

# FOR SALE

**100 Acres**

**Pasture & Hunting Land  
With Ranch House**

**Marlin, Falls County, TX 76661**

**\$339,000**

For a virtual tour and investment offering go to: [www.texasfarmandranchrealty.com](http://www.texasfarmandranchrealty.com)



Bob Dube 254-803-5263 (LAND) 512-423-6670 (mobile)

[bob@texasfarmandranchrealty.com](mailto:bob@texasfarmandranchrealty.com) [www.texasfarmandranchrealty.com](http://www.texasfarmandranchrealty.com)

A DBA of Dube's Commercial, Inc. TREC# 484723

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## **Property Highlights**

**Location** – The property is located on CR 123 North of Marlin, Falls County, Texas. From the intersection of Hwy 6 & FM 147 in Marlin take Hwy 6 North and go 2.0 miles. Turn right on CR 122 and go 1.1 miles. Turn left on CR 123 and the entrance to the property will be 1.2 miles on the right.

**Acres** – 100.00 acres MOL according to the Falls County Appraisal District and has approximately 2,400 linear feet of road frontage on CR 123.

**Improvements** – The property has a 1,872 sf (per FCAD) three bedroom, three full bath house built in 1970. Full kitchen, attached garage, sun room, hobby room, den and metal roof. The house is all electric and has central heat and air. The house is on septic and reports to be four years old. The property has four stock tanks, a storage/work shed, corral, hay barn and is fenced and cross fenced with barbed and electric wire. Fencing is in good shape. Gravel road from CR to house.

**Water** – There is a Tri-County Water meter on the property. There is not an existing water well. Please refer to the well map located in this brochure for nearest installation and depth. There are four stock tanks and Big Sandy Creek borders the Eastern part of the property.

**Electricity** – Navasota Valley Electric services the area and there is an existing meter to the property.

**Soil** – There are various soil types on the property. Please refer to the USDA Soil Map located in this brochure for soil types.

**Minerals** – The seller reportedly owns 1/6 of the minerals which will be conveyed with the property.

**Topography** – The land is flat with gently rolling areas. Great views from the hill areas.

**Current Use** – Privately owned and is used for grazing cattle and hunting. Deer are plentiful.

**Ground Cover** – Property has numerous legacy oak trees that are very large as well as other native trees to the area. Property has a mixture of Coastal Bermuda, native grasses and wooded areas for wildlife cover. Coastal Bermuda fields have high hay production per acre.

**Easements** – An abstract of title will need to be performed to determine all easements that may exist. Easements known to exist are electrical, water, overflow easement and damage agreement executed by the City of Marlin on June 27, 1924.

**Showings** - By appointment only. If applicable, buyers who are represented by an agent/broker must have its agent/broker present at all showings to participate in any co-brokerage commissions.

**Price** - \$339,000 - \$3,390 an acre



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## **Property Pictures**





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## **Property Pictures**



# 100 Acres – Pasture & Hunting Land With Ranch House

## Marlin, Falls County, TX 76661

**Plat Showing Two Tracts of Land in Falls County, Texas.**

The plat shows two tracts of land: a 38.35-acre tract and a 100.00-acre tract. The 38.35-acre tract is bounded by John S. Bailey's 198.56-acre tract (Volume 222, Page 231) and the Center of Falls County Road No. 123. The 100.00-acre tract is bounded by John S. Bailey's 173.55-acre tract (Volume 222, Page 231), the Center of Falls County Road No. 123, and Big Sandy Creek. The plat also shows the approximate center of Big Sandy Creek and the Center of Falls County Road No. 123.

**Line Table**

LINE	BEARING	DISTANCE
L1	S 34°24'30" E	205.74'
L2	S 12°35'17" W	88.75'
L3	S 20°12'57" E	74.62'
L4	S 13°32'47" E	30.40'
L5	S 42°26'44" W	78.88'
L6	S 47°16'15" W	74.89'
L7	S 24°51'45" E	77.49'
L8	S 54°10'30" E	88.08'
L9	N 8°51'27" E	140.37'
L10	N 74°47'36" E	161.25'
L11	S 8°25'25" E	101.07'
L12	N 67°32'30" E	183.88'
L13	S 58°47'45" E	100.90'
L14	S 58°47'45" E	50.66'
L15	S 40°07'43" E	203.89'
L16	S 05°24'48" E	707.48'
L17	S 42°16'36" W	154.36'
L18	S 12°21'47" W	114.23'
L19	S 07°05'14" W	102.19'

**LEGEND**

- = IRON PIN SET
- = RAILROAD SPUR TOWNSHIP
- - - = FENCE LINE
- - - = ELECTRIC LINE
- (RECORD DATA)

**WITNESS MY HAND AND SEAL THIS 27TH DAY OF APRIL, 2006.**

Tally Todd  
Registered Professional Land Surveyor No. 5496



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## Field Notes of Survey



**T & M Surveying**

1-254-774-8200

Fax 1-254-774-8015

Toll Free 1-877-259-5660

### FIELD NOTES FOR A TRACT OF LAND IN FALLS COUNTY, TEXAS.

Being 100.00 Acres, more or less, of the Thomas J. Chambers Survey, Abstract No. 13 and the Jose Antonio Manchaca Survey, Abstract No. 33, conflicting surveys, and being part of a 138.36 Acre tract described in Volume 254, Page 183 of the Deed Records of Falls County, Texas, and conveyed to John F. Badley in Volume 320, Page 631 of said deed records;

BEGINNING at a ½ inch iron pin, set, at the Southeast fence corner of said 138.36 Acre tract, also being in the North line of a 112.92 Acre tract described in a deed to Robert G. Parten and wife, Frances Parten as recorded in Volume 310, Page 349 of said deed records, and in the West line of a 21.73 Acre tract described in a deed to the City of Marlin as recorded in Volume 117, Page 518 of said deed records;

THENCE, S 59° 36' 07" W, with the South line of said 138.36 Acre tract and the North line of said 112.92 Acre tract, at 1142.81 Feet, pass a ½ inch iron pin, set, at fence corner post on the East side of Falls County Road No. 123, on line, continuing in all 1170.76 Feet, to the center of said county road, being the Southwest corner of said 138.36 Acre tract, and being in the East line of a 105 Acre tract conveyed as Tract Two in a deed to Brenda Smith and Elizabeth Dieterich as recorded in Volume 133, Page 908 of the Official Records of Falls County, Texas;

THENCE, with the center of said county road and the West line of said 138.36 Acre tract, as follows; N 34° 11' 04" W, at 0.47 Feet, pass a railroad spike, set, on line, continuing in all 157.92 Feet, to a railroad spike, set; and N 30° 03' 07" W, 772.18 Feet, to a railroad spike, set; and N 31° 41' 05" W, 716.85 Feet, to a railroad spike, set; and N 30° 03' 54" W, 761.03 Feet, to a railroad spike, set, at the Northwest corner hereof, in the East line of a 79.22 Acre tract described in a deed to Keith E. Drews and wife, Deborah J. Drews as recorded in Volume 286, Page 636 of said deed records, from whence the Northwest corner of said 138.36 Acre tract and the Southwest corner of a 31.119 Acre tract described in a deed to John Cecil Badley as recorded in Volume 142, Page 199 of said official records, Brs. N 30° 03' 54" W, 753.15 Feet;

THENCE, N 62° 20' 56" E, with the North line hereof, 2639.89 Feet, to the approximate center of Big Sandy Creek, for the Northeast corner hereof, in the East line of said 138.36 Acre tract and in the West line of a 60 Acre tract described in Volume 150, Page 268 of said deed records, and conveyed to Irene J. Quandt as recorded in Volume 325, Page 68 of said deed records;

THENCE, with the East line of said 138.36 Acre tract and the approximate center of said creek, as follows; S 59° 47' 45" E, 50.66 Feet; and S 40° 07' 43" E, 203.89 Feet; and S 5° 24' 48" E, 107.48 Feet; and S 42° 16' 56" W, 154.38 Feet; and S 13° 21' 47" W, 114.23 Feet; and S 3° 00' 16" W, 102.19 Feet, to an outer ell corner hereof;

THENCE, S 49° 11' 11" W, at 31.27 Feet, pass a ½ inch iron pin, set, on line, continuing in all 220.71 Feet, to a ½ inch iron pin, set, at fence corner post, for an inner ell corner of said 138.36 Acre tract and in the North line of said 21.73 Acre tract;

THENCE, with the East line of said 138.36 Acre tract, as follows; S 6° 00' 00" W, (Basis of Bearings) 909.79 Feet, to a ½ inch iron pin, set, at fence corner post; and S 4° 59' 23" E, 644.02 Feet, to a ½ inch iron pin, set, at fence corner post; and S 62° 58' 16" W, 184.33 Feet, to a ½ inch iron pin, set, at fence corner post; and S 35° 59' 14" E, 383.36 Feet, to the PLACE OF BEGINNING.

I, Toby Tibbit, Registered Professional Land Surveyor No. 5496, do hereby certify that the foregoing Field Notes were prepared from a survey made on the ground, April 26, 2006, the Records of Falls County, Texas, and surveys of area property, that the corners and boundaries with marks Natural and Artificial are just as were found, on the ground. Basis of Bearings, described above.

WITNESS MY HAND AND SEAL THIS THE 27th DAY OF APRIL, 2006.

Toby Tibbit

Registered Professional Land Surveyor No. 5496



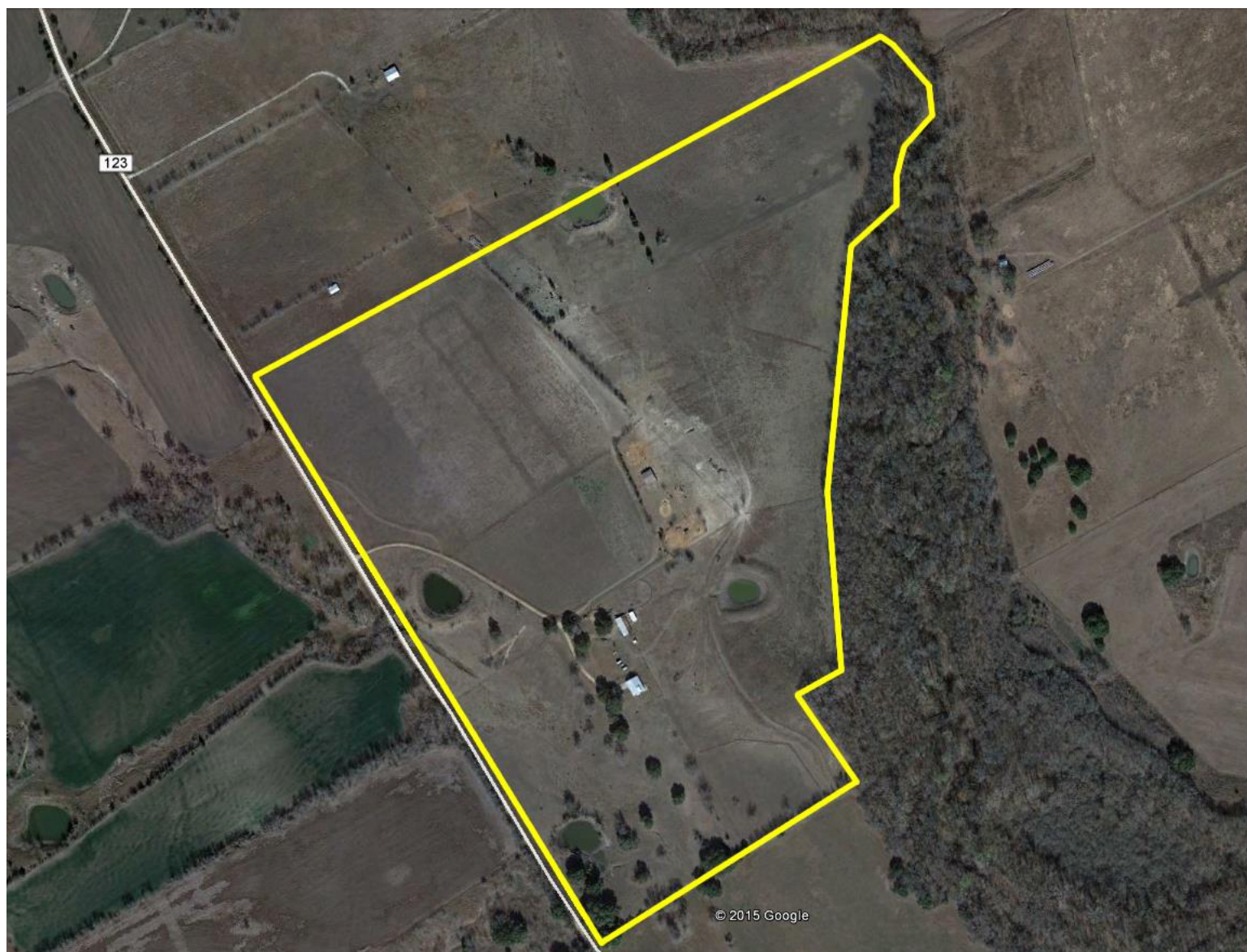
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## **Property Aerial View**

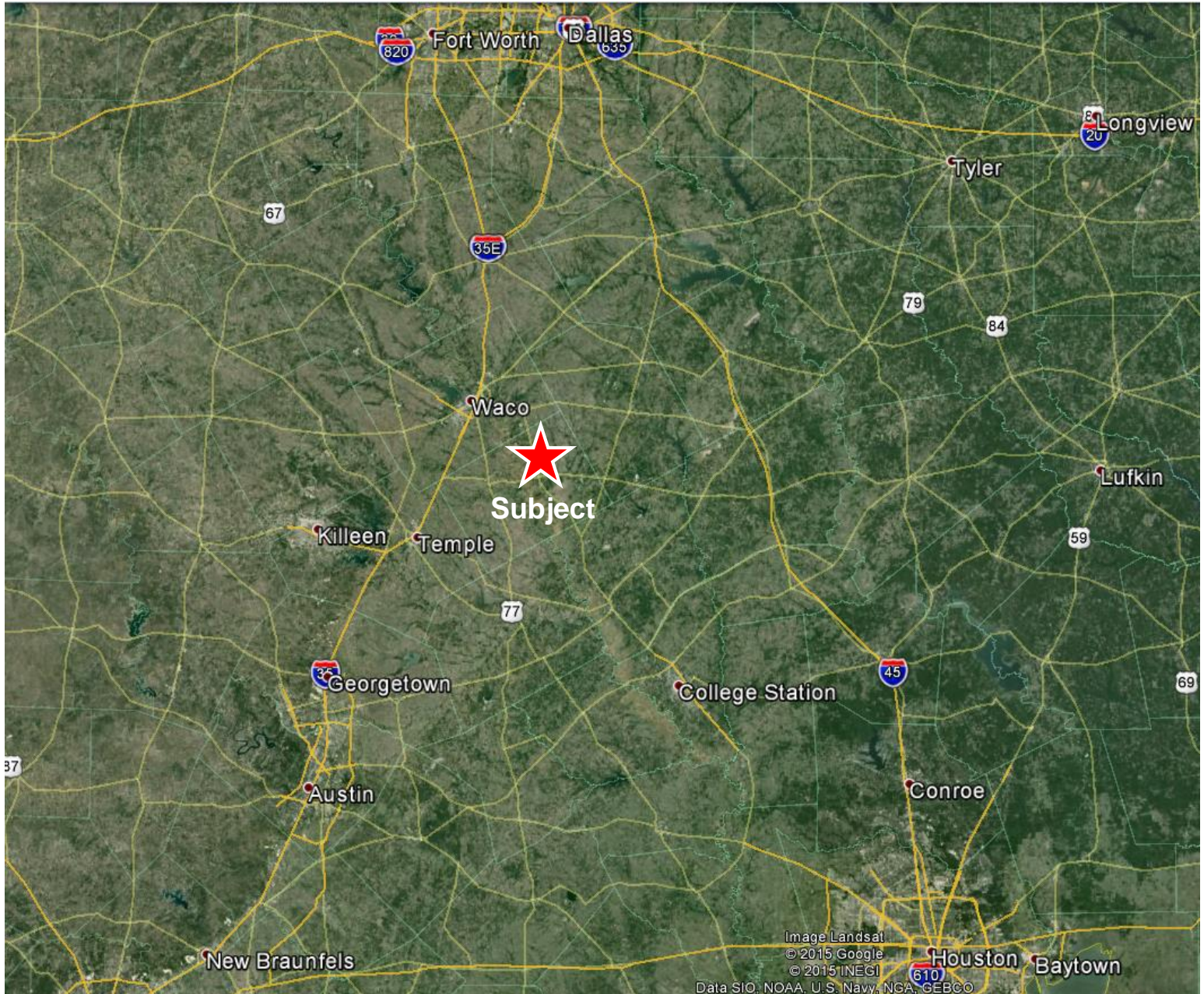




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### **Property Location Relative to DFW, Austin and Houston**



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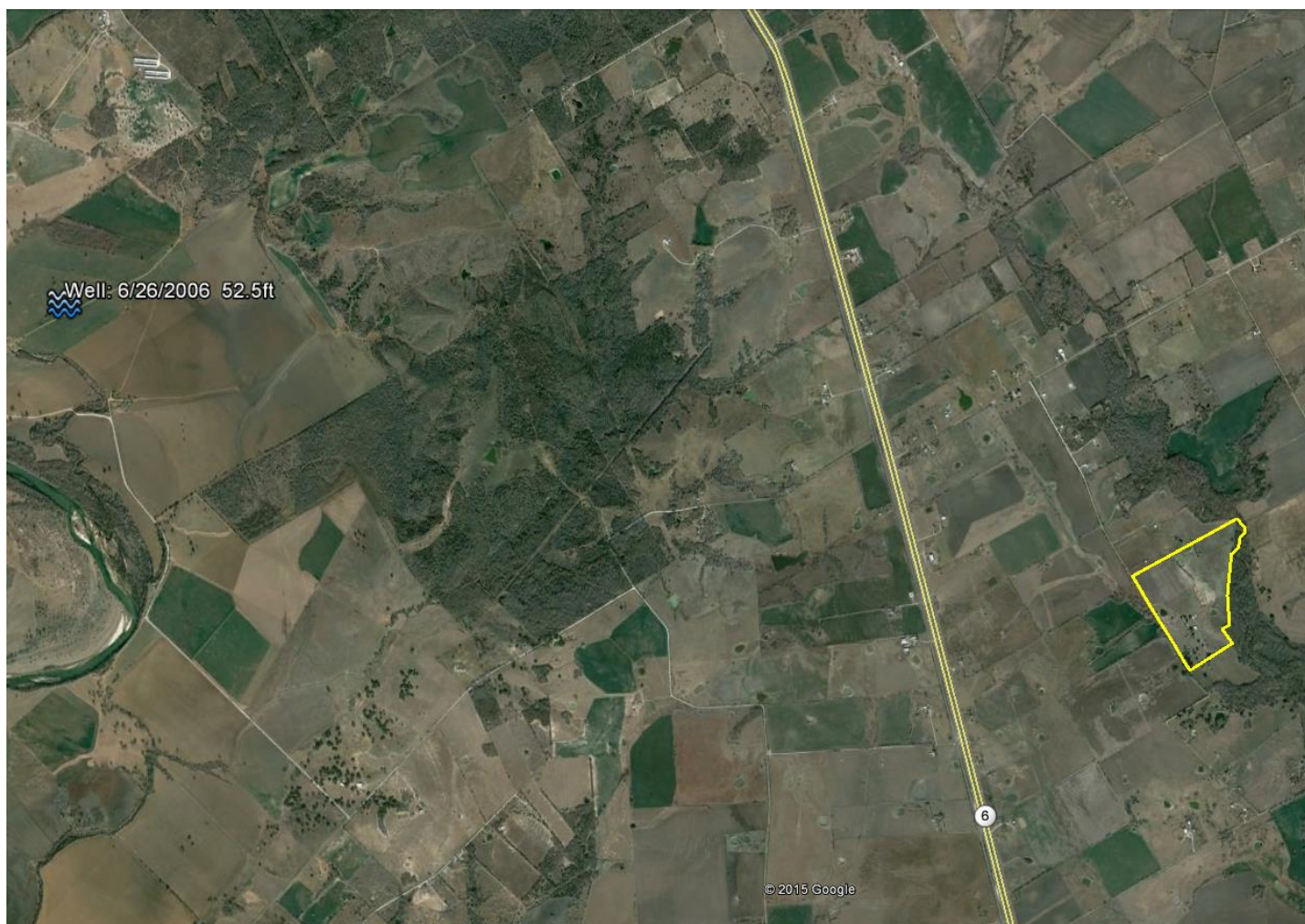
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## **Aerial of Water Well Nearest Property**



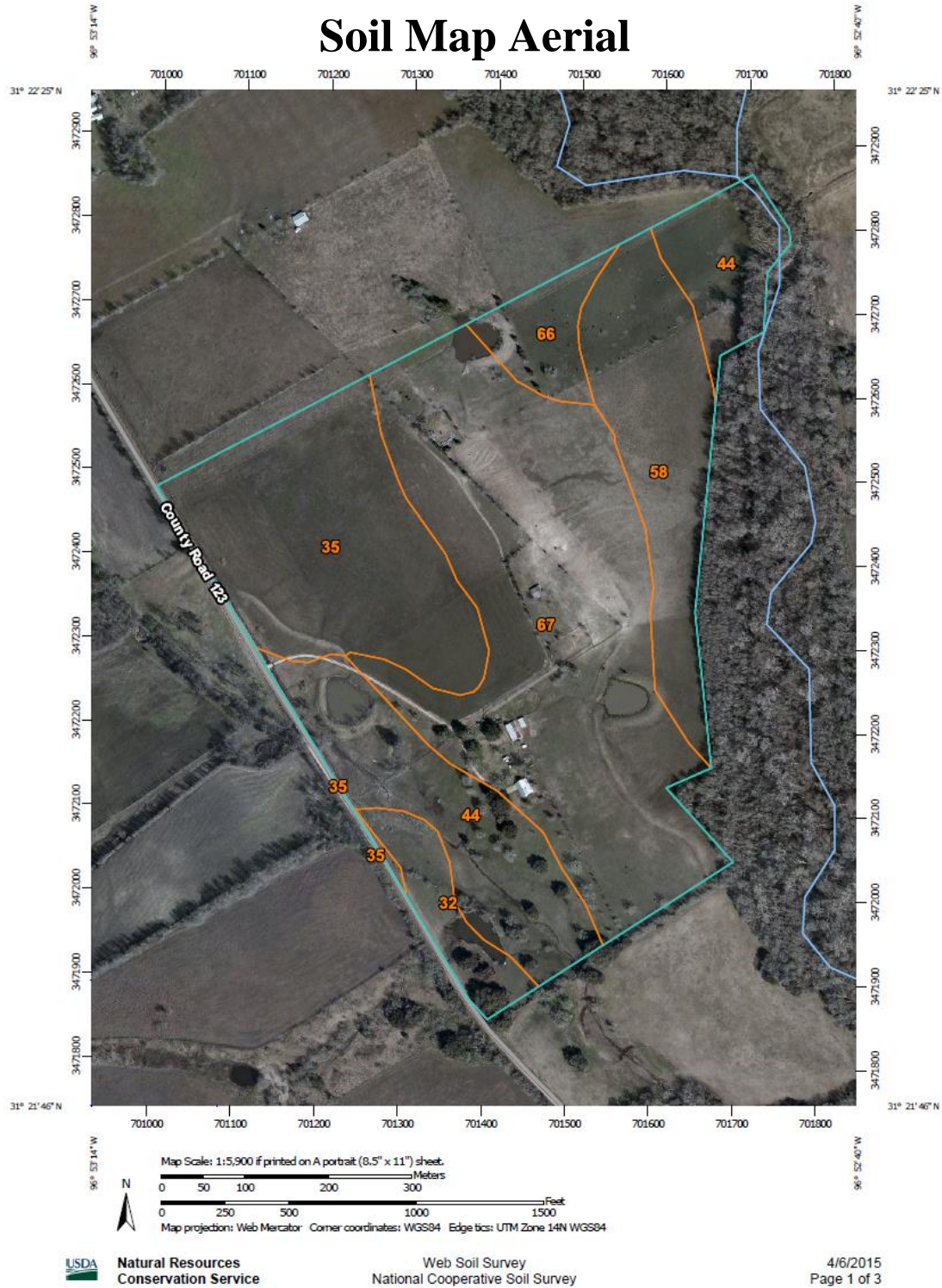
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## **100 Acres – Pasture & Hunting Land With Ranch House Marlin, Falls County, TX 76661**

### **Soil Type Legend**

Falls County, Texas (TX145)			
Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
32	Heiden-Ferris complex, 5 to 8 percent slopes, eroded	4.0	4.0%
35	Houston Black clay, 1 to 3 percent slopes	20.4	20.7%
44	Ovan silty clay, frequently flooded	17.9	18.1%
58	Tinn clay, occasionally flooded	13.2	13.3%
66	Wilson silty clay loam, 1 to 3 percent slopes	3.7	3.7%
67	Wilson silty clay loam, 2 to 5 percent slopes, eroded	39.7	40.1%
Totals for Area of Interest		98.9	100.0%



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## **100 Acres – Pasture & Hunting Land With Ranch House Marlin, Falls County, TX 76661**

### **Soil Type - 32**

**32—Heiden-Ferris complex, 5 to 8 percent slopes, eroded.** This map unit consists of well drained, sloping soils on uplands. It is made up of small areas of Heiden and Ferris soils so intermingled that separation is not practical at the scale selected for mapping. Most areas are rilled and have shallow gullies that are 100 to 150 feet apart. They are on convex, complex side slopes. Areas are long and narrow and range from 5 to about 150 acres in size.

A typical area of this map unit is 53 percent Heiden soils and 47 percent Ferris soils. The Ferris soils occupy the gullies and the adjoining slopes. The Heiden soils are eroded and occupy areas between gullies.

Typically, the Heiden soils have a surface layer of dark grayish brown, moderately alkaline clay about 18 inches thick. Between depths of 18 and 43 inches is grayish brown, moderately alkaline clay. The underlying layer, to a depth of 80 inches, is olive yellow, moderately alkaline clay.

The Heiden soils are deep. Permeability is very slow, and available water capacity is high. Runoff is rapid. The hazard of water erosion is severe.

Typically, the Ferris soils have a surface layer of light yellowish brown, moderately alkaline clay about 8 inches thick. Between depths of 8 and 32 inches is olive yellow, moderately alkaline clay. The underlying layer, to a depth of 45 inches, is yellow, moderately alkaline shaly clay.

The Ferris soils are moderately deep to deep. Permeability is very slow, and available water capacity is high. Runoff is rapid. The hazard of water erosion is severe.

These soils are not suited to crops. They have low potential for pasture, recreation, and urban uses. The most restrictive limitations are shrinking and swelling with changes in moisture, slope, hazard of erosion, corrosivity to uncoated steel, and very slow permeability.

These soils have high potential for range. The climax plant community is tall grasses and an overstory of live oak, elm, and hackberry trees along the drainageways.

Potential for openland wildlife habitat is medium, and potential for rangeland wildlife habitat is low. Capability subclass IVE; Heiden part is Blackland range site, Ferris part is Eroded Blackland range site.



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## **100 Acres – Pasture & Hunting Land With Ranch House Marlin, Falls County, TX 76661**

### **Soil Type - 35**

35—Houston Black clay, 1 to 3 percent slopes. This deep, moderately well drained, gently sloping soil is on smooth ridges on foot slopes of uplands. Slopes are convex. Areas are long and narrow to broad in shape and range from 10 to 50 acres in size.

The soil has a surface layer of very dark gray, moderately alkaline clay to a depth of 28 inches. The next layer is dark gray, moderately alkaline clay to a depth of 48 inches. Between depths of 48 and 67 inches is olive gray, moderately alkaline clay. The underlying layer, to a depth of 80 inches, is olive yellow and light brownish gray, moderately alkaline clay that has brownish yellow mottles.

This soil is difficult to work. When wet, it is sticky; when dry, it is hard and clods when plowed. Dense plowpan layers are common in cultivated areas. Permeability is very slow, and available water capacity is high. The root zone is deep, but penetration by roots is slow. Runoff is medium. The hazard of water erosion is moderate.

Included with this soil in mapping are small areas of Branyon, Burleson, and Heiden soils. The Branyon soils are on stream terraces. The Burleson and Heiden soils have no particular pattern of occurrence. The included soils make up 10 to 20 percent of this map unit.

This soil is used mainly for crops. The potential for growing crops is high. Cotton and grain sorghum are the main crops, but corn and small grain are also grown. The main objectives of management are controlling erosion and improving tilth. Growing crops that produce large amounts of residue or growing deep-rooted legumes help control erosion and maintain the tilth.

This soil has high potential for pasture. It is well suited to improved bermudagrass, kleingrass, and King Ranch bluestem. Proper pasture management includes fertilization, weed control, and controlled grazing.

This soil has high potential for range, but very few acres are used for this purpose. The climax plant community is tall grasses and an overstory of a few large live oak, elm, and hackberry trees along the drainageways.

This soil has low potential for most urban uses. Its most restrictive limitations are shrinking and swelling with changes in moisture, corrosivity to uncoated steel, low strength, and slow percolation.

The potential for recreation is low. The clayey surface layer and the very slow permeability are the most restrictive limitations for this use. Potential for both openland and rangeland wildlife habitat is medium. Capability subclass IIE; Blackland range site.



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## **100 Acres – Pasture & Hunting Land With Ranch House Marlin, Falls County, TX 76661**

### **Soil Type - 44**

**44—Ovan silty clay, frequently flooded.** This deep, moderately well drained, nearly level soil is on flood plains of major streams. It is flooded two or three times each year; flooding lasts for several hours to several days. Areas are long narrow bands paralleling the stream channel. They have plane slopes of 0 to 1 percent. Individual areas range from 50 to 900 acres in size.

This soil has a surface layer of dark grayish brown, moderately alkaline silty clay about 46 inches thick. The underlying layer, to a depth of 80 inches, is grayish brown, moderately alkaline silty clay.

Permeability is very slow, and the available water capacity is high. The root zone is deep and easily penetrated by roots. Runoff is slow, and the hazard of water erosion is slight.

Included with this soil in mapping are a few areas of Ovan soils that are not flooded annually and intermingled areas of Trinity soils. The included soils make up less than 20 percent of this map unit.

This soil has low potential for production of crops, recreation, and urban uses. Its potential is limited by flooding, which can only be overcome by major flood control.

This soil has high potential for pasture. It is well suited to improved bermudagrass, common bermudagrass, johnsongrass, and kleingrass. Proper pasture management includes fertilization, controlled grazing, and weed control.

This soil has high potential for range. The climax plant community is a mixture of tall and mid grasses and an overstory of oak, elm, hackberry, cottonwood, and black willow trees along the streams.

This soil has low potential for both openland and rangeland wildlife habitat. Capability subclass Vw; Clayey Bottomland range site.



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## **100 Acres – Pasture & Hunting Land With Ranch House Marlin, Falls County, TX 76661**

### **Soil Type - 58**

58—Trinity clay, occasionally flooded. This deep, somewhat poorly drained, nearly level soil is on flood plains of minor streams. It is flooded only once every 4 to 10 years; flooding lasts for several hours. Slopes are plane to slightly concave and range from 0 to 1 percent. Individual areas are in long, narrow bands and range from 10 to about 150 acres in size.

This soil has a surface layer of very dark gray, moderately alkaline clay about 45 inches thick. Between depths of 45 and 61 inches is gray, moderately alkaline clay. The underlying layer, to a depth of 80 inches, is olive gray, moderately alkaline clay.

This soil is difficult to work. It stays wet for long periods after rains. When dry, this soil is extremely hard, and large clods form if it is plowed. Permeability is very slow, and the available water capacity is high. The root zone is deep, but dense plowpan layers that form in cultivated areas restrict the movement of roots. Runoff is very slow. The hazard of water erosion is slight.

Included with this soil in mapping are a few intermingled areas of Ovan and Gowen soils. Also included are few soils in narrow sloughs that hold floodwaters when the main stream overflows its banks. These included soils make up about 10 to 20 percent of this map unit.

This soil has high potential for production of crops. The major crops are cotton and grain sorghum, and some corn is also grown. The major management objective is to improve tilth. Growing crops that produce large amounts of residue or deep-rooted legumes help maintain the soil tilth.

This soil has medium potential for pasture. It is well suited to improved bermudagrass, common bermudagrass, johnsongrass, and kleingrass. Proper management includes fertilization, weed control, and controlled grazing.

This soil has medium potential for range. The climax plant community is a mixture of tall and mid grasses and an overstory of oak, elm, hackberry, cottonwood, and black willow trees adjacent to the stream.

This soil has low potential for urban uses. Its most restrictive limitations are wetness, flooding, shrinking and swelling with changes in moisture, and slow percolation. The potential for recreation is low. Wetness, flooding, and the clayey surface layer are the most restrictive limitations for this use. Potential for both openland and rangeland wildlife habitat is medium. Capability subclass IIw; Clayey Bottomland range site.



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## **100 Acres – Pasture & Hunting Land With Ranch House Marlin, Falls County, TX 76661**

### **Soil Type - 66**

**66—Wilson silty clay loam, 1 to 3 percent slopes.** This deep, somewhat poorly drained, gently sloping soil is on uplands and ancient stream terraces. Slopes are plane or slightly concave. Areas range from 15 to 150 acres in size.

The soil has a surface layer of very dark gray, mildly alkaline silty clay loam about 6 inches thick. Below the surface, to a depth of 28 inches, is dark gray, mildly alkaline clay. Between depths of 28 and 55 inches is gray, mildly alkaline clay. The underlying layer, to a depth of 80 inches, is light brownish gray, moderately alkaline clay that has brownish yellow mottles.

This soil is difficult to work because of surface crusts and dense plowpan layers that form in cultivated areas. When dry, this soil is extremely hard; when wet, it is sticky and gummy. Permeability is very slow, and available water capacity is high. The root zone is deep, but root penetration is slow and difficult in the underlying layers. Runoff is medium. The hazard of water erosion is moderate.

Included with this soil in mapping are a few intermingled areas of Burleson, Crockett, and Normangee soils. Also included are a few areas of eroded Wilson soils. The included soils make up about 10 to 20 percent of this map unit.

This soil has medium potential for production of crops, but it is limited for this use by surface crusting and rapid loss of soil moisture during the summer. The major crops are grain sorghum, cotton, and small grain for winter grazing. The major objectives of management are controlling erosion, maintaining fertility, and improving tilth. Growing crops that produce large amounts of residue or growing deep-rooted legumes help to control erosion and maintain tilth.

This soil has medium potential for pasture. It is well suited to coastal bermudagrass, King Ranch bluestem, and weeping lovegrass. Needed pasture management includes fertilization, weed control, and controlled grazing.

This soil has medium potential for range. The climax plant community is a mixture of tall and mid grasses and an overstory of a few live oak, elm, and hackberry trees along streams and occasionally in motts.

This soil has low potential for most urban uses. Its most restrictive limitations are shrinking and swelling with changes in moisture, occasional wetness, low strength, corrosivity to uncoated steel, and slow percolation. The potential for recreation is medium. Occasional wetness and the very slow permeability are the most restrictive limitations for this use. Potential for both openland and rangeland wildlife habitat is medium. Capability subclass IIIe; Claypan Prairie range site.



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## **100 Acres – Pasture & Hunting Land With Ranch House Marlin, Falls County, TX 76661**

### **Soil Type - 67**

**67—Wilson silty clay loam, 2 to 5 percent slopes, eroded.** This deep, somewhat poorly drained, gently sloping soil is on uplands and ancient stream terraces. Slopes are convex or plane. Areas are in long narrow bands, and the soil slopes to natural drainageways. Part of the original surface layer has been removed by water erosion, and many areas are dissected by gullies about 1 to 2 feet deep and 75 to 100 feet apart. Individual soil areas range from 20 to 175 acres in size.

This soil has a surface layer of dark grayish brown, mildly alkaline silty clay loam about 4 inches thick. Below the surface layer, to a depth of 28 inches, is dark gray, mildly alkaline clay. Between depths of 28 and 62 inches is gray, mildly alkaline clay. The underlying layer, to a depth of 80 inches, is very pale brown, moderately alkaline clay that has yellow mottles.

This soil is difficult to work. When dry, it is extremely hard; when wet, it is sticky and gummy. Surface crusts and dense plowpans form in cultivated areas. Permeability is very slow, and available water capacity is high. The root zone is deep, but root penetration is slow and difficult in the underlying layers. Runoff is medium. The hazard of water erosion is severe.

Included with this soil in mapping are a few intermingled areas of Crockett and Burleson soils. The included soils make up less than 20 percent of this map unit.

This soil has medium potential for production of crops. The major crops are grain sorghum, cotton, and corn. The objectives of management are controlling erosion and maintaining tilth and fertility. Terracing and growing crops that produce large amounts of residue or deep-rooted legumes help control erosion and maintain tilth.

This soil has medium potential for pasture. It is well suited to coastal bermudagrass, King Ranch bluestem, and weeping lovegrass. Pasture management needed includes fertilization, weed control, and controlled grazing.

This soil has medium potential for range. The climax plant community is a mixture of tall and mid grasses and an overstory of a few live oak, elm, and hackberry trees along streams or occasionally in motts.

This soil has low potential for most urban uses. The most restrictive limitations are the presence of gullies, shrinking and swelling with changes in moisture, occasional wetness, low strength, corrosivity to uncoated steel, and slow percolation. The potential for recreation is medium. Gullies, occasional wetness, and the very slow permeability are the most restrictive limitations for this use. Potential for both openland and rangeland wildlife habitat is medium. Capability subclass IVe; Claypan Prairie range site.



**Bob Dube    254-803-5263 (LAND)    512-423-6670 (mobile)**

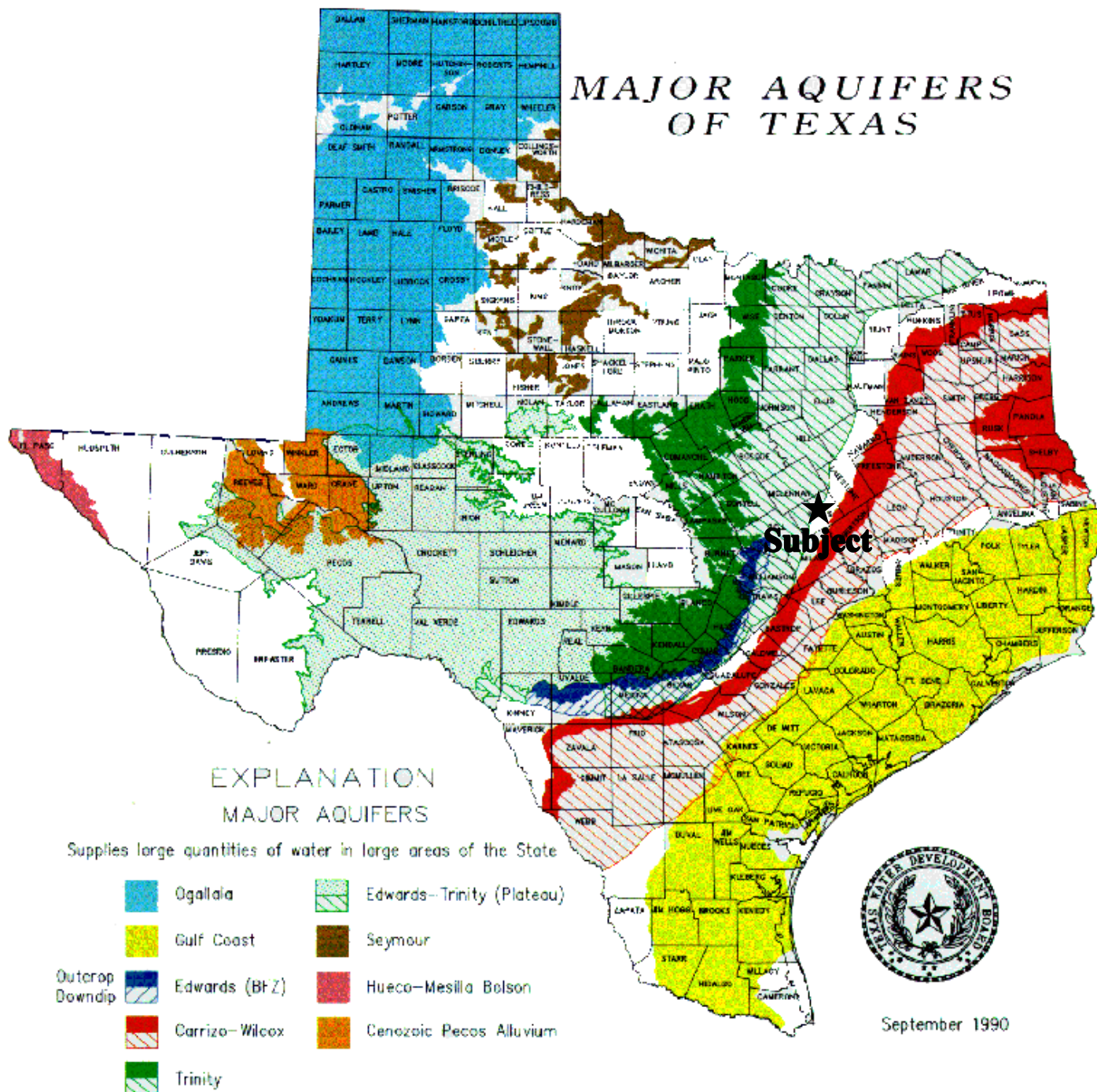
**bob@texasfarmandranchrealty.com    www.texasfarmandranchrealty.com**

— "Stewards of Land" —  
A DBA of Dube's Commercial, Inc. TREC# 484723

**FOR  
SALE**

# 100 Acres – Pasture & Hunting Land With Ranch House Marlin, Falls County, TX 76661

## Property Location to Major Aquifers of Texas



**TEXAS**  
FARM & RANCH REALTY

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[bob@texasfarmandranchrealty.com](mailto:bob@texasfarmandranchrealty.com) [www.texasfarmandranchrealty.com](http://www.texasfarmandranchrealty.com)





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### **CONFIDENTIALITY & DISCLAIMER**

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## Information About Brokerage Services

**B**efore working with a real estate broker, you should know that the duties of a broker depend on whom the broker represents. If you are a prospective seller or landlord (owner) or a prospective buyer or tenant (buyer), you should know that the broker who lists the property for sale or lease is the owner's agent. A broker who acts as a subagent represents the owner in cooperation with the listing broker. A broker who acts as a buyer's agent represents the buyer. A broker may act as an intermediary between the parties if the parties consent in writing. A broker can assist you in locating a property, preparing a contract or lease, or obtaining financing without representing you. A broker is obligated by law to treat you honestly.

### IF THE BROKER REPRESENTS THE OWNER:

The broker becomes the owner's agent by entering into an agreement with the owner, usually through a written - listing agreement, or by agreeing to act as a subagent by accepting an offer of subagency from the listing broker. A subagent may work in a different real estate office. A listing broker or subagent can assist the buyer but does not represent the buyer and must place the interests of the owner first. The buyer should not tell the owner's agent anything the buyer would not want the owner to know because an owner's agent must disclose to the owner any material information known to the agent.

### IF THE BROKER REPRESENTS THE BUYER:

The broker becomes the buyer's agent by entering into an agreement to represent the buyer, usually through a written buyer representation agreement. A buyer's agent can assist the owner but does not represent the owner and must place the interests of the buyer first. The owner should not tell a buyer's agent anything the owner would not want the buyer to know because a buyer's agent must disclose to the buyer any material information known to the agent.

### IF THE BROKER ACTS AS AN INTERMEDIARY:

A broker may act as an intermediary between the parties if the broker complies with The Texas Real Estate License Act. The broker must obtain the written consent of each party to the transaction to act as an

intermediary. The written consent must state who will pay the broker and, in conspicuous bold or underlined print, set forth the broker's obligations as an intermediary. The broker is required to treat each party honestly and fairly and to comply with The Texas Real Estate License Act. A broker who acts as an intermediary in a transaction:

(1) shall treat all parties honestly;

(2) may not disclose that the owner will accept a price less than the asking price unless authorized in writing to do so by the owner;

(3) may not disclose that the buyer will pay a price greater than the price submitted in a written offer unless authorized in writing to do so by the buyer; and

(4) may not disclose any confidential information or any information that a party specifically instructs the broker in writing not to disclose unless authorized in writing to disclose the information or required to do so by The Texas Real Estate License Act or a court order or if the information materially relates to the condition of the property.

With the parties' consent, a broker acting as an intermediary between the parties may appoint a person who is licensed under The Texas Real Estate License Act and associated with the broker to communicate with and carry out instructions of one party and another person who is licensed under that Act and associated with the broker to communicate with and carry out instructions of the other party.

**If you choose to have a broker represent you**, you should enter into a written agreement with the broker that clearly establishes the broker's obligations and your obligations. The agreement should state how and by whom the broker will be paid. You have the right to choose the type of representation, if any, you wish to receive. Your payment of a fee to a broker does not necessarily establish that the broker represents you. If you have any questions regarding the duties and responsibilities of the broker, you should resolve those questions before proceeding.

Real estate licensee asks that you acknowledge receipt of this information about brokerage services for the licensee's records.

Buyer, Seller, Landlord or Tenant

Date

Texas Real Estate Brokers and Salespersons are licensed and regulated by the Texas Real Estate Commission (TREC). If you have a question or complaint regarding a real estate licensee, you should contact TREC at P.O. Box 12188, Austin, Texas 78711-2188, 512-936-3000 (<http://www.trec.texas.gov>)

(TAR-2501) 10-10-11

TREC No. OP-K

Dube's Commercial Inc 401 Congress Austin, TX 78701  
Phone: (512)423-6670

Fax: (512)671-8011

Robert Dube

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Produced with ZipForm® by zipLogix 18070 Fifteen Mile Road, Fraser, Michigan 48026 [www.zipLogix.com](http://www.zipLogix.com)