## Einstein Bros. & Crust Pizza-Anchored Shops | Southbrook Station Leander, TX (Austin MSA)





Fisher James Capital	01	Property Highlights
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ACHAIS

About the Area

Demographics

Fisher James Corp. ("Broker") has been retained on an exclusive basis to market the property described herein ("Property"). Broker has been authorized by the Seller of the Property ("Seller") to prepare and distribute the enclosed information ("Material") for the purpose of soliciting offers to purchase from interested parties. More detailed financial, title and tenant lease information may be made available upon request following the mutual execution of a letter of intent or contract to purchase between the Seller and a prospective purchaser. You are invited to review this opportunity and make an offer to purchase based upon your analysis. If your offer results in the Seller choosing to open negotiations with you, you will be asked to provide financial references. The eventual purchaser will be chosen based upon an assessment of price, terms, ability to close the transaction and such other matters as the Seller deems appropriate.

The Material is intended solely for the purpose of soliciting expressions of interest from qualified investors for the acquisition of the Property. The Material is not to be copied and/or used for any other purpose or made available to any other person without the express written consent of Broker or Seller. The Material does not purport to be all-inclusive or to contain all of the information that a prospective buyer may require. The information contained in the Material has been obtained from the Seller and other sources and has not been verified by the Seller or its affiliates, agents, representatives, employees, parents, subsidiaries, members, managers, partners, shareholders, directors, or officers, makes any representation or warranty regarding such proforma. Purchaser must make its own investigation of the Property and any existing or available financing, and must independently confirm the accuracy of the projections contained in the pro forma.

Seller reserves the right, for any reason, to withdraw the Property from the market. Seller has no obligation, express or implied, to accept any offer. Further, Seller has no obligation to sell the Property unless and until the Seller executes and delivers a signed agreement of purchase and sale on terms acceptable to the Seller, in its sole discretion. By submitting an offer, a purchaser will be deemed to have acknowledged the foregoing and agreed to release Seller and Broker from any liability with respect thereto. Property walk-throughs are to be conducted by appointment only. Contact Broker for additional information.

- New Construction Shops Building with a Drive-Thru Anchored by Crust Pizza & Einstein Bros.
   Bagels on End Cap with a Drive Thru
  - → E-Commerce-Resistant Mix of Food & Service Tenants
- Features Established and Growing Brands: Einstein Bros., Smoothie King, Great Clips, Prime IV, and More
- Excellent Exposure Along US-183 within New Southbrook Station Development
  - → Co-Tenants include CAVA, Firehouse Subs, McAlister's Deli, Shipley Do-Nuts, CareNow, Cold Stone, Take 5 Oil Change & More
- Strategic Location in High-Growth Suburb of Austin
  - Robust Commercial Development Activity including Northline, St. David's Hospital and Medical Complex, Leander Springs, Leander Tech Park, Pointe 183 & More

- Adjacent to Brand New Northline Development
  - → 116-Acre Master Planned, Mixed-Used Development to Serve as Leander's New Downtown District
  - → Across from Austin Community College San Gabriel Campus (2,200 Students)
- One Mile from St. David's HealthCare Medical Complex
  - → Expanding to Include \$182M Full-Service Hospital
- Austin-Round Rock MSA is One of the Fastest Growing Metros in the U.S.
  - → Population of 2.5M & MSA GDP of \$248B
- Qualifies for 100% Bonus Depreciation via Cost Segregation
- No State Income Tax in Texas



Exceptional Visibility along Rapidly-Growing US-183 Corridor

22,978 AADT



3.76% Annual Population Growth Rate

within 5 Miles



2,200 Students

Served at Austin Community College San Gabriel Campus



~26 Miles from Downtown Austin

Within Southbrook Station

Cold Stone, Firehouse Subs,

Includes CAVA, CareNow,

Take 5 & More

Northline

Adjacent to Northline

116-Acre Master Planned

Mixed-Use Development

High-Growth Austin MSA Community



Pricing & Overview 02



9	LOCATION	145 S Brook Dr, Leander, TX 78641
$ \leftrightarrow $	LOT SIZE	±1.844 acres or ±80,325 square feet
Р	PARKING	84 parking spaces available on site
~	IMPROVEMENTS	11,940 square foot retail building divided into seven suites
		Einstein Bros. Bagels   1,801 SF with a drive-thru component Smoothie King   1,525 square feet Prime IV   1,680 square feet Waxing the City   1,650 square feet Great Clips   1,203 square feet Crust Pizza   2,401 square feet Limegreen Southeast Asian Grill   1,680 square feet
>	YEAR BUILT	2025
\$	FINANCING	Delivered free and clear of permanent financing

## \$9,611,000

**5.75% CAP RATE** 

View on Map 🗷

Projected Gross Revenue	Year 1	Year 10
Scheduled Base Rental Revenue	\$545,755	\$677,916
Expense Reimbursement Revenue	\$153,210	\$183,895
Effective Gross Revenue	\$698,965	\$861,811
Annual Expenses	Year 1	Year 10
Common Area Maintenance	\$53,730	\$64,212
Insurance	\$11,940	\$14,269
Taxes	\$59,700	\$71,347
Management	\$20,969	\$25,854
Total Operating Expenses	\$146,339	\$175,683
Net Operating Income Return	\$552,626 5.75%	\$686,128 7.14%

#### NOTE:

The net income is an estimate and does not provide for all potential costs and expenses (i.e. maintenance, repair, etc.) that may be required of the owner. Any reserves set forth herein are merely estimates and not based on any experience, physical inspection, or prior knowledge. All prospective purchasers are strongly advised to make an independent investigation to determine their estimate of costs and expenses prior to entering into an agreement to purchase.

For the Years Ending	<b>Year 1</b> Dec-2026	<b>Year 2</b> Dec-2027	<b>Year 3</b> Dec-2028	<b>Year 4</b> Dec-2029	<b>Year 5</b> Dec-2030	<b>Year 6</b> Dec-2031	<b>Year 7</b> Dec-2032	<b>Year 8</b> Dec-2033	<b>Year 9</b> Dec-2034	<b>Year 10</b> Dec-2035
Rental Revenue										
Potential Base Rent	\$545,755	\$552,611	\$559,663	\$566,915	\$593,901	\$610,873	\$624,913	\$636,314	\$644,656	\$677,916
Total Rental Revenue	\$545,755	\$552,611	\$559,663	\$566,915	\$593,901	\$610,873	\$624,913	\$636,314	\$644,656	\$677,916
Other Tenant Revenue										
Total Expense Recoveries	\$153,210	\$156,149	\$159,148	\$162,209	\$165,937	\$169,413	\$172,858	\$176,281	\$179,671	\$183,895
Effective Gross Revenue	\$698,965	\$708,760	\$718,811	\$729,124	\$759,838	\$780,287	\$797,771	\$812,596	\$824,327	\$861,811
Operating Expenses										
CAM	\$53,730	\$54,805	\$55,901	\$57,019	\$58,159	\$59,322	\$60,509	\$61,719	\$62,953	\$64,212
Insurance	\$11,940	\$12,179	\$12,422	\$12,671	\$12,924	\$13,183	\$13,446	\$13,715	\$13,990	\$14,269
Taxes	\$59,700	\$60,894	\$62,112	\$63,354	\$64,621	\$65,914	\$67,232	\$68,577	\$69,948	\$71,347
Management	\$20,969	\$21,263	\$21,564	\$21,874	\$22,795	\$23,409	\$23,933	\$24,378	\$24,730	\$25,854
Total Operating Expenses	\$146,339	\$149,140	\$151,999	\$154,917	\$158,500	\$161,827	\$165,120	\$168,389	\$171,621	\$175,683
Net Operating Income	\$552,626	\$559,620	\$566,812	\$574,206	\$601,339	\$618,459	\$632,651	\$644,207	\$652,707	\$686,128

GENERAL ASSUMPTIO	NS	
Analysis Date 01/01/2026	General Expense Growth per Annum 3.00%	Real Estate Growth per Annum 2.00%
<b>Total Rentable Area</b> 11,940	General Inflation per Annum 3.00%	Management Fee 3% of EGR

Tenant	Sq. Ft.	Monthly Rent	Annual Rent PSF	Current Annual Rent	Rent Commence. Date	Lease Expiration Date	Rental Increase Date(s)	Rental Increase Amount(s)	Options	Lease Structure	End of Term Assumption
Einstein Bros. Bagels	1,801	\$7,204	\$48.00	\$86,448	3/11/2025	3/31/2035	3/1/2026 3/1/2027 3/1/2028 3/1/2029 3/1/2030 3/1/2031 3/1/2032 3/1/2033 3/1/2034	\$88,609 \$90,824 \$93,094 \$95,417 \$97,812 \$100,262 \$102,765 \$105,340 \$107,970	2 @ 5 yrs @ FMV	NNN with tenant responsible for proportionate share of taxes, insurance, and common area maintenance, including roof, structure, and management fee (plus 5% admin fee).	Option
Smoothie King	1,525	\$5,592	\$44.00	\$67,100	3/11/2025	3/31/2035	3/1/2030	\$73,810	4 @ 5 yrs Option 1: \$95,885.24 Option 2: \$105,466.56 Option 3: \$116,020.42 Option 4: \$127,618.86	NNN with tenant responsible for proportionate share of taxes, insurance, and common area maintenance, including roof, structure, and management fee (plus 15% admin fee). After the 1st calendar year, CAM shall not exceed 7% of the CAM actually paid by the Tenant the previous year compounded annually on a cumulative basis (excluding taxes, utilities, insurance, refuse disposal & security serviceand increases in minimum wage)	Option
Prime IV	1,680	\$6,370	\$45.50	\$76,440	5/30/2025	5/31/2032	5/1/2026 5/1/2027 5/1/2028 5/1/2029 5/1/2030 5/1/2031 5/1/2032 5/1/2033 5/1/2034	\$78,742 \$81,110 \$83,546 \$86,050 \$88,637 \$91,291 \$94,030 \$96,852 \$99,758	2 @ 5 yrs @3% annual increases	NNN with tenant responsible for proportionate share of taxes, insurance, and common area maintenance, including roof, structure, and management fee (plus 15% admin fee).	Option
Waxing the City	1,650	\$5,913	\$43.00	\$70,950	5/7/2025	5/6/2032	5/1/2030	\$75,900	2 @ 5 yrs @FMV	NNN with tenant responsible for proportionate share of taxes, insurance, and common area maintenance, including roof, structure, and management fee (plus 15% admin fee). After the 1st calendar year, CAM shall not exceed 7% of the CAM actually paid by the Tenant the previous year compounded annually on a cumulative basis (excluding taxes, utilities, insurance, refuse disposal & security serviceand increases in minimum wage)	Option

Tenant	Sq. Ft.	Monthly Rent	Annual Rent PSF	Current Annual Rent	Rent Commence. Date	Lease Expiration Date	Rental Increase Date(s)	Rental Increase Amount(s)	Options	Lease Structure	End of Term Assumption
Great Clips	1,203	\$4,300	\$42.89	\$51,600	5/7/2025	5/6/2032	5/1/2030	\$55,338	2 @ 5 yrs @FMV	NNN with tenant responsible for proportionate share of taxes, insurance, and common area maintenance, including roof, structure, and management fee (plus 15% admin fee). After the 1st calendar year, CAM shall not exceed 7% of the CAM actually paid by the Tenant the previous year compounded annually on a cumulative basis (excluding taxes, utilities, insurance, refuse disposal & security serviceand increases in minimum wage)	Option
Crust Pizza	2,401	\$9,404	\$47.00	\$112,847	5/18/2025	6/17/2035	6/1/2030	\$124,132	2 @ 5 yrs @ FMV	NNN with tenant responsible for proportionate share of taxes, insurance, and common area maintenance, including roof, structure, and management fee (plus 15% admin fee). After the 1st calendar year, CAM shall not exceed 7% of the CAM actually paid by the Tenant the previous year compounded annually on a cumulative basis (excluding taxes, utilities, insurance, refuse disposal & security serviceand increases in minimum wage)	Option
Limegreen Southeast Asian Grill	1,680	\$6,440	\$46.00	\$77,280	1/1/2026	12/31/2036	1/1/2027 1/1/2028 1/1/2029 1/1/2030 1/1/2031 1/1/2032 1/1/2033 1/1/2034 1/1/2035	\$79,598 \$81,984 \$84,437 \$86,974 \$89,578 \$92,266 \$95,038 \$97,894 \$100,834	2 @ 5 yrs @3% annual increases	NNN with tenant responsible for proportionate share of taxes, insurance, and common area maintenance, including roof, structure, and management fee (plus 10% admin fee). After the 1st calendar year, CAM shall not exceed 5% of the CAM actually paid by the Tenant the previous year compounded annually on a cumulative basis (excluding taxes, utilities, insurance, refuse disposal & security service)	Option
Leased	11,940	100%									
<u>Vacant</u> TOTAL	<u>0</u> <b>11,940</b>	<u>0%</u> 100%									
TOTAL	11,040	10076									

Tenant Information 06

## Einstein Bros. Bagels



### Smoothie King



#### **LESSEE**

Einstein and Noah Corp.

NO. OF LOCATIONS 680+

WEBSITE

einsteinbros.com

Einstein Bros. Bagels is the nation's largest fast-casual bagel brand with nearly 700 locations across 45 states. Its menu includes classic, gourmet, and signature bagels, shmears and spreads, egg sandwiches, deli sandwiches, sweets, and coffee and tea beverages, with added convenience through online and in-app ordering, rewards, and catering. Einstein Bros. is part of Panera Brands, a global fast-casual platform that also includes Panera Bread and Caribou Coffee, operating more than 3,700 restaurants across 11 countries. Backed by the scale of Panera Brands, Einstein Bros. is positioned for continued category leadership and growth.

#### **LESSEE**

Smoothie King Co, Inc.

NO. OF LOCATIONS 1,200+

#### **WEBSITE**

smoothieking.com

Smoothie King was founded by Steve and Cindy Kuhnau in 1973 Kenner, Louisiana. Its first franchised smoothie bar/health food store opened in 1989. It is a privately held company specializing in nutritious, freshly blended smoothies, toasts, and other healthy retail products. It has since expanded to over 1,200 locations across 34 states and internationally. Their menu features smoothies and smoothie bowls made with whole fruits, vegetables, and nutritional enhancers, making it easy for guests to achieve their individual health and fitness goals.

### Crust Pizza Co



## **Great Clips**

Great Clips®
IT'S GONNA BE GREAT®

#### LESSEE

Crust Pizza Go, LLC

**GUARANTORS** 

Carl Comeaux

NO. OF LOCATIONS

41

**WEBSITE** 

crustpizzaco.com

Crust Pizza Co is one of the fastest growing fast casual pizzeria concepts throughout the southern U.S. Crust Pizza Co. was established in 2011 in The Woodlands, Texas, by childhood friends Clint Price and Market Rasberry. It's known for its Chicago-style thin crust pizzas, emphasizing fresh, high-quality ingredients along with an array of salads, pastas, wings, breads, soups, sandwiches, soft drinks, beer, wine, and desserts, as well as catering options. Led by CEO Carl Comeaux, Crust Pizza Co. combined experiential dine-in environments with fast-casual ease. Their restaurants feature booth and patio seating, warm lighting, family-friendly spaces, and counter service.

### LESSEE

Westend Holdings, Inc.

**GUARANTOR** 

Steve Bixler

NO. OF LOCATIONS

4,400+

WEBSITE

greatclips.com

Great Clips, founded in 1982, is the world's largest salon brand and a 100% franchised company with more than 4,400 salons across the U.S. and Canada, serving about 1.7 million customers weekly. The brand is built on convenience, offering value-priced, high-quality haircare for men, women, and children at a time and place that fits their schedules. Great Clips enhances the customer experience with its ReadyNext online check-in system and Clip Notes, which stores haircut preferences for consistency across locations, all accessible through the mobile app. The brand has earned industry-wide recognition, ranking #33 overall and #1 in the Personal Care category on Entrepreneur's 2025 Franchise 500.

Tenant Information 07

## Prime IV Hydration & Wellness



## Waxing the City



#### **LESSEE**

VitaLife IV LLC

#### **GUARANTOR**

Ajay Bajaj and Pooja Chaddha

#### NO. OF LOCATIONS

170+

#### **WEBSITE**

primeivhydration.com

Prime IV Hydration & Wellness provides a wide range of wellness care at their high-end, spa-like locations designed for deep relaxation. Services include IV therapies, immune support, anti-aging and skin health, energy and vitality boosts, weight loss and metabolism support, athletic recovery, pre- and post-surgery care, and much more all led by medically trained professionals. Customers can prioritize self-care with memberships offering exclusive perks and customizable treatments to optimize wellness goals. Prime IV is growing rapidly, with more than 100 locations in the pipeline.

#### **LESSEE**

Brightwolf LLC

#### **GUARANTORS**

Westend Holdings, Inc.

#### NO. OF LOCATIONS

130+

#### **WEBSITE**

waxingthecity.com

Waxing the City is an emerging leader in the self-care and beauty space, offering professional waxing along with brow and lash tinting, brow lamination, lash lifts, and targeted skin treatments. Services are performed by highly trained "Cerologists," specialists in precise, expert techniques. Customer loyalty is driven through Club Orange, a monthly membership program with exclusive perks and rewards. Waxing the City is part of Purpose Brands (formerly Self Esteem Brands), a global franchisor whose portfolio includes Anytime Fitness, Orangetheory Fitness, The Bar Method, and Basecamp Fitness, collectively spanning 7,000+ locations across 40 countries.

## Limegreen Southeast Asian Grill



#### **LESSEE**

LSA Grill Southbrook, LLC

#### **GUARANTORS**

Ngoc Phan and Hang Thi Bich Pham

#### NO. OF LOCATIONS

2

#### **WEBSITE**

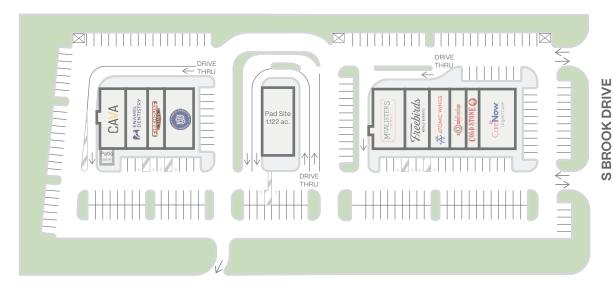
limegreengrill.com

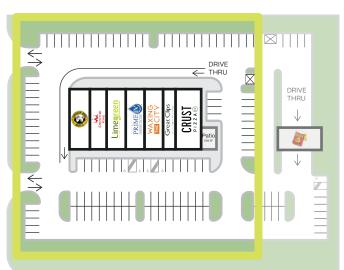
Limegreen Southeast Asian Grill aims to bring bold, fresh Southeast Asian flavors to the Austin area. They offer customizable bowls featuring a variety of proteins and vegetables with noodles and rice, banh mis, wings, spring rolls, refreshing teas, Vietnamese coffee, catering, and more.

Their vibrant flavors have become instantly popular at their current location at the University of Texas at Austin campus and were recognized in Austin's Most Anticipated Restaurant Openings by Eater.



Site Plan





183

N US HIGHWAY 183 (25,032 ADT)

Aerial | North View

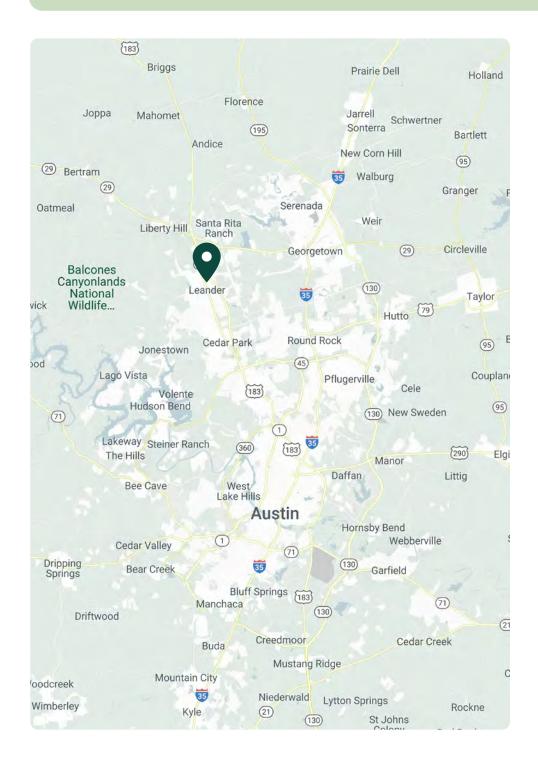


Aerial | Northwest View



Aerial | South View





# Austin-Round Rock MSA Population of 2.5 Million

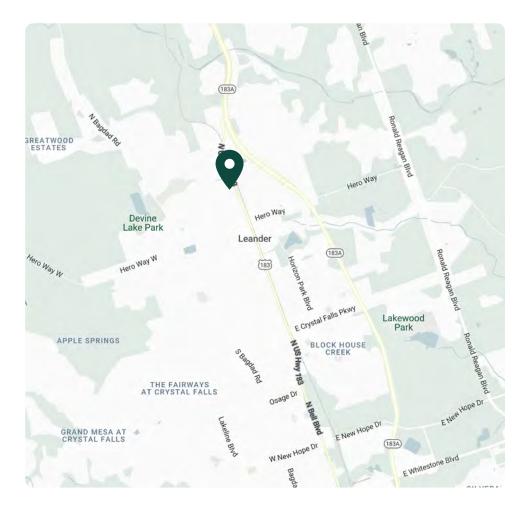
Leander (population 81,371) is located in northwest Austin along the rapidly growing US-183A corridor. Just 20 miles from downtown Austin, Leander has experienced substantial growth driven by its proximity to Austin, the city's northward expansion, affordable housing, a top-tier school district, a strong business climate, and a city-led focus on strategic planning and quality of life. Leander has consistently ranked among the fastest-growing cities in the U.S., named "The Nation's Fastest-Growing Large City" by the U.S. Census Bureau in 2019. Its population more than doubled from 2010 to 2020.

Roughly 11,000 housing units are recently developed, under construction, or planned in the area. Notably, Northline is a 116-acre mixed-use project to act as a new downtown for Leander. Other key projects include The Bryson, a 530-acre master-planned community, includes over 1,500 homes; Leander Springs, a 78-acre mixed-use development at US-183A and TX-2243 with planned office, retail, hotel, 1,600 apartments, a 4-acre lagoon, and 21 acres of parkland; Leander Union, a \$48 million, 14-acre commercial development with 155,000 SF of retail and office space; and Leander Tech Park, a 50-acre, 270,000 SF business park with the first phase completing in 2025.

Leander is easily connected to Austin via US-183, which has undergone major expansion in response to area growth, and by the MetroRail line, whose northern terminus is the Leander Station and Park & Ride along the highway.

The Austin–Round Rock MSA (population 2.5 million) is the 22nd largest metropolitan economy in the U.S., supported by a broad economic base. Numerous Fortune 500 companies maintain headquarters or major operations in the region, including Dell, Whole Foods, Amazon, Hewlett–Packard, Apple, Tesla, Cisco, Google, IBM, Meta, Intel, Oracle, and Samsung. The area is also a leading hub for technology, biotech, and venture capital investment, supported by a highly educated workforce and more than 20 colleges and universities.

About the Area | Site Information



Nearby Shopping Centers & Retailers	Visit Data (per Placer.ai)
H-E-B Plus	2.6M annual visits
Lowe's	982,600 annual visits; top 6% nationwide
Whataburger	500,800 annual visits
QuikTrip	718,700 annual visits
O'Reilly Auto Parts	82,400 annual visits; top 17% nationwide
Firestone Complete Auto Care	61,600 annual visits; top 5% nationwide

The subject property is strategically positioned with excellent visibility along North U.S. Highway 183 (28,050 AADT). It is part of the new Southbrook Station retail and restaurant development, featuring national and regional tenants including CAVA, Firehouse Subs, Crust Pizza, Einstein Bros. Bagels, Smoothie King, Take 5 Oil Change, Great Clips, Prime IV Hydration & Wellness, Paris Baguette, and others.

Nearby retailers include H-E-B Plus (2.6 million annual visits per Placer.ai), Dairy Queen, Whataburger, Panda Express, Chipotle, Holiday Inn Express & Suites, and The Learning Experience. The site is easily accessible to surrounding neighborhoods and developments, including Northside Meadow (246 homes), Escalon townhomes (125 units), Southbrook apartments (360 units), and Metro Drive Office Park.

Significant development is underway in the immediate area. Directly across US-183 is Northline, a new 116-acre master-planned mixed-use district that will serve as Leander's new downtown, with 2,000 apartments, 240 townhomes, 225,000 square feet of retail, 1.9 million square feet of office space, a hotel, and public gathering spaces. Adjacent to Northline is St. David's HealthCare's existing 52-acre medical complex, which is expanding with a \$182 million full-service hospital. Just north is Pointe 183, a 22-acre medical office development totaling 132,000 square feet. Additional nearby development includes the Shops at San Gabriel and a new convenience store at US-183 and San Gabriel Parkway.

The MetroRail Leander Park & Ride station and Austin Community College's San Gabriel Campus, serving 2,200 students, are also located just across US-183, driving significant traffic to the area.

**Demographics** 14

135,075



\$569,588



\$155,357



Average Household Income



Population Summary	1 Mile	3 Miles	5 Miles
2020 Total Population	5,587	42,020	97,530
2024 Total Population	10,183	60,926	135,075
2029 Total Population	12,196	71,756	162,430
2024-2029 Annual Growth Rate	3.67%	3.33%	3.76%
Average Household Income			
2024	\$123,090	\$136,663	\$155,357
2029	\$142,826	\$157,308	\$175,411
Average Home Value			
2024	\$533,013	\$517,155	\$569,588
2029	\$573,938	\$569,072	\$625,566

Major Employers in Travis & Williamson Counties	# of Employees
State of Texas	64,234
The University of Texas/Austin	32,075
HEB Grocery Co.	24,161
Tesla, Inc.	20,000
City of Austin	18,321
Ascension Seton Texas	12,807
Dell, Inc.	13,000
Federal Government	12,238
St. David's Healthcare	12,191
Austin ISD	10,992

#### Approved by the Texas Real Estate Commission for Voluntary Use

Texas law requires all real estate licensees to give the following information about brokerage services to prospective buyers, tenants, sellers and landlords.

### Information About Brokerage Services

efore working with a real estate broker, you should know that the duties of a broker depend on whom the broker represents. If you are a prospective seller or landlord (owner) or a prospective buyer or tenant (buyer), you should know that the broker who lists the property for sale or lease is the owner's agent. A broker who acts as a subagent represents the owner in cooperation with the listing broker. A broker who acts as a buyer's agent represents the buyer. A broker may act as an intermediary between the parties if the parties consent in writing. A broker can assist you in locating a property, preparing a contract or lease, or obtaining financing without representing you. A broker is obligated by law to treat you honestly.

#### IF THE BROKER REPRESENTS THE OWNER:

The broker becomes the owner's agent by entering into an agreement with the owner, usually through a written-listing agreement, or by agreeing to act as a subagent by accepting an offer of subagency from the listing broker. A subagent may work in a different real estate office. A listing broker or subagent can assist the buyer but does not represent the buyer and must place the interests of the owner first. The buyer should not tell the owner's agent anything the buyer would not want the owner to know because an owner's agent must disclose to the owner any material information known to the agent.

#### IF THE BROKER REPRESENTS THE BUYER:

The broker becomes the buyer's agent by entering into an agreement to represent the buyer, usually through a written buyer representation agreement. A buyer's agent can assist the owner but does not represent the owner and must place the interests of the buyer first. The owner should not tell a buyer's agent anything the owner would not want the buyer to know because a buyer's agent must disclose to the buyer any material information known to the agent.

#### IF THE BROKER ACTS AS AN INTERMEDIARY:

A broker may act as an intermediary between the parties if the broker complies with The Texas Real Estate License

Act. The broker must obtain the written consent of each party to the transaction to act as an intermediary. The written consent must state who will pay the broker and, in conspicuous bold or underlined print, set forth the broker's obligations as an intermediary. The broker is required to treat each party honestly and fairly and to comply with The Texas Real Estate License Act. A broker who acts as an intermediary in a transaction:

- (1) shall treat all parties honestly;
- (2) may not disclose that the owner will accept a price less than the asking price unless authorized in writing to do so by the owner:
- (3) may not disclose that the buyer will pay a price greater than the price submitted in a written offer unless authorized in writing to do so by the buyer; and (4) may not disclose any confidential information or any information that a party specifically instructs the broker in writing not to disclose unless authorized in writing to disclose the information or required to do so by The Texas Real Estate License Act or a court order or if the information materially relates to the condition of the property.

With the parties' consent, a broker acting as an intermediary between the parties may appoint a person who is licensed under The Texas Real Estate License Act and associated with the broker to communicate with and carry out instructions of one party and another person who is licensed under that Act and associated with the broker to communicate with and carry out instructions of the other party.

#### If you choose to have a broker represent you,

you should enter into a written agreement with the broker that clearly establishes the broker's obligations and your obligations. The agreement should state how and by whom the broker will be paid. You have the right to choose the type of representation, if any, you wish to receive. Your payment of a fee to a broker does not necessarily establish that the broker represents you. If you have any questions regarding the duties and responsibilities of the broker, you should resolve those questions before proceeding.

Real estate licensee asks that you acknowledge receipt of this information about brokerage services for the licensee's records.

Buyer, Seller, Landlord or Tenant

Date



Texas Real Estate Brokers and Salespersons are licensed and regulated by the Texas Real Estate Commission (TREC). If you have a question or complaint regarding a real estate licensee, you should contact TREC at P.O. Box 12188, Austin, Texas 78711-2188 or 512-465-3960.



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