



# Information About Brokerage Services

Texas law requires all real estate licensees 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.

<b>Tri-County Realty, LLC</b> Licensed Broker /Broker Firm Name or Primary Assumed Business Name	<b>602174</b> License No.	<b>office@tricityrealestate.com</b> Email	<b>(979)725-6006</b> Phone
<b>Gary Helmcamp</b> Designated Broker of Firm	<b>461405</b> License No.	<b>gary@tricityrealestate.com</b> Email	<b>(979)725-6006</b> Phone
Licensed Supervisor of Sales Agent/ Associate	License No.	Email	Phone

Sales Agent/Associate's Name <sup>DS</sup> <u>[Signature]</u>	License No. <sup>DS</sup> <u>[Signature]</u>	Email	Phone
<b>Buyer/Tenant/Seller/Landlord</b>	<b>Initials</b>	<b>Date</b>	

Regulated by the Texas Real Estate Commission

Information available at [www.trec.texas.gov](http://www.trec.texas.gov)



ADDENDUM FOR RESERVATION OF OIL, GAS, AND OTHER MINERALS

ADDENDUM TO CONTRACT CONCERNING THE PROPERTY AT

164.338 acres TBD County Road 158

Hallettsville

(Street Address and City)

NOTICE: For use ONLY if Seller reserves all or a portion of the Mineral Estate.

- A. "Mineral Estate" means all oil, gas, and other minerals in and under and that may be produced from the Property...
B. Subject to Section C below, the Mineral Estate owned by Seller, if any, will be conveyed unless reserved as follows (check one box only):
C. Seller [X] does [ ] does not reserve and retain implied rights of ingress and egress and of reasonable use of the Property...
D. If Seller does not reserve all of Seller's interest in the Mineral Estate, Seller shall, within 7 days after the Effective Date, provide Buyer with the contact information of any existing mineral lessee known to Seller.

IMPORTANT NOTICE: The Mineral Estate affects important rights, the full extent of which may be unknown to Seller. A full examination of the title to the Property completed by an attorney with expertise in this area is the only proper means for determining title to the Mineral Estate with certainty.

CONSULT AN ATTORNEY BEFORE SIGNING: TREC rules prohibit real estate licensees from giving legal advice. READ THIS FORM CAREFULLY.

Buyer

Buyer

DocuSigned by: Sally Edmundson
Seller Sally Edmundson
DocuSigned by: Nancy Tusa
Seller Nancy Tusa

The form of this addendum has been approved by the Texas Real Estate Commission for use only with similarly approved or promulgated forms of contracts. Such approval relates to this contract form only. TREC forms are intended for use only by trained real estate licensees.



**ENVIRONMENTAL ASSESSMENT, THREATENED OR ENDANGERED SPECIES, AND WETLANDS ADDENDUM**

**TO CONTRACT CONCERNING THE PROPERTY AT**

**164.338 acres TBD County Road 158, Hallettsville, TX 77964**

(Address of Property)

- A. ENVIRONMENTAL ASSESSMENT: Buyer, at Buyer's expense, may obtain an environmental assessment report prepared by an environmental specialist.
- B. THREATENED OR ENDANGERED SPECIES: Buyer, at Buyer's expense, may obtain a report from a natural resources professional to determine if there are any threatened or endangered species or their habitats as defined by the Texas Parks and Wildlife Department or the U.S. Fish and Wildlife Service.
- C. WETLANDS: Buyer, at Buyer's expense, may obtain a report from an environmental specialist to determine if there are wetlands, as defined by federal or state law or regulation.

Within 10 days after the effective date of the contract, Buyer may terminate the contract by furnishing Seller a copy of any report noted above that adversely affects the use of the Property and a notice of termination of the contract. Upon termination, the earnest money will be refunded to Buyer.

Buyer

DocuSigned by:  
*Sally Edmundson*

Seller  
Sally Edmundson

Buyer

DocuSigned by:  
*Nancy Tusa*

Seller  
Nancy Tusa

This form has been approved by the Texas Real Estate Commission for use with similarly approved or promulgated contract forms. Such approval relates to this form only. TREC forms are intended for use only by trained real estate licensees. No representation is made as to the legal validity or adequacy of any provision in any specific transactions. It is not suitable for complex transactions. Texas Real Estate Commission, P.O. Box 12188, Austin, TX 78711-2188, 512-936-3000 (<http://www.trec.texas.gov>) TREC No. 28-2. This form replaces TREC No. 28-1.

TREC No. 28-2

FRM NO. 100P142  
**MEI MAVERICK**  
 ENGINEERING, INC.  
 318 DAWSON STREET  
 DALLAS, TEXAS 75201  
 PHONE (972) 253-2725  
 FAX (972) 253-0178

**C. BERMANON**  
 CELEBRITY  
 EMBROIDERY  
 COMPANY  
 SURVEY (A-2005)

**JOHN McDONALD, ET UX**  
 227.81 ACRES  
 (VOL. 465, PG. 368, O.R.)

GRAPHIC SCALE IN FEET  
 0 200' 400'



**W. T. LANCASTER SURVEY**  
 (A-537)

**BRENDA L. KAHANEK**  
 33.604 ACRES  
 (VOL. 439, PG. 772, O.R.)

**SUSANNAH FREEMAN SURVEY**  
 (A-522)

**TUSA ENTERPRISES, LTD.**  
 164.338 ACRES

**160 ACRES**  
 (FIFTH TRACT,  
 VOL. 70, PG. 586, O.R.)

**GORDON G. CLARK**  
 12.676 ACRES  
 (VOL. 429, PG. 183, D.R.)

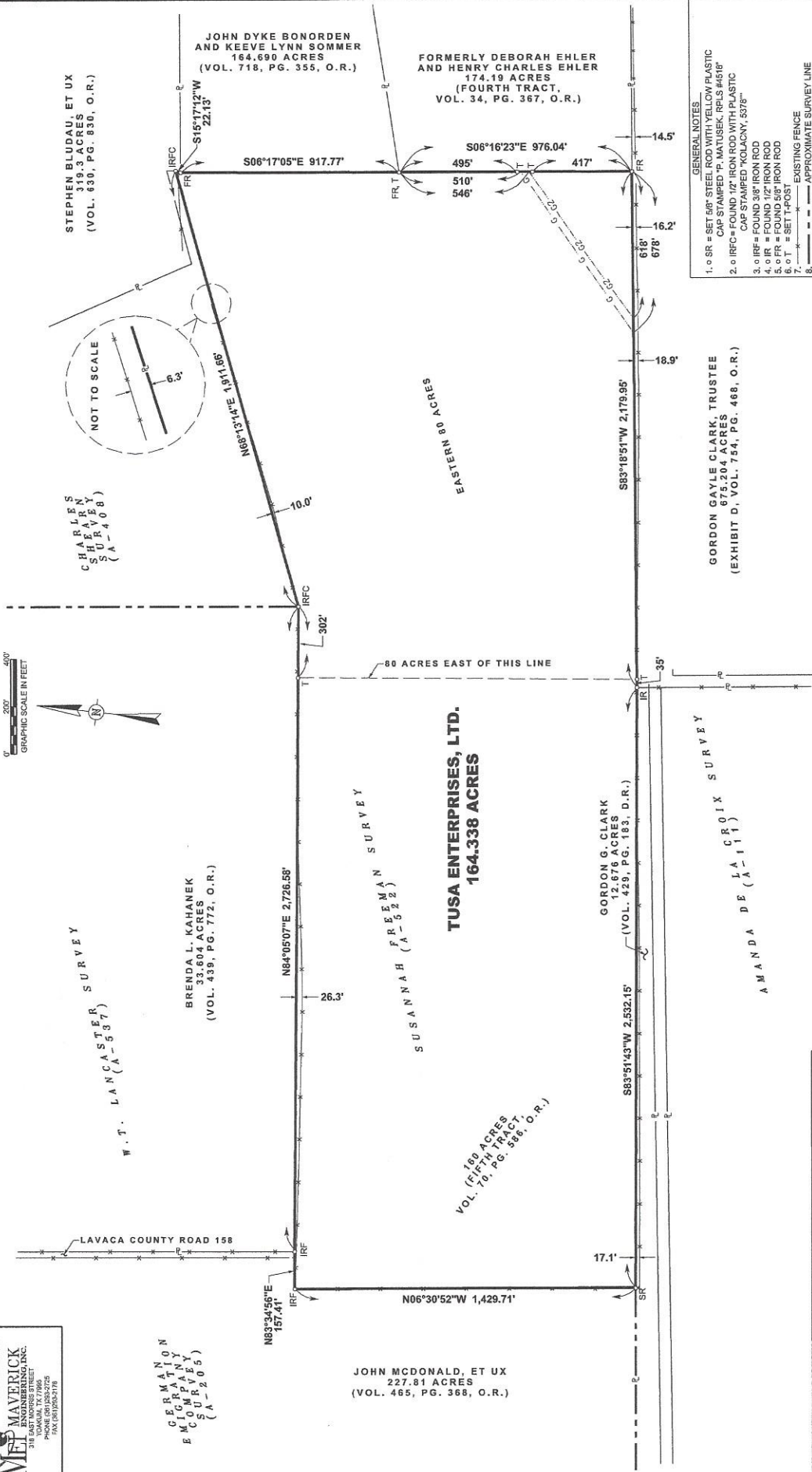
**AMANDA DE LA CROIX SURVEY**  
 (A-111)

**CHARLES S. DUNN SURVEY**  
 (A-408)

**STEPHEN BLUDAU, ET UX**  
 319.3 ACRES  
 (VOL. 639, PG. 636, O.R.)

**JOHN DYKE BONORDEN AND KEVIN LYNN SOMMER**  
 164.690 ACRES  
 (VOL. 718, PG. 355, O.R.)

**FORMERLY DEBORAH EHLEH AND HENRY CHARLES EHLEH**  
 174.19 ACRES  
 (FOURTH TRACT,  
 VOL. 34, PG. 367, O.R.)



**GORDON GAYLE CLARK, TRUSTEE**  
 675.204 ACRES  
 (EXHIBIT D, VOL. 754, PG. 488, O.R.)

- GENERAL NOTES**
1. 0 SR = SET 5/8" STEEL ROD WITH YELLOW PLASTIC CAP STAMPED "P. MATUSEK, RPLS #6518"
  2. 0 IRFC = FOUND 1/2" IRON ROD WITH PLASTIC CAP STAMPED "KOLACANT, 5376"
  3. 0 IRF = FOUND 3/8" IRON ROD
  4. 0 FR = FOUND 5/8" IRON ROD
  5. 0 FT = FOUND 5/8" IRON ROD
  6. 0 T = SET T-POST
  7. --- X --- EXISTING FENCE
  8. --- --- APPROXIMATE SURVEY LINE
  9. --- --- PROPERTY LINE
  10. --- G --- TEXAS EASTERN GAS PIPELINE (1-800-231-7794)
  11. --- G2 --- DCP MIDSTREAM NATURAL GAS PIPELINE (1-888-204-1781)
  12. D.R. = LAVACA COUNTY DEED RECORDS
  13. O.R. = LAVACA COUNTY OFFICIAL RECORDS
  14. THE BASIS OF BEARING IS GRID NORTH, TEXAS STATE PLAT SYSTEM, 1983, ZONE 16N, TEXAS SOUTH CENTRAL ZONE (603) AS DERIVED FROM GPS OBSERVATIONS.
  15. THE DISTANCES SHOWN HEREON ARE SURFACE AND MAY BE CONVERTED TO GRID BY DIVIDING BY THE SURFACE ADJUSTMENT FACTOR OF 1.00013.

SURVEY PLAT OF THAT 164.338 ACRE TRACT OF LAND SITUATED APPROXIMATELY 16 MILES SOUTHEAST OF THE CITY OF HALLETTSVILLE AND BEING ALL OF THAT SUSANNAH FREEMAN 160 ACRE SURVEY (ABSTRACT NO. 622) IN LAVACA COUNTY, TEXAS, AND BEING ALL OF THAT CALLED 160 ACRE TRACT (FIFTH TRACT) DESCRIBED IN A SPECIAL WARRANTY DEED FROM THEO S. TUSA, JR. TO TUSA ENTERPRISES, LTD., EXECUTED JUNE 15, 1995, RECORDED IN VOLUME 70, PAGE 586 OF THE LAVACA COUNTY OFFICIAL RECORDS



I HEREBY CERTIFY THIS SURVEY WAS PERFORMED ON THE GROUND UNDER MY SUPERVISION, AND THAT THIS PLAT CORRECTLY REPRESENTS THE FACTS FOUND AT THE TIME OF THE SURVEY.

*Patrick Matusek*  
 PATRICK MATUSEK  
 REGISTERED PROFESSIONAL LAND SURVEYOR  
 LICENSE NO. 4518,  
 STATE OF TEXAS

SURVEYED JUNE 16, 2020

**TUSA ENTERPRISES, LTD.**  
**164.338 ACRES**  
**METES AND BOUNDS DESCRIPTION**

Being 164.338 acres of land situated approximately 16 miles southeast of the City of Hallettsville and being all of that Susannah Freeman 160 Acre Survey (Abstract No. 522) in Lavaca County, Texas and being all of that called 160 acre tract (Fifth Tract) described in a Special Warranty Deed from Theo S. Tusa, Jr. to Tusa Enterprises, Ltd., executed June 15, 1995, recorded in Volume 70, Page 856 of the Lavaca County Official Records. All deed references herein are to said Lavaca County Official Records unless otherwise noted. Metes and bounds description of said 164.338 acres is as follows:

**BEGINNING** at a 3/8" iron rod found for the interior southeasterly corner of the John McDonald, et ux 227.81 acre tract (Volume 465, Page 368), same being the northwest corner of said Tusa 160 acre tract and the northwest corner of said 164.338 acres;

**THENCE** North 83° 34' 56" East (called North 85° East) with a line common to said Tusa 160 acre tract and said McDonald 227.81 acre tract, at approximately 97 feet pass the southwest terminus point of a public road (Lavaca County Road 158), and then continuing along the southerly terminus of said Lavaca County Road 158, for a total distance of 157.41 feet (called 60 varas or 166.67 feet) to a 3/8" iron rod found for the upper southeast corner of said McDonald 227.81 acre tract, same being the southwest corner of the Brenda L. Kahaneck 33.604 acre tract (Volume 439, Page 772) and a slight angle corner in the North lines of said Tusa 160 acre tract and said 164.338 acres, same also being the southeast terminus point of said Lavaca County Road 158;

**THENCE** North 84° 05' 07" East (called North 85° East) with a line common to said Tusa 160 acre tract and said Kahaneck 33.604 acre tract, a distance of 2,726.58 feet (called 2,726.71 feet) to a 1/2" iron rod with plastic cap stamped "Kolacny 5318" found for angle corner in the South line of said Kahaneck 33.604 acre tract, same being an angle corner in the North lines of said Tusa 160 acre tract and said 164.338 acres;

**THENCE** North 68° 13' 14" East (called North 70° East) with a second line common to said Tusa 160 acre tract and said Kahaneck 33.604 acre tract, a distance of 1,911.66 feet (called 687 varas or 1,908.33 feet) to a 1/2" iron rod with plastic cap stamped "Kolacny 5318" found for the southeast corner of said Kahaneck 33.604 acre tract, same being an angle corner in the lower westerly line of the Stephen Bludau, et ux 319.3 acre tract (Volume 630, Page 830) and the northeast corner of said Tusa 160 acre tract, same also being the northeast corner of said 164.338 acres;

**THENCE** South 15° 17' 12" West (called South 5° East) with the line common to said Bludau 319.3 acre tract and said Tusa 160 acre tract, a distance of 22.13 feet to a 5/8" iron rod found for the West corner of the John Dyke Bonorden and Keeve Lynn Sommer 164.690 acre tract (Volume 718, Page 355), same being a southerly corner of said Bludau 319.3 acre tract and an angle corner in the East lines of said Tusa 160 acre tract and said 164.338 acres;

**THENCE** South 06° 17' 05" East (called South 5° East) with the line common to said Bonorden and Sommer 164.690 acre tract and said Tusa 160 acre tract, a distance of 917.77 feet to a 5/8" iron rod found for the southwest corner of said Bonorden and Sommer 164.690 acre tract, same being the West corner of the Deborah Ehler and Henry Charles Ehler 174.190 acre tract (Fourth Tract, Volume 34, Page 367) and a second angle corner in said East lines of Tusa 160 acre tract and 164.338 acres;

**THENCE** South 06° 16' 23" East (called South 5° East) with the line common to said Ehler 174.190 acre tract and said Tusa 160 acre tract, at approximately 510 feet pass the centerline of a Texas Eastern underground gas pipeline, at approximately 546 feet pass the centerline of a DCP Midstream underground natural gas pipeline, for a total distance of 976.04 feet to a 5/8" iron rod found for the southwest corner of said Ehler 174.190 acre tract, same being the southeast corners of said Tusa 160 acre tract and said 164.338 acres, same also being in the North line of the Gordon Gayle Clark, Trustee 675.204 acre tract (Exhibit D, Volume 754, Page 468);

**THENCE** South 83° 18' 51" West (called South 85° West) with the line common to said Clark 675.204 acre tract and said Tusa 160 acre tract, at approximately 618 feet pass the centerline of said underground DCP natural gas pipeline, at approximately 678 feet pass the centerline of said Texas Eastern underground gas pipeline, for a total distance of 2,179.95 feet to a 1/2" iron rod found for the northwest corner of said Clark 675.204 acre tract, same being the northeast corner of the Gordon G. Clark 12.676 acre tract (Volume 429, Page 183 of said Lavaca County Deed Records) and a slight angle corner in the South lines of said Tusa 160 acre tract and said 164.338 acres;

**THENCE** South 83° 51' 43" West (called South 85° West) with the line common to said Clark 12.676 acre tract and said Tusa 160 acre tract, a distance of 2,532.15 feet to a 5/8" steel rod with yellow plastic cap stamped "P. Matusek, RPLS #4518" set for the southwest corner of said Tusa 160 acre tract, same being the southwest corner of said 164.338 acres and the southeast corner of said McDonald 227.81 acre tract;

**THENCE** North 06° 30' 52" West (called North 05° West) with the line common to said McDonald 227.81 acre tract and said Tusa 160 acre tract, a distance of 1,429.71 feet (called 515 varas or 1,430.56 feet) to the **POINT OF BEGINNING**, containing 164.338 acres of land. All bearings are based on Grid North, Texas State Plane Coordinate System, NAD83 (2011) Texas South Central Zone No. 4204. The unit measure for all distances is US Survey Feet.

I hereby certify the foregoing metes and bounds description and attached survey plat were prepared from a survey performed on the ground under my supervision, and represent the facts found at the time of the survey.

*Patrick Matusek*

Patrick Matusek  
Registered Professional Land Surveyor  
Maverick Engineering, Inc., Firm # 100491-02  
License No. 4518, State of Texas  
Surveyed June 16, 2020

