

Broker Participation Agreement

Broker/ Auctioneer: Triangle National, LLC (TREC Broker License Number 9006711) J.T. Haynes, Broker Manager; Charlie Sellers, Auctioneer; (TDLR License Number AUC - 17494); Jennifer Winegarner, Sales Agent (TREC License 664663) Phone: 806.324.7949; Email: info@superiorland.com; Address: 7673 Canyon Drive, Amarillo, TX 79110

Seller: John B. Hines Estate, Sharon Haynes – Independent Executrix

Broker: _____
(Name)

(Address)

_____/_____/_____
(E-mail/Phone/Fax)

Texas Broker License Number

Agent: _____
(Name)

(Address)

_____/_____/_____
(E-mail/Phone/Fax)

Texas Agent License Number

Client: _____
(Name)

(Address)

_____/_____/_____
(E-mail/Phone/Fax)

The above Broker hereby wishes to register the above Client as a potential Purchaser of the following Auction being conducted by Triangle National, LLC on the following property:

The land holdings of the John B. Hines Estate, being 4,100± acres in Gray County, Texas, which will be offered for sale in an online-only public auction in 4 individual tracts or tract combinations with open bidding from 10:00 a.m. on Monday, April 29, 2019 to 10:00 a.m. on Friday, May 3, 2019.

("Property")

Unless Client has been in direct contact with a representative of Triangle National, LLC, regarding this Auction or is on Auctioneer's direct contact list (either by email or fax), Triangle National, LLC hereby agrees to pay to the registering Broker on the following terms and conditions. Triangle National, LLC will pay out of its commission up to twenty percent (20.00%) of the Net Commission received at closing to Broker/Agent of a duly registered client under the terms of this agreement. "Net Commission" is the total of all sums paid to Auctioneer less:

- A. all expenses incurred by Auctioneer, including, without limitation, advertising, photography, preparation and production of auction brochures, signage, mailings, postage, telemarketing, room rental and refreshments for the inspection dates and the auction day, the preparation and duplication bidders packets, and other related information;
- B. all sums paid by Auctioneer for auctioneering services, including, without limitation, the commission paid to Auctioneer; and
- C. any sums that Auctioneer pays to any broker who has the Property under contract for sale at the time of execution of this Contract.

Broker understands that to qualify for this commission, a registration form must be received by Triangle National, LLC on or before 5 p.m. prior to the opening of the Auction. Under no circumstances will Broker registration be allowed once bidding has opened. Client must agree to and accept the full auction terms and conditions prior to being permitted to bid. There can be no exceptions to these terms and conditions, and no oral registrations will be accepted.

It is also understood and agreed that the Broker shall furnish the appropriate AGENCY DISCLOSURE FORM, prior to commencement of Auction. Broker shall hold harmless and indemnify Triangle National, LLC, as agents for the Seller, and the Seller from any and all claims, cost or expenses, including reasonable attorney fees, which may arise out of any actions, inactions, and/or representations made by Broker in connection with the sale of this property.

CONDUCT OF THE AUCTION: The property is being sold subject to all of the terms and conditions contained in the Auction Terms and Conditions provided. You or your Client's complete inspection and the inspection of the property by experts prior to the commencement of the Auction are encouraged. Conduct of the Auction and increments of the bidding are at the direction and discretion of the Auctioneer. Seller and Auctioneer reserve the right to refuse admittance to or to expel anyone from the Auction for any reason, including, but not limited to, interference with Auction activities, creating a nuisance, canvassing, or soliciting.

BUYER'S PREMIUM: If the Client is the successful Bidder, they must sign the applicable Earnest Money Contract. There will be a Buyer's Premium equal to ten percent (10%) of the highest bid added to the highest bid to establish the actual Contract Price on the Earnest Money Contract. An Earnest Deposit as required in the Terms and Conditions and on the Earnest Money Contract shall be paid by Client, and deposited with the Title Company.

Auctioneer is disclosing to the Client that paying this Buyer Premium does not create an Agency relationship with the Buyers and Buyer acknowledges that Triangle National, LLC is an Agent for the Seller.

The signatures below indicates acceptance of the above terms and conditions.

BROKER/AGENT SIGNATURE

Date: _____

CLIENT SIGNATURE

Date: _____

ACCEPTED BY Triangle National, LLC

a Texas limited liability company

7673 Canyon Drive, Amarillo, TX 79110

Phone: 806.324.7949; Email: info@superiorland.com

By: _____

Jennifer Winegarner

Date: _____