

Davis Auctioneers, L. P.

P. O. Box 2195, Burleson, TX 76097

www.davisauctiontx.com

Home/ Off: 817-447-9805 --- Fax: 877-482-5748 --- Cell: 817-291-7281

Luther Davis*** Auctioneer TX # 8325***Realtor

BROKER/REALTOR PARTICIPATION AGREEMENT

Broker/Realtor Identification: hereinafter referred to as "Broker/Realtor".

Realtor/Agent Name: _____

Realtor/Agent Phone No: _____ Realtor/Agent Fax: _____

Company Name: _____

Company Address: _____

Company Phone No: _____ Company Fax: _____

Texas Broker License Number _____ Texas Agent License Number _____

Client Identification: hereinafter referred to as "Client".

Client Name: _____

Client Address: _____

The above Broker/Realtor hereby wishes to register the above client as a potential Bidder/ Buyer of the following auction being conducted by Davis Auctioneers, L. P. on property located at:

Broker/ Realtor listed herein will be paid a commission (fee) by registering as a qualified Texas Broker/Realtor on the following terms and conditions: a Commission (fee) equal to three percent (3%) of the high bid price BEFORE adding the buyer's premium, if the Broker/Realtor's Client is the successful Bidder/ Buyer who closes and pays on the terms of the Contract. Broker/Realtor understands that to qualify for this commission, a Broker/Realtor Participation Agreement must be received by Davis Auctioneers, L. P. at least 48 hours before the Auction. The Broker/Realtor must attend the Auction with the Client. Under no circumstances will Broker/Realtor registration be allowed on the day of the auction. Client must also fully complete and execute a Bidder Registration Form the day of the Auction. 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/Realtor shall furnish the appropriate Information About Brokerage Services form, signed by the Client, prior to commencement of Auction. Broker/Realtor shall hold harmless and indemnify Davis Auctioneer, L. P. and Kenneth Jones Real Estate both 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/Realtor in connection with the sale of this property.

CONDUCT OF THE AUCTION: Each property is being sold on an **AS IS, WHERE IS, CASH** basis. Your Client's complete inspection and the inspection of the property by your Client's 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. Announcements made from the podium at the time of the Sale take precedence over all printed materials.

BUYER'S PREMIUM: If the Client is the successful Bidder, they must sign the applicable Contract and any other related addenda. There will be a five percent (5%) Buyer's Premium added to the highest bid to establish the actual Contract Price on the Contract. Example: for \$1,000 sale, a 5% buyer's premium of \$50 will be added to arrive at the total purchase price of \$1,050.

An initial Earnest Money Deposit, in the amount of \$5000.00, as required in the Terms and Conditions of Real Estate at Auction and on the Contract shall be paid by Client the day of the Auction, and deposited with the Title Company.

Initials _____

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We are specifically disclosing to the Bidder/ Buyer that paying the Buyers Premium does not create an Agency relationship with the Buyer and Buyer acknowledges that Davis Auctioneers, L. P. and Luther Davis of Davis Auctioneers, L. P. is an Agent for the Seller only.

We also disclose to the Bidder/ Buyer that Kenneth Jones Real Estate is an Agent for the Seller.

Davis Auctioneers, L. P. and Kenneth Jones Real Estate, if needed, shall have full and complete control of negotiations with Seller in regards to commissions earned and to be received and commission fee scale will be based on that figure.

If the Client has been in contact with a representative of Davis Auctioneers, L. P. in regards to this auction, or if the Client is a Broker/Realtor or is a member of their immediate family, the Broker/Realtor will not qualify for a participation fee.

Please attach the signed Information About Brokerage Services and return with this form via fax to 877-482-5748 or by hand delivery if possible. Auctioneer in no way will be responsible for registrations not received and confirmed at least 48 hours before the Auction.

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

Realtor/ Agent Signature

Date: _____

Client

Date: _____

Client

Date: _____

Accepted by Davis Auctioneers, L. P.

By: _____

Date: _____

License Information: Luther D. Davis, III is licensed in the State of Texas under Auctioneer License #8325 and is a Texas Licensed Real Estate Agent #0505242 working with Top Producers Real Estate, Broker #0275389

This Auctioneer is licensed and regulated by the Texas Department of Licensing and Regulation. Licensure with the Department does not imply approval or endorsement by the State of Texas. If you have an unresolved complaint or compliment, please direct to:

Texas Department of Licensing and Regulation
P. O. Box 12157
Austin, TX. 78711
512-463-2906 or 800-803-9202

Initials_____