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# **HOWARD COUNTY INDUSTRIAL SITE**

120 Ac. - Industrial Site off I.H. 20 between Midland & Big Spring

LOCATION: South side of T & P Railroad adjacent to I.H. 20 and east & west sides of FM 818

SIZE: Approximately 120+ Acres of Land – PARTIAL SALES WILL BE CONSIDERED

**FRONTAGE**: Approximately 1 mile on the south side of the railroad tract that is adjacent to and parallel

with I.H. 20 & Approximately 1.200+/- on both east and west sides of FM 818

**UTILITIES:** Please verify the location, accessibility and capacity of the utilities to the property to

determine if they are adequate and suitable for buyer's intended use.

**FLOOD:** There is some flood area on the property. See aerial map with flood.

**TAXES:** The property enjoys the benefit of the 1D1 Open Space "ag exemption". Future

"rollback taxes" will be the responsibility of the buyer.

PARTIAL SALES: The owner will consider partial sales.

PRICE: \$1.500,000 (\$12,500/Ac.)

Olson Properties, Inc. ("Olson Properties") has obtained all acreage, frontage, utility, zoning and flood plain information from a variety of sources including the property's owner, city officials and utility purveyors. Olson Properties makes no representations or warranties regarding the validity of this information. Prior to purchasing this property, Olson Properties highly recommends that a prospective buyer take the following actions:

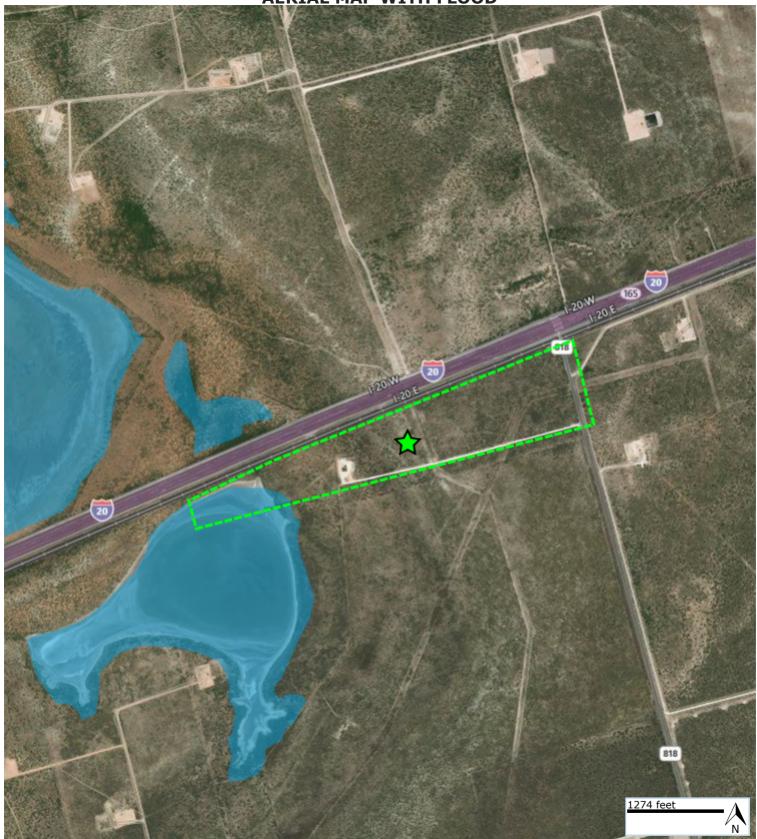
- 1. Consult an engineer regarding the location, accessibility and capacity of all the property's utilities,
- 2. Obtain an Environmental Site Assessment and
- 3. Purchase a written Zoning Verification Letter from the appropriate governmental authority if appropriate.



Carl Olson, CCIM, ALC, GRI - 210-710-5527 - carl@olsonproperties.com Luke Olson, ALC - 210-385-6493 - luke@olsonproperties.com P.O. Box 6125 - San Antonio, Texas 78209 www.olsonproperties.com

THIS PROPERTY INFORMATION WAS OBTAINED FROM SOURCES DEEMED RELIABLE. HOWEVER, OLSON PROPERTIES, INC. MAKES NO GUARANTEES, WARRANTIES, OR REPRESENTATIONS AS TO ITS COMPLETENESS OR ACCURACY. THIS INFORMATION IS SUBJECT TO ERRORS, OMISSIONS, CHANGE OF PRICE OR OTHER CONDITIONS, PRIOR SALE, LEASE OR WITHDRAWAL FROM MARKET WITHOUT NOTICE.

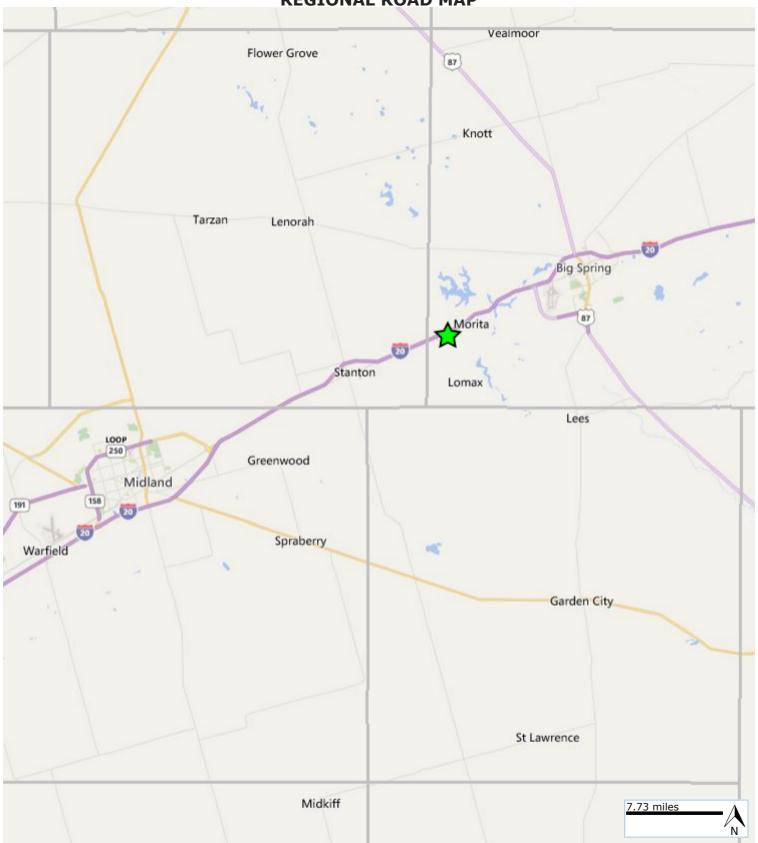
# PRIME ACREAGE ON I.H. 20 EAST OF MIDLAND AERIAL MAP WITH FLOOD

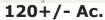


120 +/- Ac.



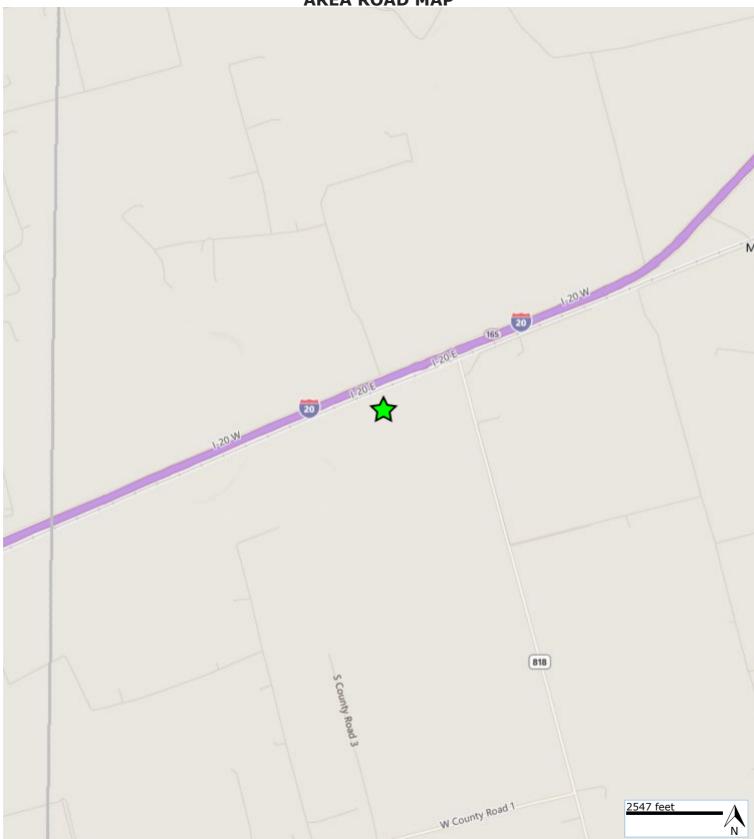
## PRIME ACREAGE ON I.H. 20 EAST OF MIDLAND REGIONAL ROAD MAP







# PRIME ACREAGE ON I.H. 20 EAST OF MIDLAND AREA ROAD MAP



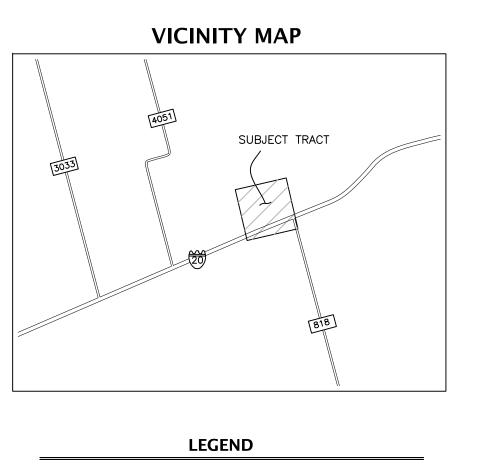
120 +/- Ac.



PRIME ACREAGE ON I.H. 20 EAST OF MIDLAND PIPELINES, FLOOD, & WETLANDS MAP







## —— SURVEY LINE BOUNDARY LINE EASEMENT LINE ----- EDGE OF ROAD — — — — EXISTING PIPELINE ----- RIGHT OF WAY LINE \_\_\_\_x\_\_\_\_\_ FENCE LINE CONTROLLING MONUMENT P.O.B. POINT OF BEGINNING DEED RECORDS, HOWARD COUNTY, TEXAS OFFICIAL PUBLIC RECORDS, HOWARD COUNTY, TEXAS O.P.R.H.C.T. TEXAS AND PACIFIC RAILWAY COMPANY POINT FOR CORNER UNLESS OTHERWISE NOTED FOUND MONUMENT AS NOTED

### **METES AND BOUNDS DESCRIPTION**

PIPELINE MARKER

POWER POLE

ALL THAT CERTAIN LOT, TRACT OR PARCEL OF LAND, BEING ALL OF THE T.&P. RR. CO. SURVEY, ABSTRACT NO. 532, SECTION 7, BLOCK 34, TOWNSHIP 1 SOUTH. T.&P. RR. CO. LANDS, HOWARD COUNTY, TEXAS AND BEING ALL OF THAT CALLED 606.21 ACRE TRACT DESCRIBED IN A DEED FROM MAURICE MEYER III, JOHN R. NORRIS III, AND JAMES K. NORWOOD, TRUSTEES OF TEXAS PACIFIC LAND TRUST TO DREW PLAGENS ON MAY 3, 2012 AND RECORDED IN VOLUME 1288, PAGE 341. OFFICIAL PUBLIC RECORDS OF HOWARD COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOW, TO-WIT:

**BEGINNING** AT A 2 INCH IRON PIPE FOUND (Y = 6,764,571.18, X = 985,260.60) FOR THE NORTHWEST CORNER OF SAID PLAGENS TRACT, SAID PIPE BEING THE COMMON NORTHWEST CORNER OF SAID SECTION 7, THE SOUTHWEST CORNER OF THE J.S. TIMMONS SURVEY, SECTION 6, BLOCK 34, ABSTRACT 1528, THE SOUTHEAST CORNER OF THE T.&P. RR. CO. SURVEY, ABSTRACT 518, SECTION 1, BLOCK 35 AND THE NORTHEAST CORNER OF THE S.J. ALEXANDER SURVEY, ABSTRACT 1583. SECTION 12. BLOCK 35. ALL SITUATED IN TOWNSHIP 1 SOUTH, T.&P. RR. CO. LANDS:

SOUTH LINE OF SAID SECTION 6, A DISTANCE OF 5,295.32 FEET TO A 2 INCH IRON PIPE FOUND FOR THE NORTHEAST CORNER OF SAID PLAGENS TRACT AND BEING THE COMMON NORTHEAST CORNER OF SAID SECTION 7. THE SOUTHEAST CORNER OF THE T.M. WHITE SURVEY, ABSTRACT 1428, SECTION 6. BLOCK 34 THE SOLITHWEST CORNER OF THE T&P RR CO. SURVEY ARSTRACT 406 SECTION 5. RLOCK 34 AND THE NORTHWEST CORNER THE T.M. WHITE SURVEY ABSTRACT 1427. SECTION 8. BLOCK 34. ALL SITUATED IN TOWNSHIP 1 SOUTH. T.&P. RR. CO. LANDS: THENCE SOUTH 13°04'55" EAST WITH THE COMMON EAST LINE OF SAID SECTION 7, SAME BEING THE WEST LINE OF SAID PLAGENS TRACT AND THE WEST

THE COMMON SOUTHEAST CORNER OF SAID SECTION 7. THE SOUTHWEST CORNER OF THE W.E. JONNSON SURVEY, ABSTRACT 1470, SECTION 8, BLOCK 34 THE NORTHWEST CORNER OF THE T.&P. RR. CO. SURVEY. ABSTRACT 411, SECTION 17, BLOCK 34 AND NORTHEAST CORNER THE C.M. HORN SURVEY ABSTRACT 1403, SECTION 18, BLOCK 34, ALL SITUATED IN TOWNSHIP 1 SOUTH, T.&P. RR. CO. LANDS, FROM WITH A 2 INCH IRON PIPE FOUND FOR THE SOUTHEAST CORNER OF SAID SECTION 8 BEARS NORTH 76°58′13" EAST, A DISTANCE OF 5292.41 FEET;

THENCE SOUTH 76°58'13" EAST WITH THE COMMON SOUTH LINE OF SAID SECTION 7, SAME BEING THE SOUTH LINE OF SAID PLAGENS TRACT AND THE NORTH LINE OF SAID SECTION 8. A DISTANCE OF 5,295.32 FEET TO A 5/8" IRON ROD WITH ALUMINUM CAP SET STAMPED "FRANK SURVEYING COMPANY" FOR THE SOLITHWEST CORNER OF SAID PLAGENS TRACT AND BEING THE COMMON SOLITHWEST CORNER OF SECTION 7. THE NORTHWEST CORNER OF THE L DAVIS SURVEY ARSTRACT 1757 SECTION 18 BLOCK 34 THE NORTHEAST CORNER OF THE T & P. RR. CO. SURVEY ARSTRACT 517 SECTION 13 BLOCK 35 AND SOUTHFAST CORNER THE T.M. WHITE SURVEY ABSTRACT 1429. SECTION 12. BLOCK 34. ALL SITUATED IN TOWNSHIP 1 SOUTH T & P. RR. CO. LANDS:

THENCE NORTH 13°04'55" WEST WITH THE COMMON WEST LINE OF SAID SECTION 7, SAME BEING THE SOUTH LINE OF SAID PLAGENS TRACT AND THE EAST LINE OF SAID SECTION 12, A DISTANCE OF 5,290.01 FEET TO THE POINT OF BEGINNING, CONTAINING A TOTAL OF 643.08 ACRES, MORE OR LESS;

ALL THAT CERTAIN LOT, TRACT OR PARCEL OF LAND, BEING PART OF THE T.&P. RR. CO. SURVEY, ABSTRACT NO. 532, SECTION 7, BLOCK 34, TOWNSHIP 1 SOUTH, T.&P. RR. CO. LANDS, HOWARD COUNTY, TEXAS, BEING ALL OF THAT CALLED 13.77 ACRE TRACT DESCRIBED IN A DEED FROM H. ABRAMS TO THE STATE OF TEXAS AND RECORDED IN VOLUME 89, PAGE 435, DEED RECORDS OF HOWARD COUNTY, TEXAS, ALL OF THAT CALLED 20.015 ACRE TRACT DESCRIBED IN A DEED GEORGE C. ERASER, ET ALTO THE STATE OF TEXAS AND RECORDED IN VOLLIME 218, PAGE 29, DEED RECORDS OF HOWARD COUNTY TEXAS AND ALL OF THAT CALLED 0.358 ACRE TRACT DESCRIBED IN A DEED FROM GEORGE C. FRASER, ET AL TO THE STATE OF TEXAS AND RECORDED IN VOLUME 247, PAGE 28, DEED RECORDS OF HOWARD COUNTY, TEXAS, ALL OF WHICH COMPRISES THE CURRENT RIGHTS OF WAY OF INTERSTATE 20 EAST, ALSO BEING PART OF THE T. & P. RR. CO. RAILROAD RIGHT OF WAY AS SHOWN ON THE TEXAS DEPARTMENT OF TRANSPORTATION RIGHT OF WAY MAF CONTROL 5, SECTION 5, JOB 16117 AND BEING PART OF A CALLED 0.169 ACRE TRACT DESCRIBED AS PARCEL A IN A DEED FROM MABEL QUINN TO THE STATE OF TEXAS ON DECEMBER 10, 1948 AND RECORDED IN VOLUME 149, PAGE 185 OF THE DEED RECORDS OF HOWARD COUNTY, TEXAS, WHICH COMPRISES THE CURRENT RIGHTS OF WAY OF FARM TO MARKET HIGHWAY 818 AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOW, TO-WIT:

BEGINNING AT A POINT FOR CORNER IN THE WEST LINE OF THE ABOVE MENTIONED SECTION 7, FROM WHICH A 2" IRON PIPE FOUND FOR THE NORTHWEST CORNER OF SAME BEARS NORTH 13°04'55" WEST, A DISTANCE 4408.76 FEET;

THENCE NORTH 68°27'59" EAST WITH THE NORTH LINE OF THE ABOVE MENTIONED INTERSTATE 20 EAST. A DISTANCE OF 1656.74 TO A POINT FOR CORNER AT A BEGINNING OF A CURVE TO THE RIGHT THAT HAS A RADIUS OF 5,859.58 FEET, A CENTRAL ANGLE OF 01°19'59", AND CHORD BEARING OF NORTH 69°07'59" EAST AND A CHORD DISTANCE OF 136.32 FEET;

- THENCE ALONG SAID CURVE A DISTANCE OF 136.32 FEET TO AT A POINT FOR CORNER;
- THENCE NORTH 69°47'59" EAST WITH THE NORTH LINE OF INTERSTATE 20 EAST, A DISTANCE OF 2407.60 TO A POINT FOR CORNER;
- THENCE NORTH 68°09'48" EAST WITH THE NORTH LINE OF INTERSTATE 20 EAST, A DISTANCE OF 700.29 TO A POINT FOR CORNER;

THENCE NORTH 69°47'59" EAST WITH THE NORTH LINE OF INTERSTATE 20 EAST, A DISTANCE OF 443.76 TO A POINT FOR CORNER IN THE EAST LINE OF SAID

THENCE SOUTH 13°04'55" EAST WITH THE EAST LINE OF SAID SECTION 7, A DISTANCE OF 395.55 FEET TO A POINT FOR CORNER IN THE SOUTH RIGHT-OF-WAY

FOR CORNER IN THE EAST RIGHT-OF-WAY LINE OF THE ABOVE MENTIONED FARM TO MARKET HIGHWAY 818; THENCE SOUTH 12°52'12 EAST WITH THE EAST RIGHT-OF-WAY LINE OF SAID FARM TO MARKET HIGHWAY 818, A DISTANCE OF 1195.33 TO A POINT FOR

THENCE SOUTH 76°58'13" WEST WITH THE SOUTH LINE OF SAID SECTION 7, A DISTANCE OF 80.00 FEET TO A POINT FOR CORNER IN THE WEST RIGHT-OF-WAY

THENCE NORTH 12°52'12" WEST WITH THE WEST RIGHT-OF-WAY LINE OF FARM TO MARKET HIGHWAY 818, A DISTANCE OF 1185.26 FEET TO A POINT FOR

THENCE SOUTH 69°47'59" WEST WITH SOUTH RIGHT-OF-WAY LINE OF SAID T.&P. RR. CO. RAILROAD, A DISTANCE OF 3284.76 FEET TO A POINT FOR CORNER AT A BEGINNING OF A CURVE TO THE LEFT THAT HAS A RADIUS OF 5,487.08 FEET, A CENTRAL ANGLE OF 01°19'59", AND CHORD BEARING OF SOUTH

69°07'59" WEST AND A CHORD DISTANCE OF 127.66 FEET; THENCE ALONG SAID CURVE A DISTANCE OF 127.66 FEET TO AT A POINT FOR CORNER;

CORNER IN THE SOUTH RIGHT-OF-WAY LINE OF SAID T.&P. RR. CO. RAILROAD;

THENCE SOUTH 68°27'59" WEST WITH SOUTH RIGHT-OF-WAY LINE OF SAID T.&P. RR. CO. RAILROAD, A DISTANCE OF 1,712.09 FEET TO A POINT FOR CORNER IN THE WEST LINE OF SAID SECTION 7

THENCE NORTH 13°04'55" WEST WITH THE WEST LINE OF SAID SECTION 7, A DISTANCE OF 376.59 FEET TO THE POINT OF BEGINNING, LEAVING A NET ACREAGE OF 594.85 ACRES.

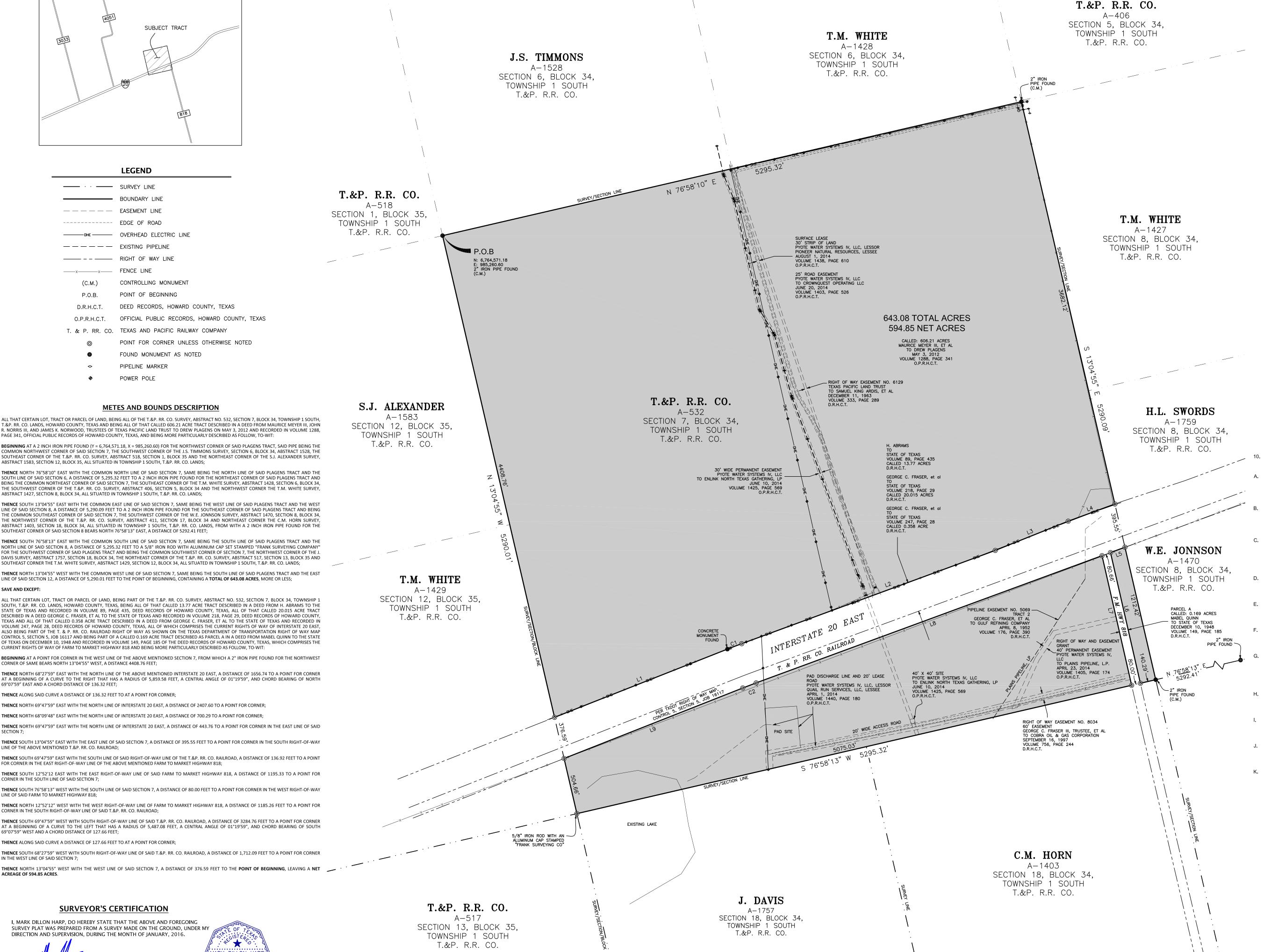
## **SURVEYOR'S CERTIFICATION**

I. MARK DILLON HARP. DO HEREBY STATE THAT THE ABOVE AND FOREGOING SURVEY PLAT WAS PREPARED FROM A SURVEY MADE ON THE GROUND, UNDER MY DIRECTION AND SUPERVISION, DURING THE MONTH OF JANUARY, 2016.

FOR FRANK SURVEYING CO., INC, BY: MARK DILLON HARP TEXAS REGISTRATION NO. 6445

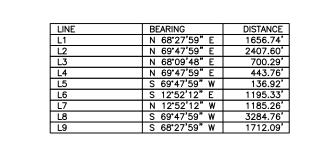
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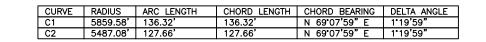






GRAPHIC SCALE: 1" = 400' 800'





#### **GENERAL NOTES**

- 1. SURVEYOR DID NOT ABSTRACT SUBJECT PROPERTY. THIS SURVEY WAS PREPARED WITH INFORMATION CONTAINED IN TITLE COMMITMENT GF NO. 1512015-JO OF FIDELITY NATIONAL TITLE INSURANCE COMPANY, EFFECTIVE DATE OF DECEMBER 3, 2015 AT 07:00 A.M., ISSUED DATE OF JULY 6, 2016, EASEMENTS, SETBACKS AND ENCUMBRANCES SHOWN HEREON ARE BASED ON INFORMATION RECEIVED FROM A THIRD PARTY PROVIDER IN THE FORM OF A CITY PLANNING LETTER, TITLE COMMITMENT OR ABSTRACTING CERTIFICATE. FRANK SURVEYING COMPANY, INC. IS NOT RESPONSIBLE, NOR WILL BE HELD LIABLE FOR ANY INCORRECT OR UNDISCLOSED INFORMATION PROVIDED OR OMITTED IN A CITY PLANNING LETTER, TITLE COMMITMENT OR ABSTRACTING CERTIFICATE.
- 2. BEARINGS WERE BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, NAD 83 (HARN), NORTH CENTRAL ZONE 4202.
- 3. THE SQUARE FOOTAGE TOTALS SHOWN HEREON ARE BASED ON THE MATHEMATICAL CLOSURE OF THE COURSES AND DISTANCES REFLECTED ON THE SURVEY. IT DOES NOT INCLUDE THE TOLERANCES THAT MAY BE PRESENT DUE TO THE POSITIONAL ACCURACY OF THE BOUNDARY MONUMENTATION.
- 4. OTHER MONUMENTS WERE USED IN THE DETERMINATION OF THIS BOUNDARY, BUT WERE NOT ABLE TO BE PLOTTED BECAUSE OF ILLEGIBILITY. ADDITIONAL INFORMATION ON THESE MONUMENTS IS ON FILE AT THE OFFICES OF FRANK SURVEYING COMPANY,
- 5. THE LEGAL DESCRIPTION AS DESCRIBED IN THE ABOVE MENTIONED TITLE COMMITMENT IS AS FOLLOWS: A PORTION OF SECTION 7, BLOCK 34, T-1-S, T. & P. RR. CO. SURVEY, HOWARD COUNTY, TEXAS. (SURVEY TO BE PROVIDED FOR METES AND BOUNDS LEGAL
- 6. READILY VISIBLE IMPROVEMENTS AND UTILITIES WERE LOCATED WITH THIS SURVEY, NO SUBSURFACE PROBING, EXCAVATION OR EXPLORATION WAS PERFORMED BY FRANK SURVEYING COMPANY, INC.
- 7. "SCHEDULE "B" EXCEPTIONS FROM COVERAGE" SHOWN HEREON IS A REQUIREMENT BY CLIENT AND MAY CONTAIN NON SURVEY RELATED ITEMS THAT WERE NOT INVESTIGATED

### **SCHEDULE "B" NOTES**

- 10. THE FOLLOWING MATTERS AND ALL TERMS OF THE DOCUMENTS CREATING OR OFFERING EVIDENCE OF THE MATTERS (WE MUST INSERT MATTERS OR DELETE THIS EXCEPTION):
- TERMS, CONDITIONS AND STIPULATIONS OF LEASE AGREEMENT BETWEEN PYOTE WATER SYSTEMS IV, LLC, AS LESSOR AND PIONEER NATURAL RESOURCES USA, I NC., AS LESSEE, DATED AUGUST I, 2014, RECORDED IN VOLUME 1438, PAGE 610, OFFICIAL PUBLIC RECORDS OF HOWARD COUNTY, TEXAS DO AFFECT THE SUBJECT
- B. TERMS, CONDITIONS AND STIPULATIONS OF LEASE AGREEMENT BETWEEN PYOTE WATER SYSTEMS IV, LLC, AS LESSOR AND QUAIL RUN SERVICES, LLC, AS LESSEE, DATED NOVEMBER 19, 2014, RECORDED IN VOLUME 1440, PAGE 180, OFFICIAL PUBLIC RECORDS OF HOWARD COUNTY, TEXAS DO AFFECT THE SUBJECT TRACT INSOFAR, AND ONLY INSOFAR, AS THE PAD SITE, LEASE ROAD AND DISCHARGE LINE AS SHOWN.
- TERMS, CONDITIONS AND STIPULATIONS OF LEASE AGREEMENT BETWEEN PYOTE WATER SYSTEMS IV, LLC, AS LESSOR AND PETRO WASTE ENVIRONMENTAL. LP AND ITS GENERAL PARTNER, PETRO WASTE DISPOSAL GP. LLC, AS LESSEE, DATED JULY 25, 2014, RECORDED IN VOLUME 1454, PAGE 656, OFFICIAL PUBLIC RECORDS OF HOWARD COUNTY, TEXAS DO AFFECT THE SUBJECT TRACT AND IS BLANKET IN NATURE, SAVE AND EXCEPT THE SURFACE LOCATION, ROAD AND PIPELINE RIGHT OF WAYS AS SHOWN IN VOLUME 1440, PAGE 180.
- PIPELINE EASEMENT EXECUTED BY GEORGE C. FRASER, ET AL TO GULF REFINING CO., DATED APRIL 8, 1952, RECORDED IN VOLUME 176, PAGE 390, DEED RECORDS OF HOWARD COUNTY, TEXAS DOES AFFECT THE SUBJECT TRACT AS SHOWN.
- PIPELINE EASEMENT EXECUTED BY PYOTE WATER SYSTEMS IV, LLC TO PLAINS PIPELINE, LP, DATED APRIL 23, 2014. RECORDED IN VOLUME 1405, PAGE 174, OFFICIAL PUBLIC RECORDS OF HOWARD COUNTY, TEXAS DOES AFFECT THE SUBJECT TRACT AS SHOWN
- PIPELINE EASEMENT EXECUTED BY PYOTE WATER SYSTEMS IV, LLC TO ENLINK NORTH TEXAS GATHERING, LP, DATED JUNE 10, 2014, RECORDED IN VOLUME 1425, PAGE 569, OFFICIAL PUBLIC RECORDS OF HOWARD COUNTY, TEXAS DOES AFFECT THE SUBJECT TRACT AS SHOWN.
- RIGHT-OF-WAY EASEMENT EXECUTED BY ADOBE SPRINGS, ET AL TO LEVEL 3 COMMUNICATIONS, LLC, QWEST COMMUNICATIONS COMPANY, LLC FKA QWEST COMMUNICATIONS CORPORATION, AND SPRINT COMMUNICATIONS COMPANY, LP DATED SEPTEMBER 1, 2015, RECORDED IN VOLUME 1480, PAGE 568, OFFICIAL PUBLIC RECORDS OF HOWARD COUNTY, TEXAS DOES AFFECT THE SUBJECT TRACT AND IS BLANKET IN NATURE FOR EASEMENTS GRANTED TO SPRINT COMMUNICATIONS COMPANY L.P.,
- H. ROADWAY EASEMENT EXECUTED BY TEXAS PACIFIC LAND TRUST TO SAMUEL KING ARDIS. ET AL DATED DECEMBER 11, 1963, RECORDED IN VOLUME 333, PAGE 289, DEED RECORDS OF HOWARD COUNTY, TEXAS DOES AFFECT THE SUBJECT TRACT AS SHOWN.
- ROADWAY EASEMENT EXECUTED BY GEORGE C. FRASER III, ET AL TO COBRA OIL & GAS CORP. DATED SEPTEMBER 16, 1997, RECORDED IN VOLUME 756, PAGE 244, DEED RECORDS OF HOWARD COUNTY, TEXAS DOES AFFECT THE SUBJECT TRACT AS SHOWN.
- RIGHT-OF-WAY EASEMENT EXECUTED BY PYOTE WATER SYSTEMS IV, LLC TO CROWNQUEST OPERATING, LLC DATED JUNE 20, 2014, RECORDED IN VOLUME 1403, PAGE 526, OFFICIAL PUBLIC RECORDS, HOWARD COUNTY, TEXAS DOES AFFECT THE SUBJECT TRACT AS SHOWN.
- K. RESERVATION OF ROYALTIES FOR LEASES, ETC., CONTAINED IN DEED DATED MARCH 3, 2014, AND FILED OF RECORD IN VOLUME 1383, PAGE 714, OFFICIAL PUBLIC RECORDS, HOWARD COUNTY, TEXAS DOES AFFECT THE SUBJECT TRACT AND IS BLANKET IN NATURE.

## PLAT OF SURVEY OF 643.08 TOTAL ACRES 594.85 NET ACRES

SITUATED IN THE T. & P. R.R. CO. SURVEY, A-532, SECTION 7, BLOCK 34, TOWNSHIP 1 SOUTH, OUT OF THE T. & P. R.R. CO. LANDS AND BEING APPROXIMATELY 12.2 MILES SOUTHWEST OF BIG SPRING, IN HOWARD COUNTY, TEXAS.



01/26/2016 CHECKED BY: FIELD CREWRR/KN & BK/TR PROJECT NO: 2016010024 SCALE: 1" = 400' SHEET: REVISION:



# South side of I.H. 20 between Midland & Big Spring Howard County, Texas

## Notices and Disclaimers by Olson Properties, Inc.

AMERICANS WITH DISABILITIES ACT DISCLOSURE: The Americans With Disabilities Act is intended to make many business establishments equally accessible to persons with a variety of disabilities; modifications to real property may be required. State and local laws also may mandate changes. The real estate brokers in this transaction are not qualified to advise you as to what, if any, changes may be required now, or in the future. Owners and tenants should consult the attorneys and qualified design professionals of their choice for information regarding these matters. Real estate brokers cannot determine which attorneys or design professionals have the appropriate expertise in this area.

**HAZARDOUS MATERIALS DISCLOSURE:** Various materials utilized in the construction of any improvements which may be located on the property could contain materials that have been, or may in the future, be determined to be toxic, hazardous, or undesirable. If present, such substances may need to be specially treated, specially handled, and/or removed from the property. As an example, some electrical transformers and other electrical components can contain PCBs, and asbestos has been used in a wide variety of building components such as fire-proofing, air duct insulation, acoustical tiles, spray-on acoustical materials, linoleum, floor tiles and plaster. Due to current or prior uses, the property or the improvements located thereon may contain materials such as metals, minerals, chemicals, hydrocarbons, biological, or radioactive materials and other substances which are considered, or in the future may be determined to be, toxic waste, hazardous materials, or undesirable substances. Such substances may be contained in above or below-ground containers located on the property in areas which may or may not be accessible or noticeable. Current and future federal, state, and local laws and regulations may require the clean-up of such toxic, hazardous, or undesirable materials at the expense of those persons who in the past, present, or future have had any interest in the property including, but not limited to, current, past, and future owners and users of the property. Sellers/Lessors and Buyers/Tenants are advised to consult with independent counsel of their choice to determine their potential liability with respect to toxic, hazardous, or undesirable materials. Sellers/Lessors and Buyers/Tenants should also consult with legal counsel to determine what provisions regarding toxic, hazardous, or undesirable materials they may want to include in their purchase and sale agreements, leases, options, and other legal documentation related to transactions concerning the property. The real estate salespersons and brokers in this transaction have no expertise with respect to toxic waste, hazardous materials, or undesirable substances which may or may not effect the property. The real estate salespersons and brokers in this transaction have not made, nor will make, any representations, either expressed or implied, regarding the existence or nonexistence of toxic waste, hazardous materials, or undesirable substances in or on the property. Because problems involving toxic waste, hazardous materials, or undesirable substances require specialized training and expertise, it is the responsibility of the Seller/Lessors and Buyers/Tenants to retain such qualified experts as they deem necessary to advise them regarding detection or correction of such matters.

IRS CODE SECTIONS 1445: Sale, lease and other transactions can have local, state, and federal tax consequences for the Seller/Lessor and/or Buyer/Tenant. In the event of a sale, Internal Revenue Code Section 1445 requires that all buyers of an interest in any real property located in the United States must withhold an pay over to the Internal Revenue Service (IRS) an amount equal to ten percent (10%) of the gross sales price within ten (10) days of the date of the sale unless the buyer can adequately establish that the seller was not a foreigner, generally by having the seller sign a Non-Foreign Seller Certificate. Note that depending upon the structure of the transaction, the tax withholding liability could exceed the net cash proceeds to be paid to the seller at closing. Consult your tax and legal advisor. Real estate brokers are not qualified to give legal or tax advice of to determine whether any other person is property qualified to provide legal or tax advice.

SELLER/LESSOR	BUYER/TENANT
By:	By:
Title:	Title:
Company:	Company:
Date:	Date:



Office: 210- 828-1622 Ext. #1 | carl@olsonproperties.com



#### **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
  - o 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.

Licensed Broker /Broker Firm Name or Primary Assumed Business Name	License No.	Email	Phone
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/Landlord Initials	Date	