club.



## ESPORTS STADIUM

At 100,000 sqft., Esports Stadium Arlington is the largest dedicated esports facility in North America. The facility serves as a turnkey solution for esports events and productions, built to serve the unique needs and demands of the esports community by following the four pillars of versatility, community, excellence, and hospitality. The world-class stadium includes a 90 ft. LED stage display with theatrical lights and sound and 2,500 seating capacity. While enjoying the Gaming Center, gamers can enjoy a variety of food, snacks, and beverages, as well as have full access to a full range of merchandise for purchase—including various esports brand apparel—in the ES Arlington retail store. Additionally, the stadium is available for birthday parties, boot camps, and private events.





INTERSTATE  
23

± 168,000 VPD

LINCOLN COURT  
SHOPPING CENTER

DISCOUNT TIRE SONIC QT QuikTrip 7 ELEVEN  
LA FITNESS Panda Express WAFFLE HOUSE IHOP  
Cheddar's metro by T-Mobile JUICE IT UP



Pizza Hut  
Walmart Neighborhood Market  
SUBWAY

CVS pharmacy

Walgreens

BOLES JUNIOR  
HIGH SCHOOL

MARY MOORE  
ELEMENTARY

287

± 168,000 VPD

KENNEDALE  
HIGH SCHOOL

FELLOWSHIP  
HIGH SCHOOL



Chicken EXPRESS DICKEY'S BARBECUE PIT



TACO BELL Andy's

VALERO Chevron  
Advance Auto Parts SUNOCO

W SUBLETT ROAD  
± 17,000 VPD

DOLLAR GENERAL



W KENNEDALE PKWY  
± 18,000 VPD



SUBLETT CROSSING  
SHOPPING MALL

corner store VALERO Albertsons  
Great Clips Jack Burger King  
Starbucks SUBWAY  
Chicken EXPRESS T

Valvoline Shell DOLLAR GENERAL  
SONIC McDonald's Denny's Starbucks  
Chick-fil-A PET SUPPLIES PLUS



# FORT WORTH

# DALLAS

GDP OF 457.4 BILLION

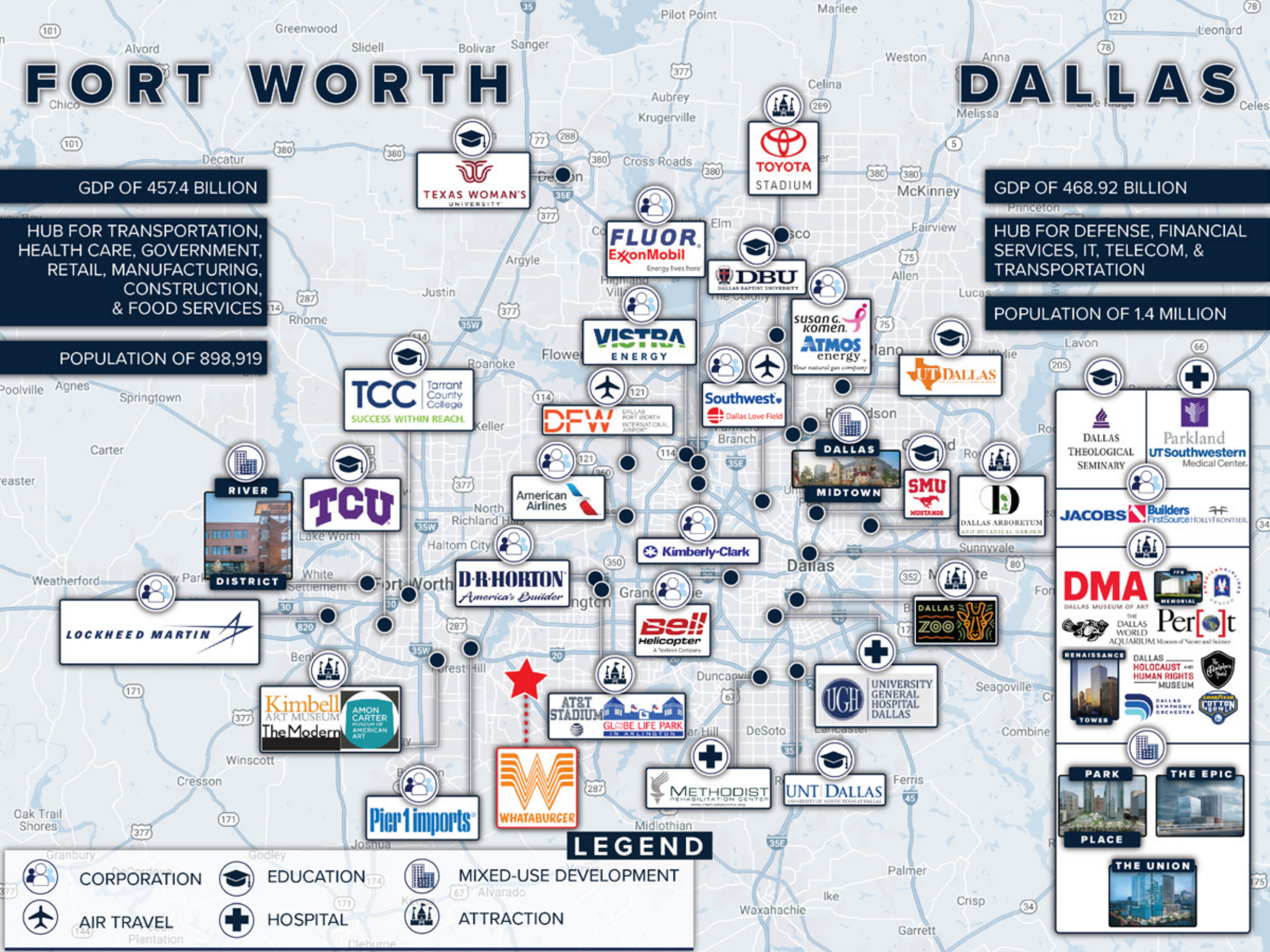
HUB FOR TRANSPORTATION,  
HEALTH CARE, GOVERNMENT,  
RETAIL, MANUFACTURING,  
CONSTRUCTION,  
& FOOD SERVICES

POPULATION OF 898,919

GDP OF 468.92 BILLION

HUB FOR DEFENSE, FINANCIAL  
SERVICES, IT, TELECOM, &  
TRANSPORTATION

POPULATION OF 1.4 MILLION



## LEGEND

- CORPORATION
- EDUCATION
- AIR TRAVEL
- HOSPITAL
- MIXED-USE DEVELOPMENT
- ATTRACTION



## AREA OVERVIEW

# DFW

## DALLAS-FORT WORTH

The Dallas-Fort Worth metroplex encompasses 11 counties. It is the economic and cultural hub of North Texas and the most populous metropolitan area in both Texas and the Southern United States, the fourth-largest in the U.S., and the tenth-largest in the Americas. The metropolitan region's economy is primarily based on banking, commerce, insurance, telecommunications, technology, energy, healthcare, medical research, transportation, and logistics. As of 2020, Dallas-Fort Worth is home to 24 Fortune 500 companies, the third-largest concentration of Fortune 500 companies in the United States behind New York City and Chicago. In 2016, the metropolitan economy surpassed Houston to become the fourth-largest in the U.S. The Dallas-Fort Worth metroplex boasted a GDP of just over \$620.6 billion in 2020. If the Metroplex were a sovereign state, it would have the twentieth largest economy in the world as of 2019.



**7.6M**  
DFW  
MSA POPULATION



**\$620.6B**  
GROSS METRO  
PRODUCT



**24**  
FORTUNE 50  
COMPANIES



**3rd Largest**  
U.S. METROPOLITAN  
AREA





## BANKING AND FINANCE

Banking and finance play a key role in the area's economy. DFW recently surpassed Chicago to become the second-largest financial services hub in the nation, eclipsed only by New York.

Bank of America

JPMorganChase

Liberty Mutual

Goldman Sachs

State Farm

Ameritrade

charles SCHWAB

Fidelity INVESTMENTS

## INFORMATION TECHNOLOGY

The Metroplex also contains the largest Information Technology industry base in the state (often referred to as Silicon Prairie or the Telecom Corridor, especially when referring to US-75 through Richardson, Plano and Allen just north of Dallas itself). This area has a large number of corporate IT projects and the presence of numerous electronics, computing and telecommunication firms

Microsoft

TEXAS INSTRUMENTS

hp

DELL

SAMSUNG

NOKIA

CISCO

FUJITSU

i2

Frontier COMMUNICATIONS

alcatel

ERICSSON

Google

verizon

## COMPANIES HEADQUARTERED IN DFW



- » AT&T, the largest telecommunications company in the world, is headquartered at the Whitacre Tower in downtown Dallas.
- » ExxonMobil and McKesson, respectively the 2nd and 7th largest Fortune 500 companies by revenue, are headquartered in Irving, Texas.
- » Fluor, the largest engineering & construction company in the Fortune 500, is also headquartered in Irving.
- » In October 2016, Jacobs Engineering, a Fortune 500 company and one of the world's largest engineering companies, relocated from Pasadena, California to Dallas.
- » Toyota USA, in 2016, relocated its corporate headquarters to Plano, Texas.
- » Southwest Airlines is headquartered in Dallas and has more than 58,000 employees.





## DALLAS, TX

Dallas is a city where big ideas meet big opportunity. The city revolves around a bustling downtown area that expands through an assortment of neighborhoods and commercial centers, supported by a network of freeways that exceeds almost any other city. It boasts the largest urban arts district in the nation.

The central core of Dallas has experienced a steady and significant growth that speaks to its highly diversified economy. It has become a hub for real estate and business, establishing itself as one of the largest concentrations of corporate headquarters for publicly traded companies such as American Airlines, Neiman Marcus, Kimberly-Clark, JCPenney, ExxonMobil and many others.

The Dallas economy is expected to grow over the next couple of decades making it the perfect time to not only invest in Dallas real estate but also relocate. As the 9th largest city in the country, Dallas has something for everyone. It combines clashing images of the city skyline and cowboy vibes. Yet, the city of Dallas describes itself best with the motto: "Big Things Happen Here."

## BEST PLACE TO RETIRE 2020

- FORBES 2020

## #2 BEST PLACE FOR BUSINESS AND CAREERS

- FORBES 2019

## #1 VISITOR AND LEISURE DESTINATION IN TEXAS

- VISIT DALLAS





# MAJOR SHOPPING AND ENTERTAINMENT DISTRICTS

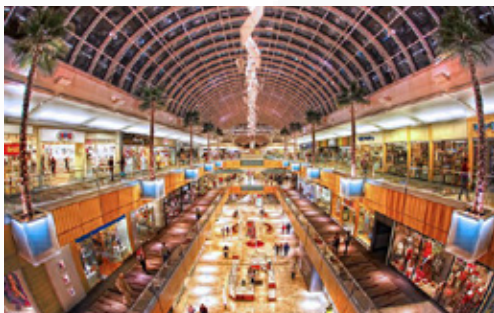
In addition to its large number of businesses, Dallas has more shopping centers per capita than any other city in the United States and is also home to the second shopping center ever built in the United States, Highland Park Village, which opened in 1931.

Dallas is home of the two other major malls in North Texas. Both malls feature high-end stores and are major tourist draws for the region:

- Galleria Dallas, a unique urban shopping destination with attached hotel and office buildings, has nearly 200 nationally and internationally recognized shops and restaurants surrounding an impressive ice rink. It hosts 19 million visitors annually.
- North Park Center is 2.3 million sq. ft. with over 235 distinctive stores and restaurants. It features museum-quality modern art pieces and is the second largest mall in Texas.

Downtown Dallas is home to Neiman Marcus' flagship store as well as boutiques, restaurants, clubs, and a growing farmers market scene. Nearby West Village, Deep Ellum, the Cedars, and Uptown are popular mixed-use destinations for shops and restaurants.

The Dallas area has more restaurants per capita than any other U.S. city. Clusters of unique restaurants and shops are scattered throughout the city, notably in destinations in Downtown, Uptown, Bishop Arts District, Deep Ellum, Greenville Avenue, Knox-Henderson, and Lakewood. The newest center of dining is Trinity Groves, an evolving 15-acre restaurant, artist, and entertainment destination in West Dallas.





## DALLAS CULTURE

Dallas boasts the largest concentrated urban arts district in the nation. The Dallas Arts District was established in 1983 to centralize the art community and provide adequate facilities for cul-tural organizations. Institutions include the Dallas Museum of Art the Morton H. Meyerson Symphony Center the Dallas Theater Center the Booker T. Washington High School for the Performing and Visual Arts the Trammell and Margaret Crow Collection of Asian Art and the Nasher Sculpture Center.



## DALLAS EVENTS

State Fair of Texas, which has been held annually at Fair Park since 1886. The Fair is a massive event, bringing in an estimated \$350 million to the city's economy annually. The Red River Shootout, which pits the University of Texas at Austin against The University of Oklahoma at the Cotton Bowl also brings significant crowds to the city. The city also hosts the State Fair Classic and Heart of Dallas Bowl at the Cotton Bowl. Other well-known festivals in the area include several Cinco de Mayo celebrations hosted by the city's large Mexican American population, and Saint Patrick's Day parade along Lower Greenville Avenue, Juneteenth festivities, Taste of Dallas, the Deep Ellum Arts Festival, the Greek Food Festival of Dallas, and the annual Halloween event "The Wake" featuring lots of local art and music.



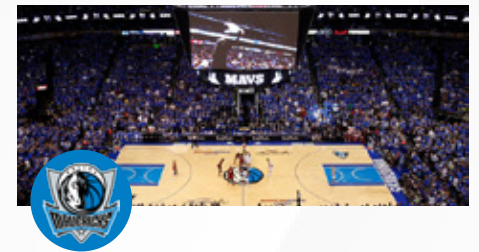
### TEXAS RANGERS

(Major League Baseball)



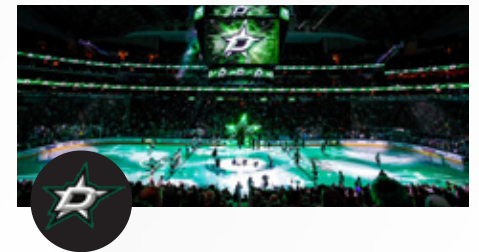
### DALLAS COWBOYS

(National Football League)



### DALLAS MAVERICKS

(National Basketball Association)



### DALLAS STARS

(National Hockey League)



## CONFIDENTIALITY AGREEMENT & DISCLAIMER

This Offering Memorandum contains select information pertaining to the business and affairs of **Whataburger** located at **NWQ Hwy 287 & Sublett Rd | Arlington, TX 76017** ("Property"). The Offering Memorandum may not be all-inclusive or contain all of the information a prospective purchaser may desire. The information contained in this Offering Memorandum is confidential and furnished solely for the purpose of a review by a prospective purchaser of the Property. It is not to be used for any other purpose or made available to any other person without the written consent of Seller or Matthews Real Estate Investment Services. The material and information in the Offering Memorandum is unverified. Matthews Real Estate Investment Services has not made any investigation, and makes no warranty or representation, with respect to square footage, income and expenses, the future financial performance of the property, future rent, and real estate value market conditions, the condition or financial prospects of any tenant, or the tenants' plans or intentions to continue to occupy space at the property. All prospective purchasers should conduct their own thorough due diligence investigation of each of these areas with the assistance of their accounting, construction, and legal professionals, and seek expert opinions regarding volatile market conditions given the unpredictable changes resulting from the continuing COVID-19 pandemic. The information is based in part upon information supplied by the Owner and in part upon financial information obtained from sources the Owner deems reliable. Owner, nor their officers, employees, or real estate agents make any representation or warranty, express or implied, as to the accuracy or completeness of this Offering Memorandum, or any of its content, and no legal liability is assumed or shall be implied with respect thereto. Prospective purchasers should make their own projections and form their own conclusions without reliance upon the material contained herein.

By acknowledging your receipt of this Offering Memorandum for the Property, you agree:

1. The Offering Memorandum and its contents are confidential;
2. You will hold it and treat it in the strictest of confidence; and
3. You will not, directly or indirectly, disclose or permit anyone else to disclose this Offering Memorandum or its contents in any fashion or manner detrimental to the interest of the Seller.

Matthews Real Estate Investment Services is not affiliated with, sponsored by, or endorsed by any commercial tenant or lessee in the Offering Memorandum. 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 Matthews Real Estate Investment Services.

Owner and Matthews Real Estate Investment Services expressly reserve the right, at their sole discretion, to reject any and all expressions of interest or offers to purchase the Property and to terminate discussions with any person or entity reviewing this Offering Memorandum or making an offer to purchase the Property unless and until a written agreement for the purchase and sale of the Property has been fully executed and delivered.

If you wish not to pursue negotiations leading to the acquisition of the Property or in the future you discontinue such negotiations, then you agree to purge all materials relating to this Property including this Offering Memorandum.

A prospective purchaser's sole and exclusive rights with respect to this prospective transaction, the Property, or information provided herein or in connection with the sale of the Property shall be limited to those expressly provided in an executed Purchase Agreement and shall be subject to the terms thereof. In no event shall a prospective purchaser have any other claims against Seller or Matthews Real Estate Investment Services or any of their affiliates or any of their respective officers, Directors, shareholders, owners, employees, or agents for any damages, liability, or causes of action relating to this solicitation process or the marketing or sale of the Property.

This Offering Memorandum shall not be deemed to represent the state of affairs of the Property or constitute an indication that there has been no change in the state of affairs of the Property since the date this Offering Memorandum.





## LISTING AGENTS

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### **CHAD KURZ**

EVP & MANAGING DIRECTOR

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BROKER OF RECORD

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REAL ESTATE INVESTMENT SERVICES





# Information About Brokerage Services

11-2-2015

*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:
  - 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.

Kyle Matthews/Matthews Retail Group Inc.	<b>678067</b>	<b>kyle.matthews@matthews.com</b>	<b>(310) 919-5757</b>
Licensed Broker /Broker Firm Name or Primary Assumed Business Name	License No.	Email	Phone
<b>Kyle Matthews</b>	<b>678067</b>	<b>kyle.matthews@matthews.com</b>	<b>(310) 919-5757</b>
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