

# FORMER SEARS BUILDING & LAND

MALL OF ABILENE | ABILENE, TEXAS

FOR SALE



## REDEVELOPMENT OPPORTUNITY

FOR MORE INFORMATION PLEASE CONTACT

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 **RETAILUNION**<sup>™</sup>  
2346 Victory Park Ln  
Dallas, Texas 75219

PROUD PARTNER  
**XTEAM**  
RETAIL ADVISORS

# PROPERTY INFORMATION



## LOCATION:

Mall of Abilene  
4310 Buffalo Gap Rd  
Abilene, TX

## PROPERTY:

Building: 153,806 SF  
Land: 11.4 ACRES

## TRAFFIC COUNTS:

Buffalo Gap Rd 32,542 VPD  
I-84 34,225 VPD

## PROPERTY HIGHLIGHTS

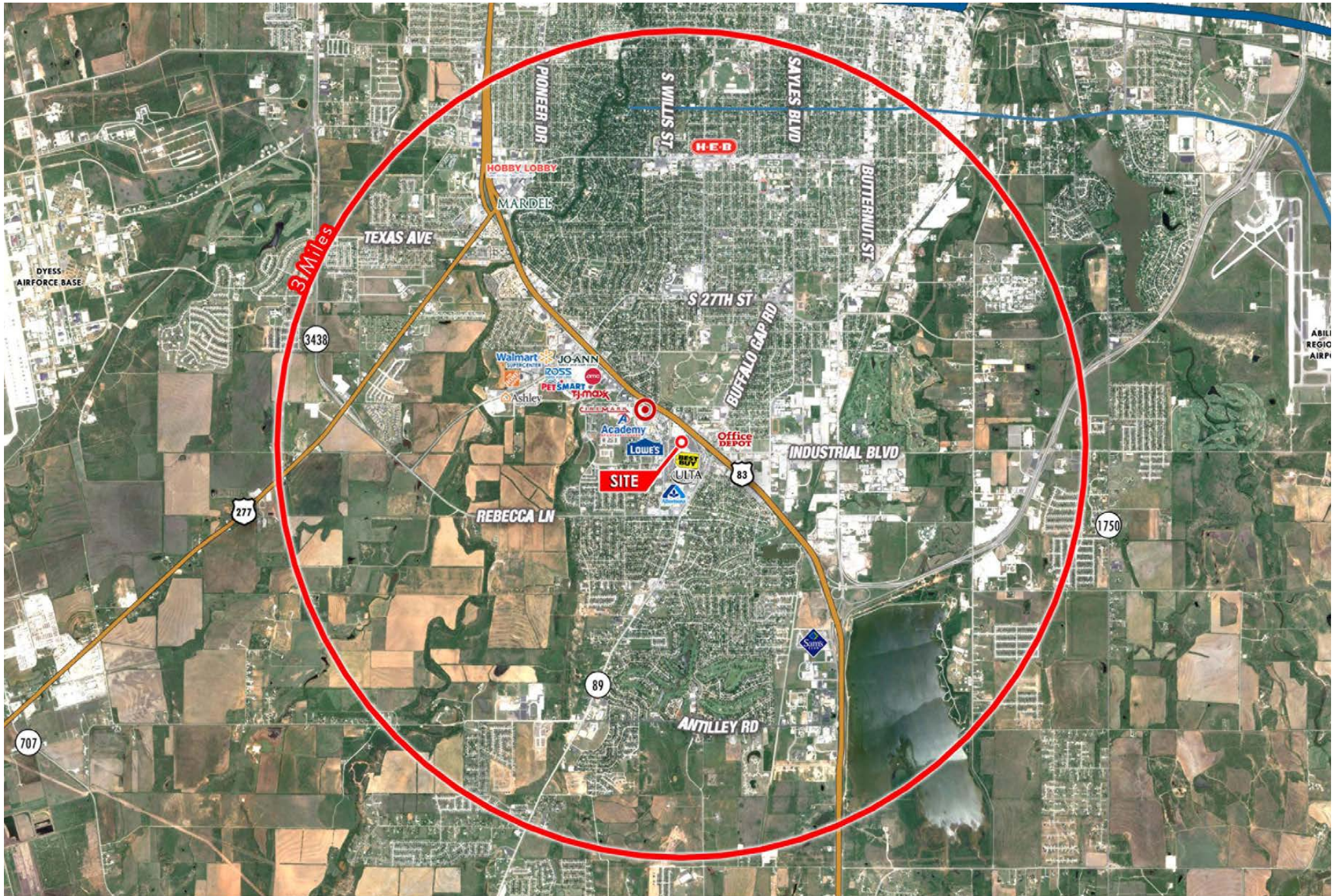
- Redevelopment potential
- Largest shopping destination and retail hub in 19-county trade area and the only regional mall within 80 miles
- The oil and gas industry represents a \$1.22 billion economic impact for the area.
- Abilene is home to three major universities, two technical colleges, and Texas Tech University's School of Pharmacy with combined enrollment of 12,450
- Located 5 miles from Dyess Air Force Base, home to 5,000 military/civilians and 8,000 family members and retirees. with a total economic impact of \$441.5 million.

## 2019 DEMOGRAPHICS

	3 MILES	5 MILES	MSA
EST. POPULATION	47,052	97,059	175,283
DAYTIME POP	25,470	47,877	74,829
MEDIAN HH INCOME	\$56,823	\$51,510	\$50,998
AVG. HH INCOME	\$78,033	\$71,699	\$70,854



# OVERVIEW AERIAL



# CLOSE AERIAL



# PROPERTY PHOTOS



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## SCHEDULE B-10 EASEMENT NOTES

- a. Rights of parties in possession.
- b. Intentionally Deleted
- c. All leases, grants, exceptions or reservations of coal, lignite, oil, gas and other minerals, together with all rights, privileges, and reservations relating thereto, appearing in the Public Records whether listed in Schedule D or not. There may be leases, grants, exceptions or reservations of mineral interest that are not listed.
- d. Easement, setback lines and other matters as shown on the plat thereof recorded in Cabinet 2, Slide 213 B&C, Plat Records of Taylor County, Texas. (affects the subject tract, as shown on survey)
- e. Easement to West Texas Utilities Co., recorded in Volume 707, Page 571, Deed Records of Taylor County, Texas. (not shown, duplicate)
- f. Easement to Lone Star Gas Co., recorded in Volume 225, Page 221, Deed Records of Taylor County, Texas, partially released and modified in Volume 1123, Page 137, Deed Records of Taylor County, Texas. (affects the subject tract)
- g. Easement to Tract Pipeline Co., recorded in Volume 1128, Page 223, Deed Records of Taylor County, Texas. (not shown, ambiguous description)
- h. Royalty Deed dated October 26, 1948, recorded in Volume 527, Page 236, Deed Records of Taylor County, Texas. (not shown)
- i. Construction, Operating and Reciprocal Easement Agreement by and between Mall of Abilene Company and Sears, Roebuck & Company, et al, dated December 21, 1977, recorded in Volume 1080, Page 564, Deed Records of Taylor County, Texas, as modified by First Amendment to Operation Agreement recorded in Volume 1080, Page 490, Deed Records of Taylor County, Texas, and by Second Amendment to Operating Agreement recorded in Volume 1126, Page 265, Deed Records of Taylor County, Texas, and by Third Amendment to Operating Agreement dated August 15, 1984, recorded in Volume 2036, Page 29, Official Public Records of Taylor County, Texas, and re-recorded in Volume 2036, Page 966, Official Public Records of Taylor County, Texas. (affects the subject tract)
- j. Intentionally Deleted
- k. Intentionally Deleted
- l. Agreement for Construction of Access Roadways, by and between Mall of Abilene Company, and Abilene Village, L.L.C., recorded in Volume 1291, Page 736, Deed Records of Taylor County, Texas. (affects the subject tract)
- m. Subject to the reservation of a mineral and/or royalty interest described in instrument recorded in Volume 724, Page 212, and Volume 527, Page 236, Deed Records of Taylor County, Texas. Title to said mineral/royalty interest has not been searched subsequent to the date of said instrument. This policy does not insure against any loss sustained by the owner of the surface estate of the property because of the exercise of the right of ingress or egress and/or any other rights incident to the ownership of said mineral estate. (not a survey matter)
- n. Affidavit regarding location of pipeline recorded in Volume 1123, Page 566, Deed Records of Taylor County, Texas. (affects the subject tract)
- o. Affidavit regarding location of pipeline recorded in Volume 1123, Page 569, Deed Records of Taylor County, Texas. (affects the subject tract)
- p. Memorandum of Lease between SRC Real Estate (FX), LP, a Delaware limited partnership, recorded in Volume 2912, Page 328, Official Public Records of Taylor County, Texas. (affects the subject tract)
- q. Rights of tenants in possession, as tenants only, under unrecorded lease agreements
- r. Intentionally Deleted
- s. Intentionally Deleted

## ZONING INFORMATION

Zoning District: Retail / Department Store  
B/COR General Retail with a Corridor Overlay

Setbacks:  
Front: 40 Feet  
Side: 0 Feet / 30 Feet if Abutting Residential  
Rear: 0 Feet / 30 Feet if Abutting Residential

Parking Restrictions: 1 space for every 222 square feet of gross lease area

Existing Building Height at highest point: 36 Feet  
Maximum Building Height permitted: Not to exceed 40 Feet, 2 stories

Existing Square Footage of building(s): 103,738  
Floor Space Area Restrictions: N/A

Zoning Source: Zoning report prepared by EMG project no. 128602.170000-059.229, dated November 10, 2017

## LIST OF POSSIBLE ENCROACHMENTS

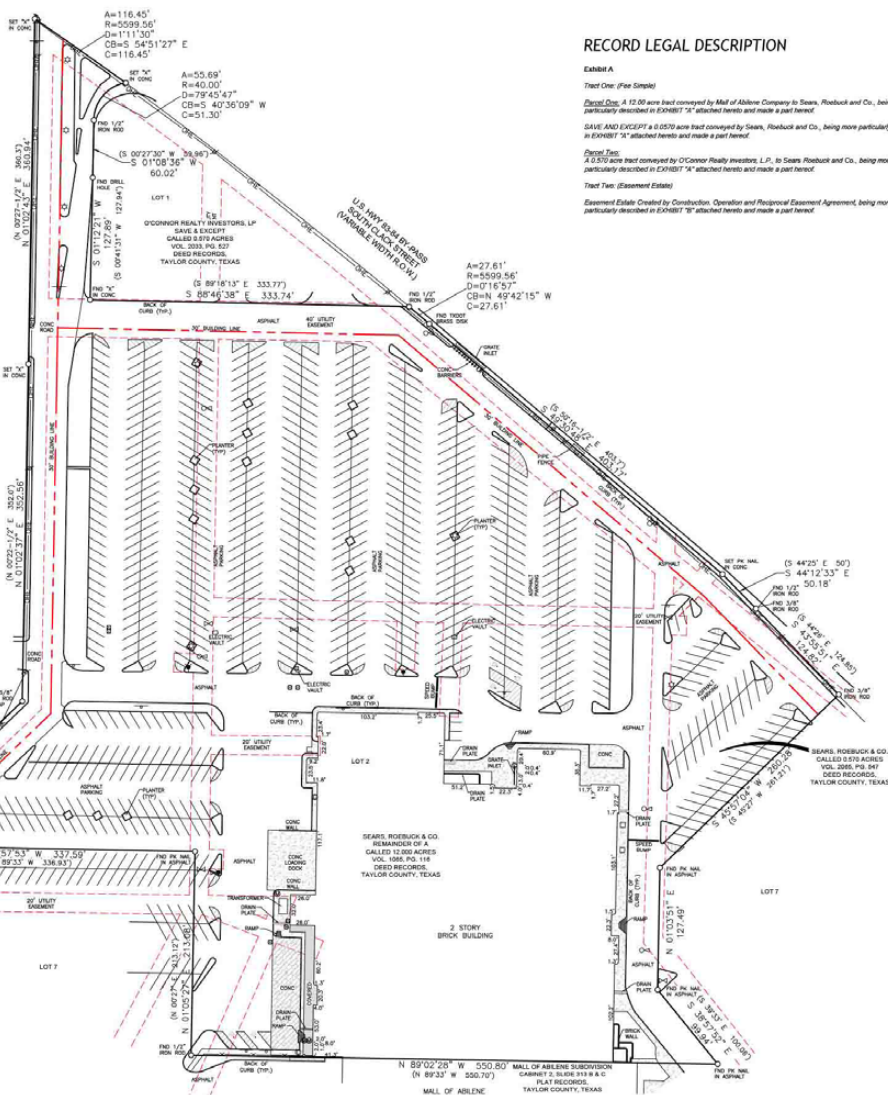
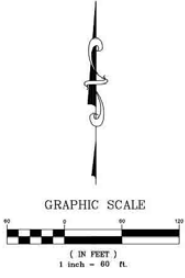
The following list of encroachments is only the opinion of this surveyor and should not be interpreted as complete listing.

"NONE APPARENT"

## LEGEND OF SYMBOLS:

- |                          |                  |                    |
|--------------------------|------------------|--------------------|
| CONC = CONCRETE          | ○ BOLLARD        | — GUY WIRE         |
| ONE = OVERHEAD ELECTRIC  | ○ CABLE FOOTSTAL | ○ LIGHT POLE       |
| PG = PAVE                | ○ CLEAN OUT      | ○ MANHOLE          |
| ( ) = RECORD INFORMATION | ○ ELECTRIC INLET | ○ POWER POLE       |
| SY = SURFACE YIELD       | ○ ELECTRIC BOX   | ○ SIGN             |
| TRP = TYPICAL            | ○ FIRE HYDRANT   | ○ STORM MANHOLE    |
| VOL = VOLUME             | ○ FLAG POLE      | ○ WATER MAIN       |
|                          | ○ GAS METER      | ○ WATER METER      |
|                          | ○ GRATE INLET    | ○ WATER VALVE      |
|                          |                  | ○ SANITARY MANHOLE |

## VICINITY MAP



## RECORD LEGAL DESCRIPTION

**EXHIBIT A**  
**Tract One: (For Simple)**  
 Plat Dec: A 12.00 acre tract conveyed by Mall of Abilene Company to Sears, Roebuck and Co., being more particularly described in EXHIBIT "A" attached hereto and made a part hereof.  
 SAID AND EXCEPT A 0.0750 acre tract conveyed by Sears, Roebuck and Co., being more particularly described in EXHIBIT "A" attached hereto and made a part hereof.  
**Plat Two:**  
 A 0.570 acre tract conveyed by O'Connor Realty Investors, L.P., to Sears, Roebuck and Co., being more particularly described in EXHIBIT "A" attached hereto and made a part hereof.  
**Tract Two: (Easement Estate)**  
 Easement Estate Created by Construction, Operation and Reciprocal Easement Agreement, being more particularly described in EXHIBIT "B" attached hereto and made a part hereof.

## SURVEYOR'S CERTIFICATE

To Chicago Title Company, and Sears, Roebuck and Company:  
 This is to certify that this map or plat and the survey on which it is based were made in accordance with the 2016 Minimum Standard Detail Requirements for ALTA/NPS Land Title Surveys, jointly established and adopted by ALTA and NPS, and includes forms 1, 2, 3, 4, 4a, 4b, 7a, 7b, 7c, 8, 9, 13, 14, 16, 17, and 20 of Table A thereof.  
 The field work was completed on October 30, 2017  
 Date of Plat or Map: November 22, 2017  
 Chris Walterscheid  
 R.P.L.S., NO. 6180



## General Survey Notes

1. This survey was made in accordance with laws and/or Minimum Standards of the State of Texas.
2. The basis of bearing for this survey is based upon GPS observations and the Texas Coordinate System, North Central Zone (NACZ), as shown herein.
3. The property described herein is the same as the property described in Title Commitment No. 21718013550 with an effective date of August 21, 2017 and that all easements, covenants and restrictions referenced in said title commitment or apparent from a physical inspection of the site or otherwise known to me have been plotted hereon or otherwise noted as to their effect on the subject property.
4. Said described property is located within an area having a Zone Designation "X" by the Federal Emergency Management Agency (FEMA), on Flood Insurance Rate Map No. 48461C, with a date of identification of January 6, 2012, for Community No. 03197, in Taylor County, State of Texas, which is the current Flood Insurance Rate Map for the community in which said premises is situated.
5. The Property has direct access to U.S. HWY 83-Bay Pass / South Clark Street, a dedicated public street or highway.
6. The total number of striped parking spaces on the subject property is 758, including 5 designated handicap spaces.
7. There is no observed evidence of current earth moving work, building construction or building additions except as shown or noted herein.
8. There are no proposed changes in street right of way lines, according to City of Abilene. There is no observed evidence of recent street or sidewalk construction or repairs except as shown or noted herein.
9. There is no observed evidence of site use as a solid waste dump, sump or sanitary landfill except as shown or noted herein.
10. Utility Note: Observed evidence of utilities has been shown pursuant to Section 5 Paragraph f of the ALTA/NPS Minimum Standard Detail Requirements.
11. No adjacent wetlands are located on the subject property according to the U.S. Fish and Wildlife Service National Wetlands Inventory located at [www.fws.gov/wetlands](http://www.fws.gov/wetlands).
12. The building height, shown herein, was measured between the highest point of the building and the finished floor elevation in the approximate location as depicted on the drawing.

## LAND AREA:

12.01 ACRES or 522,969 Square Feet

No.	REVISIONS	Date
1	ADD ZONING REPORT	11-22-17
2	ADD ZONING CLASSIFICATION	11-22-17



**ALTA/NPS LAND TITLE SURVEY**  
 SEARS, ROEBUCK & CO.  
 4310 BUFFALO GAP ROAD  
 STORE NO. 1307  
 ABILENE, TEXAS 79606

Survey Prepared By  
  
 www.landpoint.net (800) 348-5154  
 ONE O'CONNOR PLAZA, 101 W. GOODWIN AVE., SUITE 322  
 VICTORIA, TX 77901 - TX FIRM # 369356

JOB NO. 17-1455 Sheet No. 1 of 1

The information contained herein was obtained from sources believed reliable; however, RetailUnion makes no guarantees, warranties or representations as to the completeness or accuracy thereof. The presentation of this property is submitted subject to errors, change of price, or conditions prior to sale or lease, or withdrawal without notice.



# 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:
  - 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.

RU Brokerage LLC	9009360	Nick@retailunion.com	214.960.4606
Licensed Broker /Broker Firm Name or Primary Assumed Business Name	License No.	Email	Phone
Nick G Koeijmans	386459	Nick@retailunion.com	214.960.4606
Designated Broker of Firm	License No.	Email	Phone
Licensed Supervisor of Sales Agent/ Associate	License No.	Email	Phone
Bryan Cornelius	401088	bryan@retailunion.com	214.960.4606
Sales Agent/Associate's Name	License No.	Email	Phone

Buyer/Tenant/Seller/Landlord Initials

Date



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RU Brokerage LLC	9009360	Nick@retailunion.com	214.960.4606
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Licensed Supervisor of Sales Agent/ Associate	License No.	Email	Phone
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Buyer/Tenant/Seller/Landlord Initials

Date