

LOT FOR SALE



401 CLINTON ST. BRENHAM

Lot located at 401 Clinton St. in the City of Brenham near downtown. Approximately 0.184 acres zoned B2 Commercial, Research and Technology. Verify uses with City of Brenham. City of Brenham is thriving with lots of new businesses, developments and events. Adjoining lot also available at the corner of Seelhorst and Mill St appx 0.196 acres for \$45,000. .

LISTING PRICE: \$45,000



Susan S. Kiel, Broker Associate
Market Realty, Inc.
979-251-4078
979-836-9600
burtan@marketrealty.com
www.marketrealty.com



If you have a brokerage relationship with another agency, this is not intended as a solicitation. All information deemed reliable but not guaranteed.

401 Clinton St
Texas, AC +/-



NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM ANY INSTRUMENT THAT TRANSFERS AN INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

CORRECTION WARRANTY DEED: ROGER BRINKMEYER TO BIG INVESTMENT GROUP, LLC.

THE STATE OF TEXAS,)
(KNOW ALL MEN BY THESE PRESENTS:
COUNTY OF WASHINGTON.)

That I, ROGER BRINKMEYER, a single person, hereinafter sometimes called Grantor, for and in consideration of the sum of TEN AND NO/100 (\$10.00) DOLLARS, cash, to me in hand paid by BIG INVESTMENT GROUP, LLC, of 2630 Highway 36 South, Brenham, Washington County, Texas 77833, the receipt of which is acknowledged and confessed, and the further consideration of the execution and delivery by the said BIG INVESTMENT GROUP, LLC, hereinafter sometimes called Grantee, of its one certain promissory vendor's lien note, bearing even date herewith, being in the principal sum of

, payable to , at
the request of all parties hereto said, as
payee in said note, having furnished the purchase money to the extent of said note, the receipt of which is hereby acknowledged by the Grantor herein, said note providing for interest and being payable at the time, place, and in the manner as therein provided,

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said note providing for a reasonable attorney's fee, and providing that if default be made in the payment of any installment when due shall, at the option of the owner or holder of said note, mature the entire remaining balance, principal and interest. The above described note being secured by a Vendor's Lien retained and reserved against the hereinafter described property, and Grantor does hereby sell and assign unto its successors and assigns, the vendor's lien and superior title herein retained against the hereinafter described property to secure the payment of the above described note, hereby fully and completely granting unto all rights, titles, equities, and interest in and to said note and the vendor's lien existing against said property to secure the payment thereof; such assignment, however, being WITHOUT RECOURSE in any event against the Grantor herein; said note being additionally secured by a Deed of Trust of even date, executed by the Grantee, BIG INVESTMENT GROUP, LLC, to LEE R. GASKAMP, JR., TRUSTEE, for the use and benefit of payee in said note and owner and holder thereof;

HAVE GRANTED, SOLD AND CONVEYED and by these presents DO GRANT, SELL AND CONVEY unto the said BIG INVESTMENT GROUP, LLC, the following described property and premises, situated in Washington County, Texas, to-wit:

401 Clinton St LotTRACT ONE:

All that certain lot or parcel of land in the City of Brenham, out of the A. Harrington League, Washington County, Texas, being a part of Lot No. 5, Block 26, Key's First Addition to the City of Brenham, Texas, and the land described herein being a part of the tract described in deed from Anton Rybicka, et al, to William Seidel, dated December 7, 1923, and recorded in Volume 79 at Page 628 of the Deed Records of Washington County, Texas.

BEGINNING at an iron pin set on the east margin of Clinton Street at an intersection with the apparent south margin of Seelhorst Street, about five feet behind the relatively new curb running along the south side of Seelhorst Street. Said iron pin, the northwest corner of the parcel here described, being 61.8 feet S 12 deg. 34 min. E, from the center of the Railroad main tract and on the apparent west boundary of the tract described in deed from Anton Rybicka, et al, to William Seidel, recorded in Volume 79 at Page 628 of the Washington County Deed Records, of which this survey is a part.

THENCE with the east margin of Clinton Street, S 12 deg. 34 min. E, 59.0 ft. to an iron pipe found on the west boundary of the original tract for the northwest corner of the parcel conveyed by Otto Seidel, et al, to Joe Wisnoski, et ux, by deed recorded in Volume 208 at Page 259, Deed Records.

THENCE departing from said street line and original west boundary, N 84 deg. 02 min. E, 141.3 ft. with the north line of said Wisnoski lot to the northeast corner thereof, an iron pipe found for the southeast corner of this parcel.

THENCE severing the residue of the Otto Seidel tract, N 13 deg. 02 min. W, 55.70 ft. to an iron pin on the apparent south margin of Seelhorst Street.

THENCE with said street line, running parallel to the new curbing, S 85 deg. 23 min. W, 141.27 ft. to the place of beginning and containing 8,032 square feet, or 0.184 acre of land.

TRACT TWO:

All that certain lot or parcel of land, lying being and situated in Washington County, Texas, part of the A. Harrington League, and being part of Lot NO. 5, Block No. 26, of Key's First Addition to the City of Brenham, Texas, and is also known as part of the former Anton Rybicka lot, having metes and bounds as follows, to-wit:

BEGINNING at an iron stake in the East line of Clinton Street, at the Northwest corner of a lot conveyed to Steve Michalak by the Estate of Mrs. Anna Tax.

THENCE N. 84 deg. 30 min. E. 141 feet with the North line of the Michalak lot to an iron stake for corner.

THENCE N. 13 W. 60 feet to an iron stake for corner.

THENCE S. 84 deg. 30 min. W. 141 feet to an iron stake in the East line of Clinton Street.

THENCE S. 13 E. 60 feet with the East line of Clinton Street, to the place of beginning, containing 8,366.94 square feet of land.

And being the same tracts described in an Executor's Deed from Roger Brinkmeyer, Independent Executor of the Estate of Doris V. Brinkmeyer, Deceased, to Roger Brinkmeyer, dated December 18, 2008,. And recorded in Volume 1297, Page 1017 of the Official Records of Washington County, Texas.

Seelhorst/Mills St Lot

TRACT THREE:

All that certain lot or parcel of land in the City of Breham, out of the A. Harrington League, Washington County, Texas, being a part of Lot No. 5, Block 26, Key's First Addition to the City of Brenham, Texas, and the land described herein being a part of the tract described deed from Anton Rybicka, et al, to William Seidel, dated December 7, 1923, and recorded in Volume 79 at Page 628 of the Deed Records of Washington County, Texas.

BEGINNING at an iron pin set at a fence corner on the apparent west margin of Mills Street and east boundary of Lot 5, Block 26, Key's First Addition to the City of Brenham, Texas, for the southeast corner of this parcel and, as evidenced on the ground, the southeast corner of

the lot conveyed by Anton Rybicka, et al, to William Weidel, by deed recorded in Volume 79 at Page 628, Washington County Deed Records, of which this survey is a part.

THENCE with said west margin of Mills Street, N. 13 deg. 00 min. W. 114.2 ft. to an iron pin set at an intersection with the apparent south margin of Seelhorst Street.

THENCE with said south margin of Seelhorst Street, S. 85 deg. 23 min. W. 75.45 ft. to an iron pin set for the northwest corner hereof and northeast corner of a 0.184 acre parcel severed from the original tract.

THENCE, departing from said street line, S. 13 deg. 02 min. E., at 55.70 ft. pass an iron pipe used for the southeast corner of said 0.184 acre parcel at the northeast corner of the parcel conveyed by Otto Seidel, et al, to Joe Wisnoski, et ux, by deed recorded in Volume 208 at Page 259, Deed Records, at 115.29 ft. in all an iron pipe found marking the southeast corner of said Wisnoski lot, being at a fence running along the south boundary of the original tract.

THENCE, with said fence, N. 84 deg. 34 min. E. 765.24 ft. to the place of beginning, containing 8,562 square feet, or 0.197 acre of land.

And being the same land described as Tract 4 in Executor's Deed from Roger Brinkmeyer, Independent Executor of the Estate of Doris V. Brinkmeyer, Deceased, to Roger Brinkmeyer, dated December 18, 2008, and recorded in Volume 1297, Page 1017, Official Records of Washington County, Texas.

The above property is SUBJECT TO the following:

Such presently valid and subsisting easements, if any, to which the above property is subject, as may be actually located upon the ground, which are not of record.

Rights of the public to area of property located within the public road/roadway.

Requirements of, consequences of noncompliance with V.T.C.A., Local Government Code, Chapter 232 and Transportation Code, Chapter 251, and/or rules, regulations, ordinances of Washington County, Texas, concerning roads, subdivision of property and/or subdivision lots.

Right-of-Way forty feet (40') in width along the north boundary of the original lot first reserved in Deed dated July 31, 1876, executed by Key to Kennedy, recorded in Volume 5, Page 147, Deed Records of Washington County, Texas, together with all rights incident thereto.

Anton Rybicka having heretofore agreed to give to the City of Brenham four feet (4') of ground, more or less, on the N.E. corner of lot and three feet (3') of ground more or less on S.W. corner of lot.

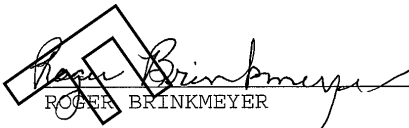
Any and all restrictions, covenants, conditions, ordinances, easements, outstanding mineral and royalty interests, and maintenance charges not now due and the liens securing said charges, if any, affecting the property, premises, or improvements conveyed herein and now of record in the Office of the County Clerk of said County, to the extent, but only to the extent, the same are now in force and effect and relate to said property, premises or improvements.

TO HAVE AND TO HOLD the above described property and premises, together with all and singular, the rights and appurtenances thereto in anywise belonging, unto the said BIG INVESTMENT GROUP, LLC, its successors and assigns, forever; and I do hereby bind myself, my heirs, executors, and administrators, to WARRANT AND FOREVER DEFEND, all and singular, the said property and premises unto the said BIG INVESTMENT GROUP, LLC, its successors and assigns, against every person whomsoever lawfully claiming or to claim the same, or any part thereof.

But it is expressly agreed and stipulated that the Vendor's Lien is retained and reserved against the entire above described property and premises, until the above described note and all interest thereon is fully paid, according to its face and tenor, effect and reading, when this deed shall become absolute.

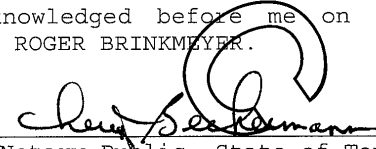
THIS DEED IS GIVEN IN LIEU OF AND TO CORRECT THAT CERTAIN DEED DATED JULY 12, 2011 FROM GRANTOR HEREIN TO GRANTEE HEREIN, AND RECORDED IN VOLUME 1377, PAGE 857 OF THE OFFICIAL RECORDS OF WASHINGTON COUNTY, TEXAS, IN WHICH DEED TRACT THREE HEREINABOVE DESCRIBED WAS OMITTED FROM THE ORIGINAL DEED.

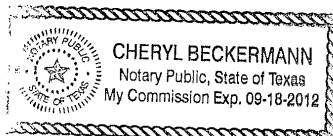
WITNESS MY HAND, this the 29th day of ~~August~~ ^{Sept}, 2011, but effective the 12th day of July, 2011.


ROGER BRINKMEYER

THE STATE OF TEXAS,)
COUNTY OF WASHINGTON.)

This instrument was acknowledged before me on this the 29th day of ~~August~~ ^{September}, 2011, by ROGER BRINKMEYER.


Notary Public, State of Texas.

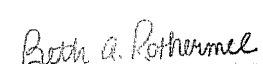


STATE OF TEXAS
COUNTY OF WASHINGTON

I hereby certify that this instrument was FILED on the date and at the time affixed hereon by me and was duly RECORDED in the volume and page of the OFFICIAL RECORDS of Washington County, Texas, as stamped hereon by me on

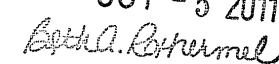
FILED FOR RECORD
WASHINGTON COUNTY, TEXAS

2011 OCT -4 PM 2:35


WASHINGTON COUNTY CLERK



OCT -5 2011


Beth A. Rothermel, County Clerk
Washington County, Texas

Sec. 4. - B-2 Commercial, Research and Technology District.

(Sec. 4.01) *Purpose.* The B-2 District is established as a mixed use district to preserve and to protect appropriate locations for existing light industry. It is also designed to include new high-tech commercial uses such as technical laboratories, computer centers, engineering/operations and research facilities that will benefit from direct access and/or close proximity to highway routes, while providing safe and convenient locations for multifamily uses through the strict enforcement of performance standards.

(Sec. 4.02) *Permitted uses:*

(Residential uses)

- (1) Multifamily, including dormitories for students and fraternity or sorority houses on sites of two (2) acres or more.
- (2) Reserved.
- (3) Retirement villages with site areas of two (2) acres or more.
- (4) Accessory residential uses.

(Nonresidential uses)

- (1) Permitted uses in B-1.
- (2) Apparel and other products assembled from finished textiles.
- (3) Automobile/vehicular uses (including boats, mobile home, motorcycles, motor homes, camper trailers, and other vehicles) such as:
 - (a) Paint and body shops or upholstery shops.
 - (b) Automobile (car) wash.
 - (c) Parts sales.
 - (d) Service stations.
 - (e) Repair and service garage.
 - (f) Tire sales.
 - (g) Vehicular sales and rentals.
 - (h) Vehicular storage.
- (4) Bakeries, wholesale.
- (5) Building material storage yards or lumber yards.
- (6) Brewpub and microdistillery or craft distillery.
- (7) Candy and jewelry manufacturing.
- (8) Carpentry, painting, tinsmithing or welding shops.
- (9) Cemeteries.

- (10) Cleaning, dyeing plants and laundry.
- (11) Creamery, ice cream manufacturing and dairy operations.
- (12) Drugs and pharmaceutical products manufacturing.
- (13) Educational institutions (private).
 - (a) Business and trade schools.
 - (b) Accredited elementary and secondary schools.
 - (c) Colleges and universities.
- (14) Electronic products manufacturing.
- (15) Farm implement display and salesroom.
- (16) Hospitals, acute and/or chronic care, nursing homes or convalescent homes, assisted living facilities and medical clinics.
- (17) Mini-storage lots, enclosed.
- (18) Plumbing shops for retail or wholesale distribution of fixtures, fittings and bathroom accessories, and similar uses involving stone, clay and blocks, etc. that require outside storage generally as permitted in the B-2 District (see applicable performance standards in Part II, Division 1, Section 11(5), Open Storage).
- (19) Printing, engraving and newspaper plants.
- (20) Private clubs on a site of three (3) acres or more.
- (21) Research, development labs and offices.
- (22) Retirement villages on site areas of two (2) acres or more.
- (23) Radio or television broadcasting towers and stations or studios.
- (24) Shopping centers, retail stores, general sales and services, on a site of three (3) acres or more.
- (25) Upholstering shops which may involve furniture manufacturing.
- (26) Veterinarian or animal hospital.
- (27) Wholesale establishments and warehouses.
- (28) Uses similar to the abovementioned permitted uses, provided activities conducted observe applicable performance standards as provided in Part II, Division 2 of this ordinance.
- (29) Accessory buildings and uses customarily incident to any of the above uses, provided that such uses observe applicable performance standards as provided in Part II, Division 2 of this ordinance.

(Sec. 4.03) *Specific uses:*

- (1) Licensed kindergartens/nursery schools.

(Sec. 4.04) *Height regulations:*

- (1) No residential or nonresidential building shall exceed fifty-two (52) feet or four (4) stories.
- (2) Broadcasting and communication towers shall be limited to one hundred fifty (150) feet in height.

(Sec. 4.05) *Reserved.*

(Sec. 4.06) *Area regulations (applicable to multifamily residential and nonresidential lots):*^[7]

(1) *Size of yards:*

- (a) *Front yard:* For all uses permitted in this district, there shall be a front yard having a minimum depth of twenty-five (25) feet.
- (b) *Side yard:* For multifamily uses, an interior side yard of not less than ten (10) feet is required, except as required for bufferyards. For nonresidential uses, no interior side yard is required, except as required for bufferyards. For all uses permitted in this district, a side yard of not less than fifteen (15) feet in width shall be provided on the side of a lot adjoining a side street.
- (c) *Rear yard:* For all uses permitted in this district, a rear yard of not less than ten (10) feet in depth shall be provided, except as required for buffer yards.

(2) *Size of lot:*

- (a) *Lot area:* No nonresidential building shall be constructed on any lot of less than five thousand (5,000) square feet. There shall be a minimum of one thousand eight hundred (1,800) square feet of lot area per multifamily dwelling unit in this district.
 - (b) *Lot width:* The width of any lot shall not be less than fifty (50) feet at the front building line nor shall its average width be less than fifty (50) feet.
 - (c) *Lot depth:* The average depth of any lot shall not be less than one hundred (100) feet.
 - (d) *Legally existing nonconforming lots:* Where lots having less area, width, and/or depth than herein required existed in separate ownership upon the effective date of this ordinance, the above regulations shall not prohibit the erection of a nonresidential building thereon, provided the applicable setbacks as provided above shall be maintained.
- (3) *Lot coverage:* In no case shall more than eighty-five (85) percent of the total lot area be covered by the combined area of the main buildings, and accessory buildings and other impervious surfaces.

(Sec. 4.07) *Parking and loading regulations.* Off-street parking and loading spaces shall be provided in accordance with the requirements for specific uses set forth in Part II, Division I, Sections 15 and 16 of this ordinance.

(Sec. 4.08) *Screening and fencing regulations.* As provided in Part II, Division I, Section 12 and Section 13 of this ordinance.

(Ord. of 4-17-97, § 4; Ord. No. O-12-14, § 3, 6-21-12; Ord. No. O-18-008, § 3, 8-16-18)

Footnotes:

--- (7) ---

All new multifamily development is subject to bufferyard requirements as provided in Part II, Division 1, Section 12, Table 3.

ArcGIS Web Map



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 Citylimits

Zoning

 B1 Local Business Mixed

 B2 Commercial Research and Technology

 B3 Historical and Central Business

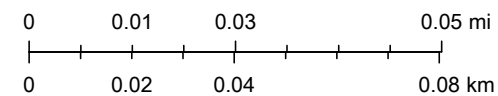
 B4 Neighborhood Business District

 Downtown Business/Residential Overlay District

 I Industrial

 P1 Planned Development

1:1,476



r Squyres, R Squyres



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:
 - that the owner will accept a price less than the written asking price;
 - that the buyer/tenant will pay a price greater than the price submitted in a written offer; and
 - any coincidental 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.

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Licensed Supervisor of Sales Agent/ Associate	License No.	Email	Phone
Susan S. Kiel	558624	burton@marketrealty.com	(979)251-4078
Sales Agent/Associate's Name	License No.	Email	Phone

Buyer/Tenant/Seller/Landlord Initials

Date

Regulated by the Texas Real Estate Commission

Information available at www.trec.texas.gov

IABS 1-0 Date