

# SALE ANNOUNCEMENT

## LAND SALE – MULTIFAMILY DEVELOPMENT

<b>Sale:</b>	~43 acres of land entitled for multifamily development (or a 49% participation interest in the land)
<b>Collateral:</b>	Land - Multifamily Entitled
<b>Location:</b>	Del Valle, TX (Austin Submarket)

### OVERVIEW

On behalf of an undisclosed seller (the “**Seller**”), Mission Capital Advisors, LLC in conjunction with Institutional Property Advisors (“**Mission Capital**” and “**IPA**” or “**Sale Advisor**”) is pleased to announce the sale (the “**Land Sale**”) of either (i) 43 acres of land located in Del Valle, TX (the “**Land**” or “**Property**”) or (ii) a 49% participation interest in the Land. The Land is being offered via a deed in lieu and was previously collateral on a \$8,160,000 loan (the “**Loan**”).

### SALE STRUCTURE

Mission Capital has been retained as the exclusive Sale Advisor to the Seller for the sale of either (i) 43 acres of land entitled for multifamily development, located in Del Valle, Texas or (ii) a 49% participation interest in the Land. The Land is being offered on a sealed bid basis.

On behalf of the Seller, Mission Capital is soliciting bids from prospective bidders (the “**Prospective Bidders**”), via a one-round bid process, for the purchase of the Land pursuant to the sale timeline below. Prospective bidders should complete due diligence during the bid round, to submit non-contingent bids on the Best & Final Bid Date accordingly.

Sale Timeline	
Event	Date
Sale Announcement Distributed	Tuesday, May 7, 2024
Bid Room Opens	Wednesday, May 8, 2024
<b>Best &amp; Final Bid Date</b>	<b>Wednesday, June 5, 2024</b>
Winning Bidder Selected	Thursday, June 6, 2024
Executed Contract/Deposit Due	Monday, June 10, 2024
Closing Date (On or Before)	Wednesday, June 26, 2024

### HIGHLIGHTS & SALE SUMMARY

The Land Sale offers Prospective Bidders the opportunity to acquire either (i) ~43 acres of land entitled for multifamily development or (ii) a 49% participation interest in the Land, which is located in Del Valle, TX. Deal highlights are as follows:

- Mission Capital is soliciting bidders via a one-round bid process, per the sale timeline shown herein.
- The prior loan (the “**Loan**”) was originated on 12/2/2021 by a Texas-based private money lender (the “**Lender**”), in the amount of \$8,160,000. Subsequently, a large investment firm purchased a 49% participation interest in the Loan from the private money lender.
- The Borrower ceased making loan payments and subsequently executed a Deed-In-Lieu (“**DIL**”) in August 2023 with the Lender. The DIL circumvented a foreclosure process and allowed for immediate transfer of the deed.
- The purpose of the Loan was to obtain approvals for the development of approximately 700 multifamily and build to rent units on the Property. The Property spans across three lots.
- A Profit Participation agreement between the Borrower and the Lender is in place, whereby the Borrower agreed to complete the Property entitlement process (successfully completed) following the DIL, in exchange for 10% of proceeds received above the Initial Basis Amount of \$8,380,000, plus accrued interest at an 11% rate from the DIL date to the Property sale date, plus miscellaneous lender expenses associated with the Property sale.
- The Property is located close to the Circuit of the Americas Racetrack, the Austin-Bergstrom International Airport, the Tesla Giga Factory, and downtown Austin.

Property Type ->	Build to Rent	Multifamily	Multifamily	TOTAL
Loan Information	Lot 1/B	Lot 2/B	Lot 1/A	Totals/Avgs
Gross Acreage	26.99	8.27	7.73	<b>42.99</b>
Use	Build to Rent / 2,4,6 Plex Townhouses	4 x 4 Story MF (117 1 br/1 bath	3 & 4 Story MF (137 1 br 1 ba / 57 2 br 2 ba)	-
Allowable Units	212	230	240	<b>682</b>
Plat Units	204	174	194	<b>572</b>
Gross Land SF	1,172,585	359,332	335,869	<b>1,867,785</b>
Estimated SF Total	247,903	163,670	184,043	<b>595,616</b>
Estimated SF / Unit	1,215	941	949	-
BOV Value PSF	\$21	\$22	\$21	<b>\$21</b>
BOV Value / Unit	\$25,559	\$20,704	\$19,455	<b>\$21,906</b>
Appr Value PSF	\$28	\$15	\$13	<b>\$19</b>
Appr Value / Unit	\$34,559	\$14,483	\$12,165	<b>\$20,402</b>
Appraisal Value	\$7,050,000	\$2,520,000	\$2,360,000	<b>\$11,930,000</b>
BOV Value	\$5,214,132	\$3,602,412	\$3,774,178	<b>\$12,590,722</b>

## LAND SALE PROCESS

Prospective Bidders are subject to qualification by Mission Capital and/or the Seller (Mission Capital will initiate the qualification process as deemed necessary). Access to the Due Diligence Materials will be provided to Prospective Bidders solely at the discretion of Mission Capital and/or the Seller and may be withheld for any reason.

The Seller, in conjunction with Mission Capital, has prepared an array of due diligence materials that will be made available to Prospective Bidders that have executed, and are subject to the terms of, the Confidentiality Agreement (the “**Confidentiality Agreement**”), which can be accessed on the transaction offering email or by visiting [market.missioncap.com](http://market.missioncap.com). Included in the Due Diligence Materials will be Loan and Participation documents, plat plans, third-party reports, comprehensive bidding instructions and the Seller’s required form of purchase and sale agreement (the “**Land Sale Agreement**”).

Mission Capital is initially soliciting indicative bids for the Land. Prospective Bidders are encouraged to review the Due Diligence Materials and submit indicative bids in accordance with the proposed timeline. After receipt of indicative bids, Mission Capital, in conjunction with the Seller, will select Final Bidders to complete due diligence before submitting non-contingent offers on the Final Bid Date (the acceptance of which by Seller will require immediate execution of a pre-negotiated Land Sale Agreement accompanied by a 10% non-refundable wire funds deposit).

Please e-sign or return an executed Confidentiality Agreement to [assetsales@missioncap.com](mailto:assetsales@missioncap.com). **INVESTORS SHOULD NOTE THAT E-SIGNATURES OF UNMODIFIED CONFIDENTIALITY AGREEMENTS WILL BE PROCESSED IN TOP PRIORITY, WHILE REVISED CONFIDENTIALITY AGREEMENTS ARE PROCESSED AT THE END OF EACH BUSINESS DAY. THE SELLER RESERVES THE RIGHT, IN ITS SOLE AND ABSOLUTE DISCRETION, TO ACCEPT OR REJECT COMMENTS TO THE CONFIDENTIALITY AGREEMENT.**

**No obligation to sell shall be binding on Seller unless and until a Purchase Agreement is signed and delivered by Seller and Seller has received the Hard Earnest Money Deposit in accordance with the Sale Agreement.**

## LAND SALE AGREEMENT

The Seller will make its required form of Land Sale Agreement available to Prospective Bidders. Comments to the Land Sale Agreement are discouraged and, in any event, must be submitted and approved, in the Seller’s sole and absolute discretion, prior to the Final Bid Date. **The Seller will be selling the Land subject only to those representations and warranties explicitly stated in the Land Sale Agreement. No other representations or warranties, either expressed or implied, shall apply.**

All inquiries should be directed through Mission Capital. Neither the Seller, the Lender, any borrower, borrower affiliates nor guarantors are to be contacted. Investors are required to strictly adhere to the terms of the Confidentiality Agreement.

## MISSION CAPITAL TRANSACTION TEAM CONTACT INFORMATION

**David Tobin***Senior Managing Director*[dtobin@missioncap.com](mailto:dtobin@missioncap.com)

Direct: 212 941 2268

Cell: 917 653 8209

**Spencer Kirsch***Director*[skirsch@missioncap.com](mailto:skirsch@missioncap.com)

Direct: 212 941 2270

Cell: 516 509 7809

**Alex Draganiuk***Managing Director*[adraganiuk@missioncap.com](mailto:adraganiuk@missioncap.com)

Direct: 212 941 2276

Cell: 917 302 2706

**Austin Parisi, CFA***Vice President*[aparisi@missioncap.com](mailto:aparisi@missioncap.com)

Direct: 212 941 2273

Cell: 914 703 2634

**Ben Gialenios***Associate*[bgialenios@missioncap.com](mailto:bgialenios@missioncap.com)

Cell: 704 787 3354

**Katie Juarez***Vice President - Operations*[kjuarez@missioncap.com](mailto:kjuarez@missioncap.com)

Cell: 402 450 9482

## IPA TRANSACTION TEAM CONTACT INFORMATION

**Kent Myers***Senior Managing Director*[kmyers@ipausa.com](mailto:kmyers@ipausa.com)

Direct: 512 338 7853

Cell: 512 751 0615

**Will Balthrope***Executive Managing Director*[wbalthrope@ipausa.com](mailto:wbalthrope@ipausa.com)

Direct: 972 755 5160

Cell: 214 435 5160

**Jordan Featherston***First Vice President*[jfeatherston@ipausa.com](mailto:jfeatherston@ipausa.com)

Direct: 512 338 7871

Cell: 512 492 5774

## ADDITIONAL LOAN SALE CONTACTS

**Daniel O'Donnell***Managing Director*[dodonnell@missioncap.com](mailto:dodonnell@missioncap.com)

Cell: 214 912 6567

**Pierre Bonan***Managing Director*[pbonan@missioncap.com](mailto:pbonan@missioncap.com)

Direct: 212 537 5959

Cell: 917 622 2832

## DISCLAIMER

NO OBLIGATION TO SELL SHALL BE BINDING ON THE SELLER UNLESS AND UNTIL A WRITTEN CONTRACT OF SALE OR PURCHASE AGREEMENT IS SIGNED AND DELIVERED BY SELLER. THE SELLER RESERVES THE RIGHT, IN ITS SOLE AND ABSOLUTE DISCRETION, TO WITHDRAW THE LAND FROM THE SALE, AT ANY TIME. THIS SALE ANNOUNCEMENT HAS BEEN PREPARED TO ASSIST THE RECIPIENT IN DECIDING WHETHER TO PROCEED WITH FURTHER INVESTIGATION OF THE LAND. WHILE THE INFORMATION INCLUDED HEREIN IS BELIEVED TO BE ACCURATE AND RELIABLE, SELLER, MISSION CAPITAL AND THEIR RESPECTIVE SUBSIDIARIES, AFFILIATES, AGENTS, ATTORNEYS, ASSIGNEES, OFFICERS, TRUSTEES, DIRECTORS, SERVICERS, AND EMPLOYEES MAKE NO REPRESENTATIONS OR WARRANTIES, EXPRESS OR IMPLIED, AS TO THE ACCURACY OR COMPLETENESS OF SUCH INFORMATION, INCLUDING BUT NOT LIMITED TO THE VALIDITY OR PRIORITY OF ANY LIENS AND THE VALUE OF ANY COLLATERAL. ONLY THOSE REPRESENTATIONS AND WARRANTIES THAT ARE MADE BY THE SELLER TO A PROSPECTIVE BIDDER IN A DEFINITIVE, EXECUTED PURCHASE & SALE AGREEMENT SHALL HAVE ANY LEGAL EFFECT.