



# INDIGO CORNERS

5324 New Hope Commons Drive  
Durham, NC 27707

Marcus & Millichap

## CONTACT US

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**Exclusively Listed by Marcus &  
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**ATTENTION:** Please review the confidentiality agreement and disclaimer on page 25.

**ATTENTION:** All Buyers and Sellers of real estate in N.C. are required to be given a brochure furnished by the North Carolina Real Estate Commission "Working with Real Estate Agents". You can find a copy of this brochure on page 26.

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# INDIGO CORNERS

5324 New Hope Commons Drive, Durham, NC 27707

## **Exclusive Listing For Sale**

Investment opportunity to acquire a multi-tenant property with NNN leases

### Investment Details

Price:	\$4,786,000
Cap Rate:	6.00%
NOI:	\$287,098
Price/SF:	\$402

### Municipal Data

Market:	Durham/Chapel Hill
County:	Durham
Shopping Center:	Indigo Corners
Zoning:	CG (D)
Parcel #:	205534

### Site Information

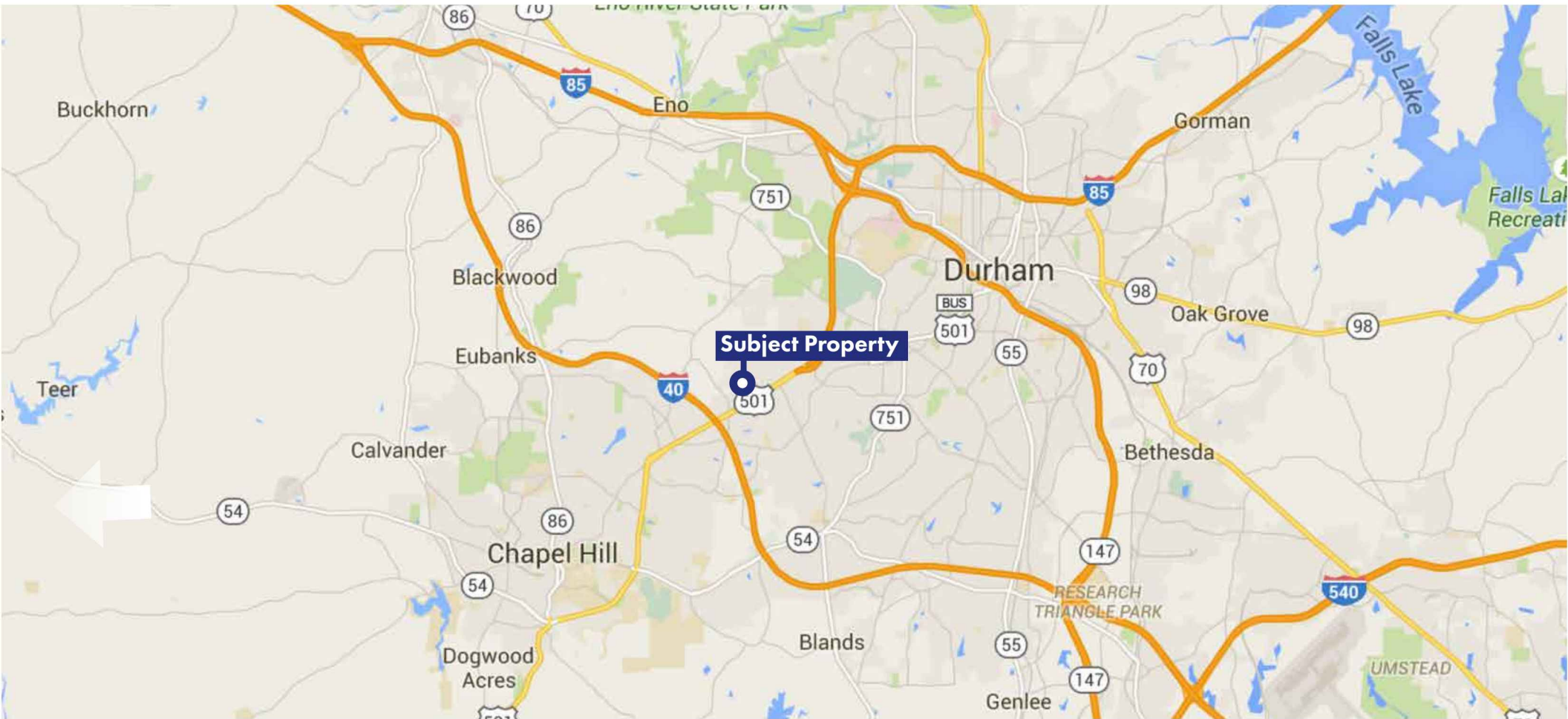
GLA (SF):	11,900
Acre(s):	1.55
Land (SF):	67,518
Year Built:	2008
Number of Buildings:	1
Access Points:	2

### Notable Highlights

- 100% Occupied Strip Center | NNN Leases
- Over 1 Million SF of Retail in the Area
- Less than 1 Mile from I-40 (61,245 VPD)
- Avg. HH Income: \$103,319 within a 3-Mile Radius

# MAP & SITE DEMOGRAPHICS

Complete Demographic Report: [Click Here](#)



POPULATION DATA	1 Mile	3 Mile	5 Mile
2010 Population:	4,743	41,935	132,153
2015 Population:	5,282	44,928	141,175
2020 Population:	5,943	49,126	153,242
2015 - 2020 Annual Rate:	2.39%	1.80%	1.65%
Median Age:	31.70	36.20	31.40

INCOME DATA	1 Mile	3 Mile	5 Mile
2015 Avg. HH Income:	\$80,795	\$103,319	\$86,765
2020 Avg. HH Income:	\$91,224	\$115,788	\$96,569
2015 - 2020 Annual Rate:	2.46%	2.30%	2.16%
2015 # HHs:	2,570	19,534	57,665
2015 Avg. HH Size:	2.05	2.28	2.23

This information has been secured from sources we believe to be reliable, but we make no representations or warranties, expressed or implied, as to the accuracy of the information. References to square footage or age are approximate. Buyer must verify the information and bears all risk for any inaccuracies.

# AERIAL MAP



This information has been secured from sources we believe to be reliable, but we make no representations or warranties, expressed or implied, as to the accuracy of the information. References to square footage or age are approximate. Buyer must verify the information and bears all risk for any inaccuracies.

# AERIAL MAP



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# AERIAL MAP



## Legend

- |                            |                            |                           |                          |                                 |
|----------------------------|----------------------------|---------------------------|--------------------------|---------------------------------|
| <b>1</b> PetSmart          | <b>4</b> Home Depot        | <b>7</b> Duke Medicine    | <b>10</b> Starbucks      | <b>13</b> Dick's Sporting Goods |
| <b>2</b> Bed Bath & Beyond | <b>5</b> Kroger            | <b>8</b> Homewood Suites  | <b>11</b> Barnes & Noble | <b>14</b> Walmart Supercenter   |
| <b>3</b> Kohl's            | <b>6</b> SpringHill Suites | <b>9</b> Verizon Wireless | <b>12</b> Old Navy       | <b>15</b> Best Buy              |

# AERIAL MAP OF INDIGO CORNERS



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# SITE PHOTOS

Mattress Firm &  
New Top China



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# SITE PHOTOS



Karate International,  
Frozy Frozen Yogurt  
& Sprint

# INVESTMENT OVERVIEW

## HIGHLIGHTS

- 11,900 SF Retail Strip Center | 100% Occupied | NNN Leases
- Near Big Box Anchors: Wal-Mart, Dick's Sporting Goods, & Home Depot
- Excellent Retail Destination (Over 1 Million SF)
- Close Proximity to Interstate 40; Large US Highway with 61,245 VPD
- Strong Demographics (3-Mile Radius): \$103,319 Avg. HH Income
- Less than 6 Miles from Two Prestigious Universities; UNC and Duke



## OVERVIEW

Marcus & Millichap is pleased to present to a qualified investor the opportunity to acquire Indigo Corners, an 11,900-square-foot multi-tenant strip center located at the intersection of Durham-Chapel Hill Boulevard and Mt. Moriah Road. Anchored by Mattress Firm and occupied by a mix of local and national tenants, the property is an excellent opportunity for investors to acquire commercial real estate inside the research triangle, one of the most desirable locations in North Carolina.

Indigo Corners shopping center was built in 2008 and contains numerous national tenants including Starbucks, FedEx Office, and Carrabba's Italian Grill. Located less than one mile from Interstate 40 (61,245 VPD), Indigo Corners is part of an excellent retail destination. Immediately to the south is Patterson Place, a 413,000-square-foot power center anchored by Kohl's, Home Depot, Bed Bath & Beyond, Kroger, and Total Wine, along with the new Gateway Terrace Shopping Center. Both loca-

tions draw thousands of customers to the area and expand this retail destination of more than one million square feet. To the West, New Hope Commons, anchored by Wal-Mart, Barnes & Nobles, and Dick's Sporting Goods, does the same. The area has excellent demographics. This property is positioned in a thriving area with an average household income within a three-mile radius of \$103,319 that is expected to increase to \$115,788 by 2020.

Indigo Corners offers investors an exceptional opportunity to acquire a 100% occupied, multi-tenant strip center located on the main retail corridor between Durham and Chapel Hill. Surrounded with retailers such as Wal-Mart, Dick's Sporting Goods, Home Depot, Target, and Kroger, Indigo Corners resides in an exceptional retail destination. We are proud to offer this property at a price of \$4,786,000, a 6.00% cap rate.

# RENT ROLL

## RENT ROLL

Tenant	GLA	% of GLA	Rent/SF	Annual Rent	Option Rent	Lease Start	Lease End	Renewal Options	Lease Type
Mattress Firm	4,000	33.62%	\$31.75	\$127,000	\$149,600	4/15/10	4/30/20	1,5 Years	NNN
Top China Restaurant	1,400	11.76%	\$20.00	\$28,000	\$35,000	6/1/14	5/31/16	1,5 Years	NNN
Frozy Frozen Yogurt	1,561	13.12%	\$26.00	\$40,586	-	1/1/13	12/31/18	None	NNN
Karate International	3,751	31.52%	\$20.00	\$75,020	-	8/8/09	5/31/16	None	NNN
Sprint	1,188	9.98%	\$22.02	\$26,158	\$28,239	3/16/15	3/31/20	1,5 Years	NNN
<b>Total:</b>	11,900	100.00%		\$296,764					

## NOTES

- Top China & Frozy Split Greasetrap 50/50
- Tenants do not Reimburse Management Fee
- Tenants Pay Admin Fee; Mattress Firm (10%), Top China (10%), Frozy (10%), Karate International (15%), Sprint (15%)
- Admin Fee is Applied to CAM & Insurance
- Mattress Firm Admin Fee is not Applied to Insurance & Utilities

# FINANCIAL ANALYSIS

## PRICING

	Current
<b>Price:</b>	\$4,786,000
<b>Cap Rate:</b>	6.00%
<b>Price/SF:</b>	\$402

## INCOME & EXPENSES

	Current
<b>Base Rent:</b>	
<b>Occupied Space:</b>	\$296,764
<b>Gross Potential Rent:</b>	\$296,764
<b>Expense Reimbursements:</b>	\$61,704
<b>Gross Potential Income:</b>	\$358,468
<b>Vacancy Allowance:</b>	-
<b>Effective Gross Income:</b>	\$358,468
<b>Expenses:</b>	(\$71,370)
<b>NOI:</b>	\$287,098

## EXPENSES

	Current	\$/SF
<b>Taxes:</b>	\$30,205	\$2.54
<b>Insurance:</b>	\$3,096	\$0.26
<b>CAM:</b>		
<b>General Expenses:</b>	\$998	-
<b>Roof:</b>	\$945	-
<b>Landscaping:</b>	\$9,650	-
<b>Electricity:</b>	\$5,507	-
<b>Water &amp; Sewer:</b>	\$4,093	-
<b>Trash Removal:</b>	\$2,870	-
<b>Snow Removal:</b>	\$500	-
<b>Back Flow Inspect.:</b>	\$75	-
<b>Plumbing:</b>	\$885	-
<b>Total CAM:</b>	\$25,523	\$2.14
<b>MGMT Fee:</b>	\$12,546	\$1.05
<b>TOTAL EXPENSES:</b>	\$71,370	\$6.00

## Notes

- Expenses are based on 2014 Actuals
- Management Fee is 3.5% of Effective Gross Income

## Loan Information

- Please contact the listing broker for information and details on financing opportunities for the asset

# MATTRESS FIRM PROFILE

## Approximately 2,200 Store Locations in 2015

*Across 40 States With Plans To Expand*

## 50% Reported Growth in Revenue

*From 2013-2014*

## Approximately 3,861 Employees in 2014

*As of 2014, Majority Full Time Associates*

### ABOUT

Established in 1986, Mattress Firm provides brand name bedding with a variety of options at both franchised and corporately owned stores. Currently, Mattress Firm operates approximately 2,200 stores across 40 states. Headquartered in Houston, Texas Mattress Firm is a subsidiary of Mattress Firm Holding Corporation, which also owns retailers Sleep Train and Sleep Country USA. In 2013, Mattress Firm's reported total assets numbered \$784.6 million, and their reported revenue was reported as 1.2 billion.

More than just a mattress retailer, Mattress Firm also sells furniture and bedding accessories. Offering a variety of mattress brands including Sealy, Serta, Tempur-Pedic and more, Mattress Firm also provides several unique services to its customers. This includes their red carpet delivery service, promising delivery within a three-hour time slot, as well as their Firm Network, an in-store television network that features programming dedicated to educating their customers about proper sleep and mattresses.

# MATTRESS FIRM



**"With over 2,200 stores across 40 states, Mattress Firm has the largest geographic footprint in the U.S. among multi-brand mattress specialty retailers..."**

*Forbes Magazine*

# TENANT PROFILES

<b>Tenant Name</b>	<b>SF</b>	<b>Business Type</b>	<b>Website</b>
Mattress Firm	4,000 Sq. Ft.	Retail	<a href="http://www.mattressfirm.com">http://www.mattressfirm.com</a>
Frozy Frozen Yogurt	1,561 Sq. Ft.	Dining / Restaurant	<a href="http://www.frozydurham.com">http://www.frozydurham.com</a>
Karate International	3,751 Sq. Ft.	Exercise / Health	<a href="http://www.kidurham.info/index.php">http://www.kidurham.info/index.php</a>
Sprint	1,188 Sq. Ft.	Telecommunications	<a href="http://www.sprint.com/">http://www.sprint.com/</a>
New Top China	1,400 Sq. Ft.	Dining / Restaurant	N/A

# INDIGO CORNERS MULTI-TENANT RETAILERS



**Indigo Corners shopping center is made up of 49,000 SF of retail and dining. Hosting multiple outparcel and multi-tenant retailers, the center is anchored by national retailers such as Starbucks Coffee, Verizon Wireless, FedEx Office, and Papa John's.**

# INDIGO CORNERS OUTPARCEL TENANTS



Occupied by successful outparcel tenants such as those pictured here, Indigo Corners is located in an excellent location near I-40 and 15-501, and surrounded by three other shopping centers that are also anchored by big box retailers.

# NEW HOPE COMMONS SHOPPING CENTER



Located across the street from Indigo Corners, New Hope Commons is anchored by a variety of big box retailers. Built in 1995 and covering over 470,000 SF, this shopping center is also positioned in a prime location near I-40 and 15-501.

# PATTERSON PLACE SHOPPING CENTER



**Strategically positioned between Durham and Chapel Hill, near I-40 and on 15-501, Patterson Place is a 413,442 SF shopping center that houses several big box retailers such as Bed Bath & Beyond, PetSmart, A.C. Moore, DSW, and Total Wine.**

# DURHAM, NC PROFILE

## ABOUT

Located in the heart of North Carolina, the city of Durham is seven miles northeast of Chapel Hill and 24 miles northwest of Raleigh. Durham contains almost the entire campus of the Research Triangle Park, the largest research park in the U.S., and is home to Duke University along with Duke Hospital, both world renowned institutions. Today, its population is 245,475 with 33.6 percent between the ages 25-44.

Durham's downtown is undergoing a transformation supported by young professionals and new businesses. The development of the American Tobacco Campus has helped establish The American Underground, a community of start-ups and one of seven of Google's Tech Hubs for Entrepreneurs. Durham's promotion of arts & entertainment has also encouraged new interest in the downtown area with the American Dance Festival and venues such as the Durham Performing Arts Center, the Carolina Theatre, and the Nasher Museum of Art.



**Durham was recognized as 29th in the  
"Top 100 Best Places to Live" in 2015.**  
*Livability Magazine*



# DUKE UNIVERSITY PROFILE

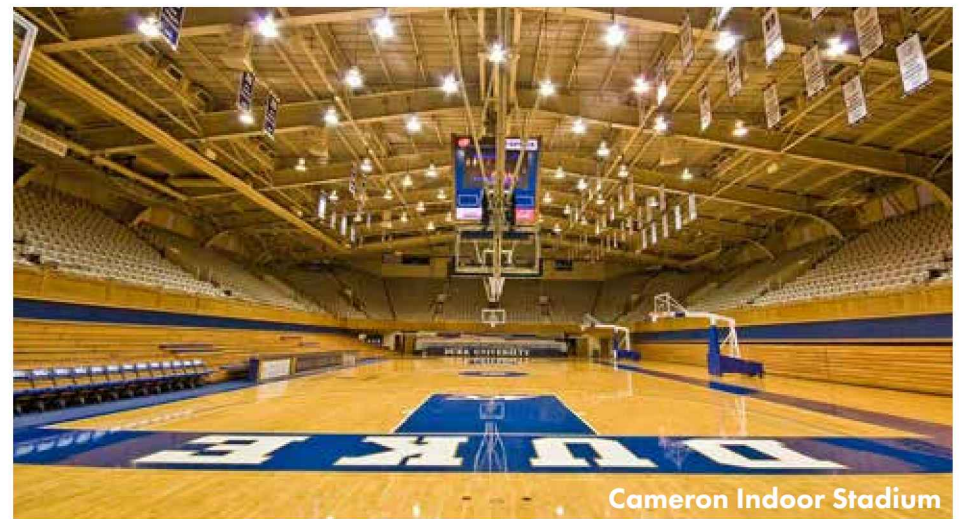
## ABOUT

Duke University is a private research university in Durham, NC founded in 1838. Duke has consistently been ranked as one of the top universities with one of the best hospitals and medical schools in the United States. Duke annually enrolls 6,700 undergraduate and 8,300 graduate students in 10 graduate professional schools and two undergraduate schools. The University has three campuses in Durham, all within close proximity to one another. Duke is home to the nationally recognized Sarah P. Duke Gardens and the Nasher Museum of Art, which hosts international exhibits every year.

Ninth Street is home to old Durham establishments and is the highlight for nightlife and socializing among students attending Duke University. It offers an exceptional blend of locally-owned specialty shops and fine dining restaurants along with numerous coffee shops, bars, and a few small entertainment venues.



Rank	Class	Publication	Year
#3	Best Undergraduate Prog	College Factual	2014
#8	Best Medical Schools	US News	2014
#8	Best Hospitals in US	US News & World Rpt	2013



# CHAPEL HILL, NC PROFILE

## ABOUT

The town of Chapel Hill has consistently been ranked as one of the top towns in the United States to live in. Chapel Hill is home to the University of North Carolina and over 30,000 students and faculty. The town has outstanding restaurants, museums, bookshops, music stores, bars, and coffee houses catering to students, faculty, visitors, and local residents. Chapel Hill has many cultural attractions such as Festifall, Playmaker's Carolina Theater, the North Carolina Planetarium, and others.

Many large mixed-use developments are currently under construction or have recently been built. 140 West Commons is a \$55 million mixed-use development recently completed with condominiums and 26,000 square feet of ground-floor commercial space. A new \$120 million project called, "Carolina Square," is planned to be built on the current University Square and Granville Towers sites providing retail, office, and residential space, as well as additional student housing.



**Chapel Hill recognized as one of the Best Places to Live in the U.S.**

*Money Magazine*



# UNC CHAPEL HILL PROFILE

## ABOUT

The University of North Carolina at Chapel Hill (UNC) is a public research university home to 29,300 students and 12,000 faculty and administrative staff. The 729-acre campus was chartered in 1789 as one of the eight original public ivy leagues schools. The university provides 70 courses of study through fourteen colleges and has been recognized nationally for its Journalism, Business, and Nursing programs.

Also known for its strong athletics program, UNC has been most successful in men's basketball, women's soccer, and women's field hockey. The University has won 40 NCAA national titles, and is ranked eighth all-time.

Next to UNC's campus, Franklin Street is the heart of downtown Chapel Hill and the primary destination for students and faculty. Franklin Street is the location for entertainment, dining, shopping and nightlife catering to students, businesses, and residents of the town.



Kenan-Flagler Business School

Rank	Class	Publication	Year
#1	Best Value	The Princeton Review	2014
#2	Public Health System	The Princeton Review	2015
#5	Public University (U.S.)	US News & World Rpt	2012



NC Neurosciences Hospital,  
Member of the UNC Hospital System



The Old Well at UNC

# INDIGO CORNERS INFORMATION & NEWS

Information	Website	Relevance to Indigo Corners
Durham Chamber of Commerce	<a href="#">Click Here</a>	Local Chamber
Chapel Hill-Carrboro Chamber of Commerce	<a href="#">Click Here</a>	Nearby Chamber
Research Triangle Park	<a href="#">Click Here</a>	7,000 Acre Research Park Located in Durham
American Tobacco Campus	<a href="#">Click Here</a>	Six Miles from Property

News	Link	Relevance to Indigo Corners
"Check out the Awesome Campus That is Transforming Durham, North Carolina into a Startup Hub"	<a href="#">Click Here</a> - Business Insider	Durham Recognized as Innovative Tech Center
"Chapel Hill Ranks #10 on Money Magazine's Best Places to Live List"	<a href="#">Click Here</a> - Town of Chapel Hill	Durham Nationally Recognized As A Great Place to Live
"Two New Projects Could Reshape Durham Skyline"	<a href="#">Click Here</a> - The News & Observer	18 Acres of Prime Durham Real Estate in Process of Redevelopment
Best Mid-Sized Cities For Jobs	<a href="#">Click Here</a> - Forbes	Durham Ranked #4 For Jobs in Mid-Sized Cities

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

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

Like all real estate investments, this investment carries significant risks. Buyer and Buyer's legal and financial advisors must request and carefully review all legal and financial documents related to the property and tenant. While the tenant's past performance at this or other locations is an important consideration, it is not a guarantee of future success. Similarly, the lease rate for some properties, including newly-constructed facilities or newly-acquired locations, may be set based on a tenant's projected sales with little or no record of actual performance, or comparable rents for the area. Returns are not guaranteed; the tenant and any guarantors may fail to pay the lease rent or property taxes, or may fail to comply with other material terms of the lease; cash flow may be interrupted in part or in whole due to market, economic, environmental or other conditions. Regardless of tenant history and lease guarantees, Buyer is responsible for conducting his/her own investigation of all matters affecting the intrinsic value of the property and the value of any long-term lease, including the likelihood of locating a replacement tenant if the current tenant should default or abandon the property, and the lease terms that Buyer may be able to negotiate with a potential replacement tenant considering the location of the property, and Buyer's legal ability to make alternate use of the property.

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

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## WORKING WITH REAL ESTATE AGENTS

**NOTE:** Effective July 2, 2001, in every real estate sales transaction, a real estate agent shall, at first substantiated contact directly with a prospective buyer or seller, provide the prospective buyer or seller with the following information [NC Real Estate Commission Rule 21 NCAC 58A.0104(c)].

When buying or selling real estate, you may find it helpful to have a real estate agent assist you. Real estate agents can provide many useful services and work with you in different ways. In some real estate transactions, the agents work for the seller. In others, the seller and buyer may each have agents. And sometimes the same agents work for both the buyer and the seller. It is important for you to know whether an agent is working for you as your agent or simply working with you while acting as an agent of the other party.

This brochure addresses the various types of working relationships that may be available to you. It should help you decide which relationship you want to have with a real estate agent. It will also give you useful information about the various services real estate agents can provide buyers and sellers, and it will help explain how real estate agents are paid.

### SELLERS

#### *Seller's Agent*

If you are selling real estate, you may want to "list" your property for sale with a real estate firm. If so, you will sign a "listing agreement" authorizing the firm and its agents to represent you in your dealings with buyers as your seller's agent. You may also be asked to allow agents from other firms to help find a buyer for your property.

Be sure to read and understand the listing agreement before you sign it.

**Duties to Seller:** The listing firm and its agents must promote your best interests be loyal to you follow your lawful instructions provide you with all material facts that could influence your decisions use reasonable skill, care and diligence, and account for all monies they handle for you. Once you have signed the listing agreement, the firm and its agents may not give any confidential information about you to prospective buyers or their agents without your permission. But until you sign the listing agreement, you should avoid telling the listing agent anything you would not want a buyer to know.

**Services and Compensation:** To help you sell your property, the listing firm and its agents will offer to perform a number of services for you. These may include helping you price your property advertising and marketing your property giving you all required property disclosure forms for you to complete negotiating for you the best possible price and terms reviewing all written offers with you otherwise promoting your interests.

For representing you and helping you sell your property, you will pay the listing firm a sales commission or fee. The listing agreement must state the amount or method for determining the commission or fee and whether you will allow the firm to share its commission with agents representing the buyer.

#### *Dual Agent*

You may even permit the listing firm and its agents to represent you and a buyer at the same time. This "dual agency relationship" is most likely to happen if an agent with your

listing firm is working as a buyer's agent with someone who wants to purchase your property. If this occurs and you have not already agreed to a dual agency relationship in your listing agreement, your listing agent will ask you to sign a separate agreement or document permitting the agent to act as agent for both you and the buyer.

It may be difficult for a dual agent to advance the interests of both the buyer and seller. Nevertheless, a dual agent must treat buyers and sellers fairly and equally. Although the dual agent owes them the same duties, buyers and sellers can prohibit dual agents from divulging certain confidential information about them to the other party.

Some firms also offer a form of dual agency called "designated agency" where one agent in the firm represents the seller and another agent represents the buyer. This option (when available) may allow each "designated agent" to more fully represent each party.

If you chose the "dual agency" option, remember that since a dual agent's loyalty is divided between parties with competing interests, it is especially important that you have a clear understanding of what your relationship is with the dual agent and what the agent will be doing for you in the transaction.

### BUYERS

When buying real estate, you may have several choices as to how you want a real estate firm and its agents to work with you. For example, you may want them to represent only you (as a buyer's agent). You may be willing for them to represent both you and the seller at the same time (as a dual agent). Or you may agree to let them represent only the seller (seller's agent or subagent). Some agents will offer you a choice of these services. Others may not.

#### *Buyer's Agent*

**Duties to Buyer:** If the real estate firm and its agents represent you, they must promote your best interests be loyal to you follow your lawful instructions provide you with all material facts that could influence your decisions use reasonable skill, care and diligence, and account for all monies they handle for you. Once you have agreed (either orally or in writing) for the firm and its agents to be your buyer's agent, they may not give any confidential information about you to sellers or their agents without your permission. But until you make this agreement with your buyer's agent, you should avoid telling the agent anything you would not want a seller to know.

**Unwritten Agreements:** To make sure that you and the real estate firm have a clear understanding of what your relationship will be and what the firm will do for you, you may want to have a written agreement. However, some firms may be willing to represent and assist you for a time as a buyer's agent without a written agreement. But if you decide to make an offer to purchase a particular property, the agent must obtain a written agency agreement. If you do not sign it, the agent can no longer represent and assist you and is no longer required to keep information about you confidential. Furthermore, if you later purchase the property through an agent with another firm, the agent who first showed you the property may seek compensation from the other firm.

Be sure to read and understand any agency agreement before you sign it.

**Services and Compensation:** Whether you have a written or unwritten agreement, a buyer's agent will perform a number of services for you.

These may include helping you find a suitable property arrange financing learn more about the property and otherwise promote your best interests. If you have a written agency agreement, the agent can also help you prepare and submit a written offer to the seller.

A buyer's agent can be compensated in different ways. For example, you can pay the agent out of your own pocket. Or the agent may seek compensation from the seller or listing agent first, but require you to pay if the listing agent refuses. Whatever the case, be sure your compensation arrangement with your buyer's agent is spelled out in a buyer agency agreement before you make an offer to purchase property and that you carefully read and understand the compensation provision.

### Dual Agent

You may permit an agent or firm to represent you and the seller at the same time. This "dual agency relationship" is most likely to happen if you become interested in a property listed with your buyer's agent or the agent's firm. If this occurs, and you have not already agreed to a dual agency relationship in your (written or oral) buyer agency agreement, your buyer's agent will ask you to sign a separate agreement or document permitting him or her to act as agent for both you and the seller. It may be difficult for a dual agent to advance the interests of both the buyer and seller. Nevertheless, a dual agent must treat buyers and sellers fairly and equally. Although the dual agent owes them the same duties, buyers and sellers can prohibit dual agents from divulging certain confidential information about them to the other party.

Some firms also offer a form of dual agency called "designated agency" where one agent in the firm represents the seller and another agent represents the buyer. This option (when available) may allow each "designated agent" to more fully represent each party.

If you choose the "dual agency" option, remember that since a dual agent's loyalty is divided between parties with competing interests, it is especially important that you have a clear understanding of what your relationship is with the dual agent and what the agent will be doing for you in the transaction. This can best be accomplished by putting the agreement in writing at the earliest possible time.

### Seller's Agent Working with a Buyer

If the real estate agent or firm that you contact does not offer buyer agency or you do not want them to act as your buyer agent, you can still work with the firm and its agents. However, they will be acting as the seller's agent (or "subagent"). The agent can still help you find and purchase property and provide many of the same services as a buyer's agent. The agent must be fair with you and provide you with any "material facts" (such as a leaky roof) about properties.

But remember, the agent represents the seller – not you – and therefore must try to obtain for the seller the best possible price and terms for the seller's property. Furthermore, a seller's agent is required to give the seller any information about you (even personal, financial or confidential information) that would help the seller in the sale of his or her property. Agents must tell you in writing if they are seller's agents before you say anything that can help the seller. But until you are sure that an agent is not a seller's agent, you should avoid saying anything you do not want a seller to know.

Seller's agents are compensated by the sellers.

## THIS IS NOT A CONTRACT

By signing, I acknowledge that the agent named below furnished a copy of this brochure and reviewed it with me.

Buyer or Seller Name (Print or Type):

\_\_\_\_\_

Buyer or Seller Signature:

\_\_\_\_\_

Date:

\_\_\_\_\_

Buyer or Seller Name (Print or Type):

\_\_\_\_\_

Buyer or Seller Signature:

\_\_\_\_\_

Date:

\_\_\_\_\_

Firm Name: \_\_\_\_\_

Agent Name: \_\_\_\_\_

### Disclosure of Seller Subagency

When showing your property and assisting you in the purchase of a property, the above agent and firm will represent the SELLER. For more information, see "Seller's Agent Working with a Buyer" in the brochure.

Buyer's Initials Acknowledging Disclosure: \_\_\_\_\_

**Agent must retain this acknowledgement for their files.**

Marcus & Millichap