



# 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:
  - 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.

Timothy Lyons	354922	tim@lyonsamerican.com	972-938-2600
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

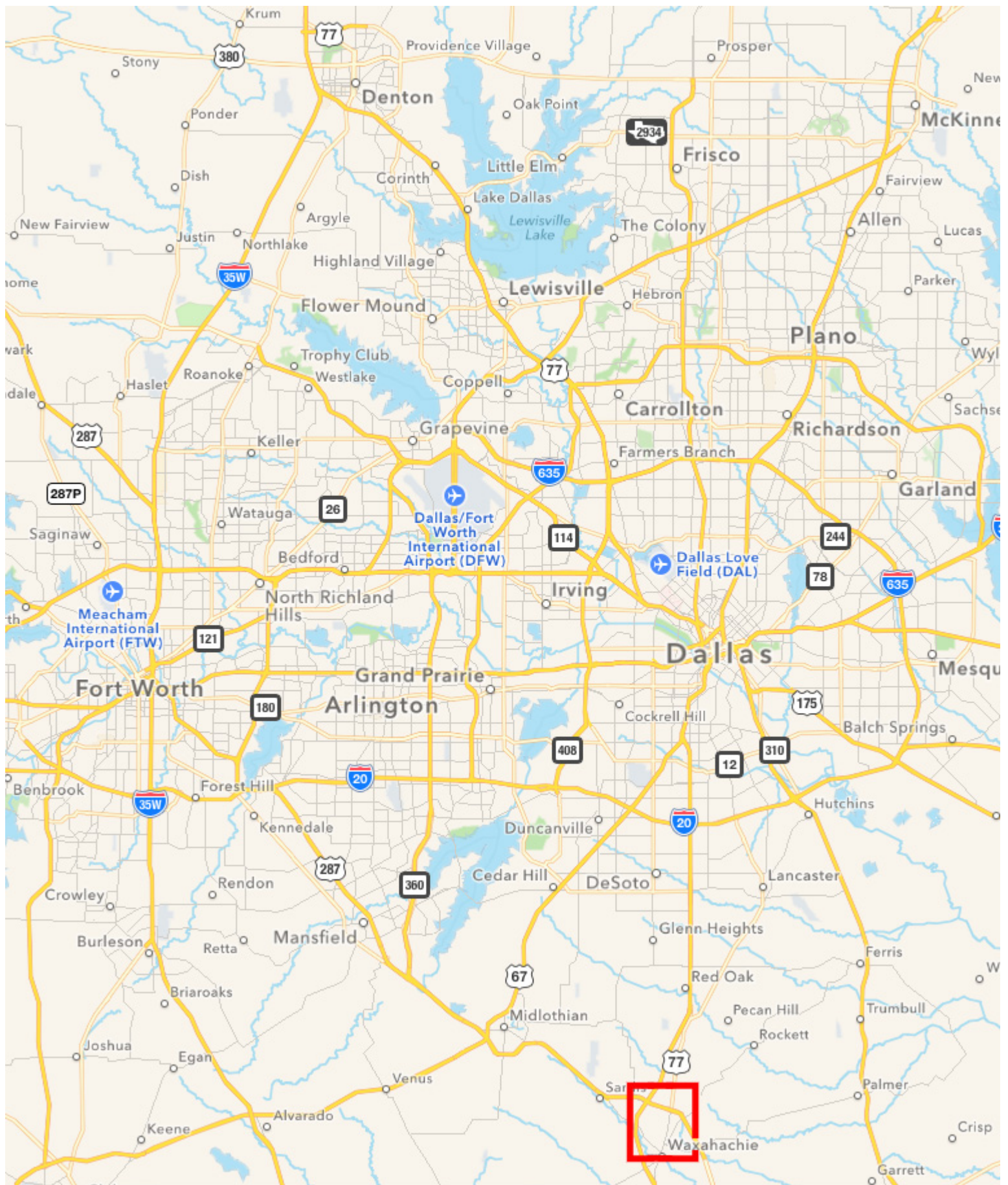
\_\_\_\_\_  
Buyer/Tenant/Seller/Landlord Initials

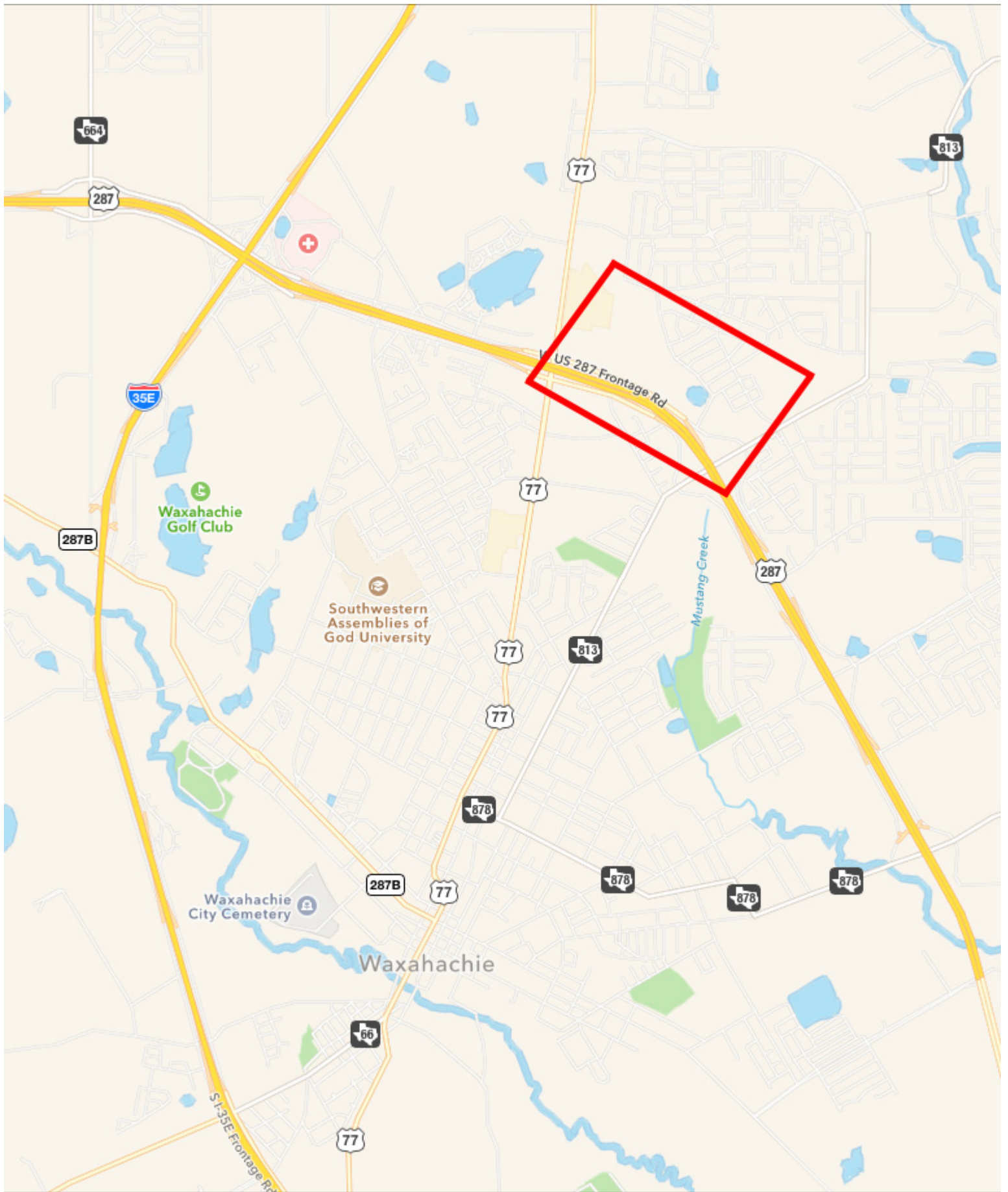
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Date

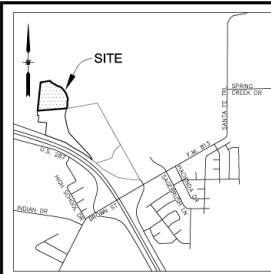
- A. 23.69 Total Acres (8.64 acres service road frontage zoned General Retail – 15.05 behind Target zoned Single Family)
  - a. Asking \$3,500,000.00 for total 23.69 acres
- B. 1.7 Acres zoned General Retail
  - a. Asking \$1,100,000.00 for 1.7 acres
- C. 16 Acres zoned General Retail
  - a. Under Contract – Development Pending
- D. 1.98 Acres zoned General Retail
  - a. Under Contract – Development Pending



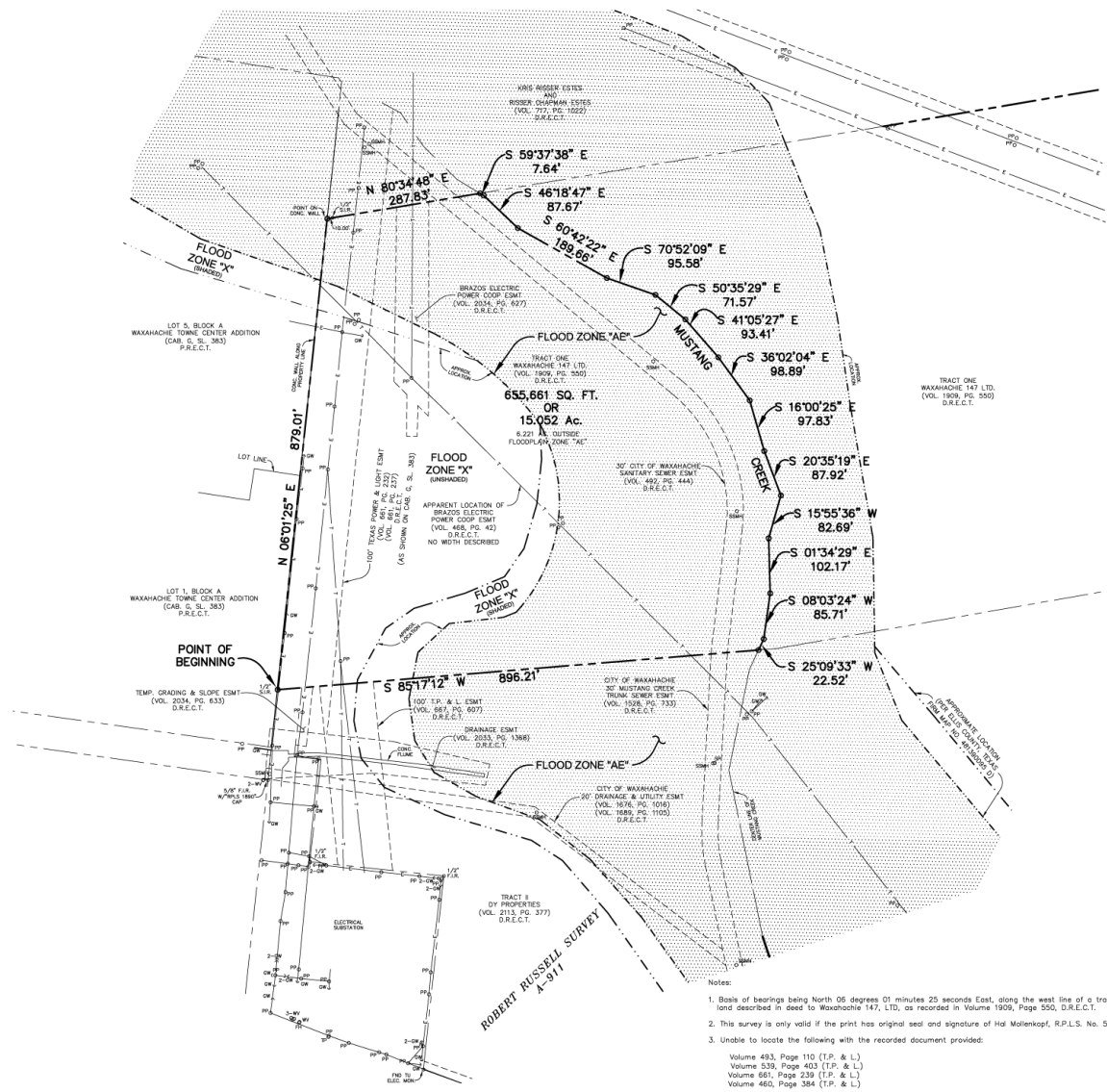
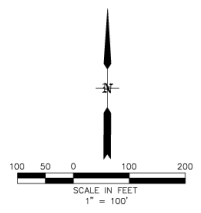
1. Ann's Healthfood Center, Buffalo Wild Wings, Popeye's Chicken, Best Western, Ta Molley's
2. Academy Sports, Five Below, TJ Max, Kirklands, Tuesday Morning, Ulta, McAlister's
3. JC Penny, Ross, Maurice's, Petsmart, AT&T, Rack Room Shoes
4. Home Depot, Best Buy
5. Lowes Home Improvement, Target, Sally's Beauty, GNC, Olive Garden, Panera Bread, Panda Express, Long John Silver, CiCi's Pizza, Belk, Wing Stop, FedEx Office, Boot Town
6. Diamond Shamrock, Wendy's, Pizza Hut, Taco Bueno, Dairy Queen, Logan's Roadhouse
7. Chili's, Chik-Fil-A, Johnny Carrino's Italian, Holiday Inn Express
8. El Fenix, McDonalds, KFC, Shell, Taco Cabana, Tractor Supply, Hobby Lobby, Office Depot
9. Walmart, IHOP, Jack in the Box, Starbucks, Quik Trip
10. HEB, All Eye Care, Cato, Great Clips
11. Chicken Express, Cotton Patch Café, Hibbett Sports, Fuzzy's Tacos, Applebee's, Gold's Gym, Asian King Buffet, Schlotzsky's, Big Lots, Urban Air, Aldi, Tuscan Slice, Hibachio's
12. Waxahachie Sports Complex, Whataburger, Showbiz Cinema's







VICINITY MAP  
N.T.S.



**LEGAL DESCRIPTION**

BEGING a 15.052 acre tract of land situated in the Robert Russell Survey, Abstract No. 911, Ellis County, Texas, said tract being a part of a tract (Tract One) of land described in deed to Waxahachie 147, Ltd., as recorded in Volume 1909, Page 550, Deed Records Ellis County, Texas (D.R.E.C.T.), said tract being more particularly described as follows:

BEGINNING at a 1/2-inch set iron rod for the most westerly southwest corner of said Waxahachie 147 tract, said corner being on the east line of Waxahachie Towne Center Addition, an addition to the City of Waxahachie, Texas, as recorded in Cabinet G, Slide 383, Plat Records Ellis County, Texas (P.R.E.C.T.), said corner being on the north line of a tract (Tract II) of land described in deed to Dy Properties, as recorded in Volume 2113, Page 377, D.R.E.C.T.;

THENCE D6 degrees 01 minutes 25 seconds East, along the east line of said Waxahachie Towne Center, a distance of 879.01 feet to a point on a concrete wall the most westerly northwest corner of said Waxahachie 147 tract, from which a 1/2-inch set iron rod for reference bears North 80 degrees 34 minutes 48 seconds East, a distance of 10.00 feet;

THENCE North 80 degrees 34 minutes 48 seconds East, along the north line of said Waxahachie 147 tract, a distance of 87.83 feet to a point for corner along Mustang Creek;

THENCE in a southerly direction along said Mustang Creek the following calls:

South 59 degrees 37 minutes 38 seconds East, a distance of 7.64 feet;  
 South 46 degrees 18 minutes 47 seconds East, a distance of 87.67 feet;  
 South 50 degrees 42 minutes 22 seconds East, a distance of 189.66 feet;  
 South 70 degrees 52 minutes 09 seconds East, a distance of 95.58 feet;  
 South 41 degrees 05 minutes 27 seconds East, a distance of 93.41 feet;  
 South 36 degrees 02 minutes 04 seconds East, a distance of 98.89 feet;  
 South 16 degrees 00 minutes 25 seconds East, a distance of 97.83 feet;  
 South 20 degrees 35 minutes 19 seconds East, a distance of 87.92 feet;  
 South 15 degrees 55 minutes 36 seconds East, a distance of 82.69 feet;  
 South 01 degrees 34 minutes 29 seconds East, a distance of 102.17 feet;  
 South 08 degrees 03 minutes 24 seconds West, a distance of 85.71 feet;  
 South 25 degrees 09 minutes 33 seconds West, a distance of 22.52 feet to a point for corner on the south line of said Waxahachie 147 tract, said corner being on the northeast corner of said Dy Properties tract;

THENCE South 85 degrees 17 minutes 12 seconds West, along the north line of said Dy Properties tract, a distance of 896.21 feet to the POINT OF BEGINNING CONTAINING 655,661 square feet or 15.052 acres of land more or less.

**SURVEYOR'S CERTIFICATE**

The undersigned Registered Professional Land Surveyor (the "Surveyor") hereby certifies to LYONS AMERICAN SECURITIES, INC.; WAXAHACHIE 147, LTD.; RELINQUISH TITLE; and FIDELITY NATIONAL TITLE INSURANCE COMPANY that: (a) this plat of survey and the property description set forth hereon were prepared from an actual on-the-ground survey of the real property (the "Property") described in the field notes on this plat of survey; (b) such survey was conducted by the Surveyor, or under his direction; (c) all monuments shown hereon actually existed on the date of survey, and the location, size and type of material thereof are correctly shown; (d) except as shown hereon there are no observable encroachments on to the Property or observable protrusions therefrom, there are no observable improvements on the Property, there are no observable easements or rights-of-way either burdening or benefitting the Property, and there are no observable discrepancies, conflicts, shortages in area or boundary line conflicts; (e) recorded easements listed in Title Commitment G# No. 06-8859-R have been labeled and platted hereon, unless otherwise noted; (f) the boundaries, dimensions and other details shown hereon are shown to the appropriate accuracy standards of the Manual of Practice for Land Surveying in Texas (1999) for a Category 1A, Condition II, Urban Survey; (g) by graphical plotting, the parcel described hereon lies within Zone "AE", Zone "X" (shaded), and Zone "X" (unshaded) as delineated on the Ellis County, Texas Incorporated Areas, Flood Insurance Rate Map, Map Number 4819C0209 D, dated January 20, 1998, as published by the Federal Emergency Management Agency. Zone "AE" is defined as "Base flood elevations determined." Zone "X" (shaded) is defined as "Areas of 500-year flood, area of 100-year flood with average depth of less than 1 foot or with drainage areas less than 1 square mile, and areas protected by levees from 100-year flood." Zone "X" (unshaded) is defined as "Areas determined to be outside 500-year floodplain." The Surveyor utilized the above referenced floodplain information for this determination and the Surveyor does not certify that revised floodplain information has or has not been published by the Federal Emergency Management Agency or some other source.

Hal Molenkopf  
Registered Professional Land Surveyor  
State of Texas, No. 5439

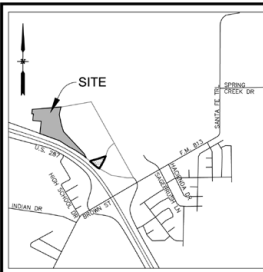
**BOUNDARY SURVEY  
OF  
15.052 ACRES  
SITUATED IN THE  
ROBERT RUSSELL SURVEY, ABST. NO. 911  
CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS  
FOR  
WAXAHACHIE 147, LTD**

MOLLENKOPF LAND SURVEYING  
105 S. HERZEL ST.  
WAXAHACHIE, TX 76798

(817) 544-8384 (817) 544-8385 FAX

LEGEND	
1/2" S.I.R.	1/2" SET IRON ROD
F.I.R.	FOUND IRON ROD
PP	POWER POLE
CW	GUY WIRE
WV	WATER VALVE
SSMH	SANITARY SEWER MANHOLE
TP	TELEPHONE PEDESTAL
PH	FIRE HYDRANT
P.R.E.C.T.	PLAT RECORDS ELLIS COUNTY TEXAS
D.R.E.C.T.	DEED RECORDS ELLIS COUNTY TEXAS
—E—	OVERHEAD ELECTRIC LINE
—T—	ELECTRIC TRANSMISSION LINE

- Notes:
1. Basis of bearings being North 06 degrees 01 minutes 25 seconds East, along the west line of a tract (Tract One) of land described in deed to Waxahachie 147, LTD, as recorded in Volume 1909, Page 550, D.R.E.C.T.
  2. This survey is only valid if the print has original seal and signature of Hal Molenkopf, R.P.L.S. No. 5439.
  3. Unable to locate the following with the recorded document provided:  
 Volume 493, Page 110 (T.P. & L.)  
 Volume 539, Page 403 (T.P. & L.)  
 Volume 661, Page 239 (T.P. & L.)  
 Volume 460, Page 384 (T.P. & L.)
  4. The subject property is not affected by the following:  
 Volume 741, Page 643 (Ellis County Water Control)  
 Volume 2112, Page 1860 (R.O.W.)  
 Volume 2178, Page 1213 (TXU Electric)
  5. No legal description (Exhibit "A") provided on Easement Agreement recorded in Volume 2112, Page 1884, D.R.E.C.T.



VICINITY MAP  
N.T.S.



SCALE IN FEET  
1" = 100'

LEGEND

1/2" F.I.R.	1/2" FOUND IRON ROD WITH CAP
STAMPED "TEXAS POWER & LIGHT"	
F.I.R.	FOUND IRON ROD
F.P.	FOUND POWER POLE
PP	POWER POLE
GW	GUT WIRE
WW	WATER WIRE
WV	WATER VALVE
PH	FIRE HYDRANT
WV	WATER VALVE
TR	TRAFFIC BOX
ESM	SANITARY SEWER MANHOLE
TP	TELEPHONE FEDESTAL
P.A.E.C.T.	PLAT RECORDS ELLIS COUNTY TAXAS
D.R.E.C.T.	DEED RECORDS ELLIS COUNTY TAXAS
---	EDGE OF ASPHALT
- - -	FENCE
- - -	OPENING ELECTRIC LINE
- - -	ELECTRICAL TRANSMISSION LINE

CURVE	DELTA	RADIUS	TANGENT	LENGTH	CHORD BEARING	CHORD
CI	107°50'	1229.00'	168.58'	216.59'	S 24°38'18" W	216.31'

SURVEYOR'S CERTIFICATE

The undersigned Registered Professional Land Surveyor (the "Surveyor") hereby certifies to LYONS AMERICAN SECURITIES, DY PROPERTIES, REIMUN TITLE, and FIDELITY NATIONAL TITLE INSURANCE COMPANY that (a) this plat of survey and the property description set forth hereon were prepared from an actual on-the-ground survey of the real property (the "Property") described in the field notes on this plat of survey, (b) such survey was conducted by the Surveyor, or under his direction, (c) all monuments shown herein actually exist, (d) the date, time, and location, size and type of monuments thereon are correctly shown, (e) except as shown hereon there are no observable encroachments on to the Property or observable protrusions therefrom, there are no observable improvements on the Property, there are no observable easements or rights-of-way either burdening or benefiting the Property, and there are no observable discrepancies, conflicts, shortages in area or boundary line conflicts, (f) the Property has open access to and from a public roadway, (g) recorded easements listed in this Commitment of No. 03-8733-1 have been located and plotted hereon, unless otherwise noted, (h) the boundaries, dimensions and other details shown hereon are shown to the appropriate accuracy standards of the Manual of Practice for Land Surveying in Texas (1999) for a Category 1A, Condition A, Urban Survey, (i) by graphical plotting, the parcel described hereon lies within Zone "X" (Extended), and Zone "X" (unshaded) as delineated on the Ellis County, Texas Incorporated Areas, Flood Insurance Rate Map, Map Number 48129C0095 D, dated January 20, 1999, as published by the Federal Emergency Management Agency, Zone "X" (unshaded) is defined as "Areas of 500-year flood with average depths of less than 1 foot or with drainage areas less than 1 square mile, and areas protected by levees from 100-year flood," Zone "X" (unshaded) is defined as "Areas determined to be suitable 500-year floodplain," The Surveyor utilized the above referenced floodplain information for this determination and the Surveyor does not certify that relevant floodplain information has or has not been published by the Federal Emergency Management Agency or some other source.

Hai Motenkopf  
Registered Professional Land Surveyor  
State of Texas, No. 5439

LEGAL DESCRIPTION

BEING a 1.70 acre tract of land situated in the Robert Russell Survey, Abstract No. 911, Ellis County, Texas, said tract being a part of Tract 1 as described in deed to DY Properties, as recorded in Volume 2113, Page 377, Deed Records Ellis County, Texas (D.R.E.C.T.), said tract being more particularly described as follows:

BEGINNING at a 1/2-inch set iron rod with cap stamped "RPLS 5439" (hereinafter referred to as "with cap") for corner at the intersection of on the easterly right-of-way line of U.S. Highway 287 (corridor 4420') and the northwest right-of-way line of Palomino Drive (50 feet wide), as recorded in Volume 2112, Page 1090, D.R.E.C.T.;

THENCE North 85 degrees 39 minutes 55 seconds West, along said easterly right-of-way line, a distance of 81.77 feet to a 5/8-inch found iron rod for corner;

THENCE North 48 degrees 55 minutes 00 seconds West, along said easterly right-of-way line, a distance of 260.00 feet to a 1/2-inch set iron rod with cap for corner;

THENCE North 51 degrees 11 minutes 35 seconds East, departing said easterly right-of-way line and along said DY Properties tract, a distance of 31.44 feet to a 1/2-inch set iron rod with cap for corner;

THENCE North 73 degrees 43 minutes 38 seconds East, along said DY Properties tract, a distance of 210.67 feet to a 1/2-inch found iron rod with cap for corner;

THENCE North 71 degrees 17 minutes 26 seconds East, along said DY Properties tract, a distance of 237.47 feet to a 1/2-inch found iron rod with cap for corner on the aforementioned northwest right-of-way line of Palomino Drive, said corner being on a circular curve to the right, having a radius of 1225.00 feet and whose chord bears South 24 degrees 38 minutes 10 seconds West, a distance of 216.31 feet;

THENCE South 29 degrees 42 minutes 10 seconds West, along said northwest right-of-way line, a distance of 192.78 feet to the POINT OF BEGINNING AND CONTAINING 73,955 square feet or 1.70 acres of land more or less.

LEGAL DESCRIPTION

BEING on 8.64 acre tract of land situated in the Robert Russell Survey, Abstract No. 911, Ellis County, Texas, said tract being a part of Tract 1 as described in deed to DY Properties, as recorded in Volume 2113, Page 377, Deed Records Ellis County, Texas (D.R.E.C.T.), said tract being more particularly described as follows:

BEGINNING at a 1/2-inch set iron rod with cap stamped "RPLS 5439" (hereinafter referred to as "with cap") for the northwest corner of said tract & said corner being on the south line of a tract of land described in deed to Washachie 147, 170, as recorded in Volume 1909, Page 500, D.R.E.C.T., said corner being South 89 degrees 17 minutes 12 seconds West, a distance of 45.43 feet from the southwest corner of said Washachie 147 tract;

THENCE North 85 degrees 17 minutes 12 seconds East, along said south line and the north line of said Tract 1, a distance of 258.73 feet to a 1/2-inch set iron rod with cap for corner;

THENCE South 11 degrees 02 minutes 43 seconds West, a distance of 38.28 feet to a 1/2-inch set iron rod with cap for corner;

THENCE South 08 degrees 07 minutes 16 seconds East, a distance of 78.49 feet to a 1/2-inch set iron rod with cap for corner;

THENCE South 31 degrees 08 minutes 39 seconds East, a distance of 68.82 feet to a 1/2-inch set iron rod with cap for corner;

THENCE South 60 degrees 11 minutes 40 seconds East, a distance of 89.55 feet to a 1/2-inch set iron rod with cap for corner;

THENCE South 70 degrees 05 minutes 24 seconds East, a distance of 126.26 feet to a 1/2-inch set iron rod with cap for corner;

THENCE South 51 degrees 40 minutes 11 seconds East, a distance of 118.77 feet to a 1/2-inch set iron rod with cap for corner;

THENCE South 41 degrees 38 minutes 46 seconds East, a distance of 144.64 feet to a 1/2-inch set iron rod with cap for corner;

THENCE South 35 degrees 40 minutes 35 seconds East, a distance of 163.90 feet to a 1/2-inch set iron rod with cap for corner;

THENCE South 31 degrees 38 minutes 22 seconds East, a distance of 220.82 feet to a 1/2-inch set iron rod with cap for corner;

THENCE South 32 degrees 58 minutes 59 seconds East, a distance of 188.79 feet to a 1/2-inch set iron rod with cap for corner;

THENCE South 43 degrees 44 minutes 12 seconds East, a distance of 191.45 feet to a 1/2-inch set iron rod with cap for corner;

THENCE South 52 degrees 59 minutes 25 seconds East, a distance of 158.69 feet to a 1/2-inch set iron rod with cap for corner;

THENCE South 07 degrees 17 minutes 00 seconds East, a distance of 163.90 feet to a 1/2-inch set iron rod with cap for corner;

THENCE South 38 degrees 25 minutes 40 seconds East, a distance of 45.78 feet to a 1/2-inch set iron rod with cap for corner on the easterly right-of-way line of U.S. Highway 287 (variable width);

THENCE Northwest, along said easterly right-of-way line the following calls:

North 56 degrees 29 minutes 02 seconds West, a distance of 199.16 feet to a 1/2-inch found iron rod with cap for corner;

North 62 degrees 07 minutes 42 seconds West, a distance of 215.00 feet to a 1/2-inch found iron rod with cap for corner;

North 56 degrees 35 minutes 36 seconds West, a distance of 320.83 feet to a 5/8-inch found iron rod for corner;

North 70 degrees 00 minutes 48 seconds West, a distance of 617.55 feet to a found TU Electric monument for corner on the east line of a tract of land described in deed to Texas Power & Light Company, as recorded in Volume 697, Page 604, D.R.E.C.T.;

THENCE North 08 degrees 00 minutes 55 seconds East, departing said east right-of-way line and along said east line, a distance of 381.17 feet to a 1/2-inch found iron rod for the northeast corner of said Texas Power & Light tract;

THENCE North 83 degrees 56 minutes 32 seconds West, along the north line of said Texas Power & Light tract, a distance of 250.09 feet to a 1/2-inch found iron rod for corner in the west line of said Tract 1;

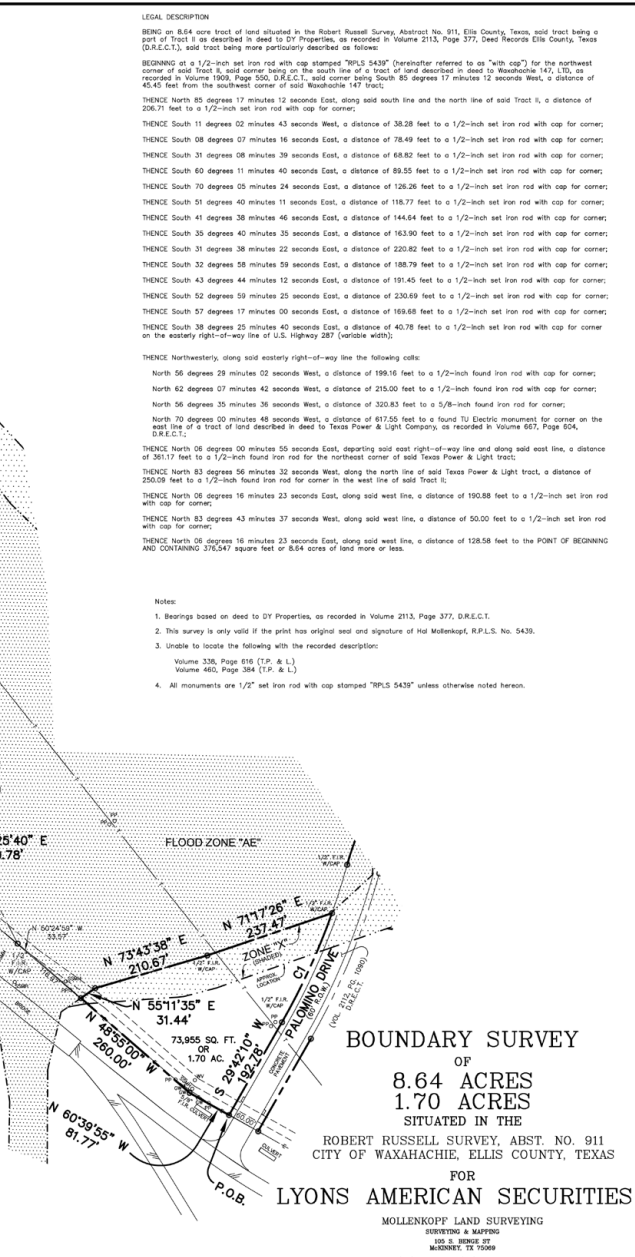
THENCE North 08 degrees 16 minutes 23 seconds East, along said west line, a distance of 190.88 feet to a 1/2-inch set iron rod with cap for corner;

THENCE North 83 degrees 43 minutes 37 seconds West, along said west line, a distance of 50.00 feet to a 1/2-inch set iron rod with cap for corner;

THENCE North 08 degrees 16 minutes 23 seconds East, along said west line, a distance of 128.58 feet to the POINT OF BEGINNING AND CONTAINING 376,547 square feet or 8.64 acres of land more or less.

Notes:

- Bearings based on deed to DY Properties, as recorded in Volume 2113, Page 377, D.R.E.C.T.
- This survey is only valid if the print has original seal and signature of Hai Motenkopf, R.P.L.S. No. 5439.
- Unable to locate the following with the recorded description:  
Volume 338, Page 616 (T.P. & L.)  
Volume 460, Page 384 (T.P. & L.)
- All monuments are 1/2" set iron rod with cap stamped "RPLS 5439" unless otherwise noted hereon.



BOUNDARY SURVEY  
OF  
8.64 ACRES  
1.70 ACRES  
SITUATED IN THE  
ROBERT RUSSELL SURVEY, ABST. NO. 911  
CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS  
FOR  
LYONS AMERICAN SECURITIES  
MOLLENKOPF LAND SURVEYING  
SURVEYING & MAPPING  
205 S. RIDGE ST.  
MCKINNEY, TX 75069  
(972) 544-3334 (972) 544-3333 FAX



**THE VILLAGE**  
Waxahatchie, Texas

**ARRIVE**  
ARCHITECTURE GROUP  
2344 Highway 071, Suite 100, Waxahatchie, Texas 75167  
PH: 817.333.0000 | WWW.ARRIVEARCH.COM

DATE	
REVISION	

NO. REVIEW	DATE	BY
1		AS NOTED

**MASTER PLAN**  
16.91 ACRES

