

Offering

The Properties are being offered for fee simple sale on an “as-is where-is, with all faults” basis, including assignment(s) of existing tenant leases if applicable. Extensive property due diligence materials are available in advance in the form of a “Detailed Information Package (DIP)” for the purpose of eliminating the need for inspection period contingencies subsequent to submission of purchase offers. Seller has requested that any and all offers are to be received by Seller’s agent, CB Richard Ellis Portfolio Services.

All submissions will be promptly considered when received. To be considered a valid offer, prospective buyers should submit their offer on the Agreement provided in the Detailed Information Package along with an earnest money check in the amount described below.

Detailed Information Package (DIP)

The DIPs contain the following information relative to the Properties where available and applicable:

- Property Description
- Aerial and Property Photos
- Title Report with Exception Copies
- Surveys
- Environmental Phase I Report
- Tenant Leases (if applicable)
- Property Condition Report
- Agreement of Sale
- Zoning and Permitted Uses
- Maps
- Real Estate Tax Bills

DIPs may be obtained by executing the Confidentiality and Non-Disclosure Agreement and returning it to CB Richard Ellis Portfolio Services via fax at (713) 456-2914. If you have any questions or need a copy of the Confidentiality Agreement, call CB Richard Ellis Portfolio Services, Monday through Friday, 9:00am through 5:00pm Central Time at (877) 845-3443.

CB Richard Ellis Portfolio Services will make every reasonable effort to provide all available information necessary to facilitate interested parties in making purchase offers. However, Offerors should not solely rely on the completeness or accuracy of information contained in the DIP or other promotional materials and must base their offer on independent investigations and inspections of the Properties. Property inspection opportunities are discussed under the following section, “Property Viewings.”

Offer Submitted

Seller has requested that all offers are to be submitted on the Seller’s Agreement of Sale to CB Richard Ellis Portfolio Services. All contract submissions should be properly executed by the Offeror and accompanied with a valid earnest money check. All contract submissions will be promptly considered when received.

Agreement of Sale

The Agreement of Sale prepared and contained in the DIP shall be the mechanism for submitting purchase offers. The Agreement of Sale, when completed and executed by Offeror, shall be non-revocable for a period of fifteen (15) business days following its submission by an Offeror in order to accommodate Seller’s internal review process.

Initial Escrow Deposit

The Agreement of Sale requires an initial Escrow Deposit in an amount equal to \$10,000 or 2% of the purchase price, whichever is greater. The Escrow Deposit must be increased to 8% of the purchase price within three (3) business days following Seller’s acceptance of an offer. Said deposits must be in money order, certified, or cashier’s funds drawn on a U.S. banking institution, or wire transfer, and made payable to the title insurance company indicated in the Agreement of Sale. Upon Seller’s acceptance of an offer, the earnest money becomes non-refundable subject to any reservations Seller may agree to accept. Upon Seller’s rejection of an offer the earnest money will be promptly returned to the Offeror.

Acceptance of Offer

The Seller will immediately review any and all offers submitted, and respond formally within fifteen (15) business days of Seller’s receipt of an offer submission. The Seller reserves the right to a) negotiate further with any individual Offeror at Seller’s sole discretion, b) accept or reject any offers, c) in the case of multiple, competitive offers, solicit best and final offers and d) request credit information Seller deems necessary to determine at Seller’s sole discretion the Offeror’s ability to perform under the financial obligations of the purchase contemplated.

Closing

The Seller prefers to close on Seller-occupied properties 90 days after the Grand Opening of the new store (“Forward Sale”). A short term sale leaseback may be negotiated subject to terms acceptable to Seller. All other Properties shall close no later than thirty (30) days after contract execution by all parties.

Broker Participation

Seller will pay a fee equal to 2% of the purchase price to any duly licensed broker whose registered prospect pays for and closes on any of the Properties. Such fee will be paid at closing.

Prospective buyers must register their brokers in writing with CB Richard Ellis Portfolio Services, c/o Donna Kolius, Pierce Owens, Cody Persyn or Jeremy Richmond at 2800 Post Oak Boulevard, Suite 2300, Houston, Texas 77056. The Cooperating Broker Registration Agreement must be signed by the prospective buyer and its broker at the time property information is requested. A complete registration file on all prospects will be maintained. No commissions will be paid to brokers purchasing or participating in the purchase of the Properties. An affidavit may be required stating that the broker is acting solely as a broker and not as a purchaser. A broker will not be recognized for prospects that have previously contacted Seller, its staff or CB Richard Ellis Portfolio Services or their representatives and affiliates. Cooperating Broker Registration Agreement forms are available upon request by contacting CB Richard Ellis Portfolio Services at (877) 845-3443. Cooperating Broker must be licensed in the state where the property is located. No exceptions to the broker registration procedures will be allowed.

Property Viewings

Properties are available for viewing by advance appointment. Please contact Deborah Latham at CB Richard Ellis Portfolio Services (877) 845-3443 to schedule property viewings.