

# Metropolitan Business Advisors, LLC

## CONFIDENTIAL NON-DISCLOSURE AGREEMENT

Metropolitan Business Advisors, LLC (MBA) is a brokerage firm that matches Buyers and Sellers of Real Estate and/or Businesses. We are committed to limit the dissemination of Seller's sensitive information to those who sign a non-disclosure agreement (this document) and agree to show evidence of financial qualification to be a Buyer.

In consideration of Metropolitan Business Advisors providing information regarding any business and/or real estate associated with Metropolitan Business Advisors, the undersigned agree that:

1. Any and all information exchanged or disclosed in connection with a specific Seller or Property or business shall be treated as confidential, including any such information obtained prior to the date of this agreement. Information as described herein shall include the Real Estate or business, the ownership, the fact that it is for sale and any other related data including but not limited to Rent Rolls, Rental Rates other lease terms, and finance data on the business.
2. **No direct contact (or indirect, i.e. through a third party) will be made with the owner, employees or occupants of the Business, nor shall I have any contact with the Landlords of the businesses without the express consent of Metropolitan Business Advisors. I understand that a breach of this clause might lead to a Seller canceling his listing with Metropolitan Business Advisors. In the event this occurs, I will be responsible for the commission the Seller agreed to pay Metropolitan Business Advisors.**

\_\_\_\_\_ (Inquiring Party Initial)

3. No third party disclosures will be made by signers of this agreement, except to business, legal or financial advisors, in which event the signers shall obtain their agreement to maintain confidentiality. If a signer is acting on behalf of another individual, partnership, corporation, LLC, etc., such other party or parties of the entity, shall be subject to the terms of this agreement.
4. All inquires correspondence, negotiations, offers, etc., relating to a purchase will be presented through Metropolitan Business Advisors. Additionally, No contact will be made with the landlord or leasing agent of business owner without the written consent of Metropolitan Business Advisors.
5. Metropolitan Business Advisors is not responsible for the verification or accuracy of information provided by the Seller and/or from any other sources. Parties entering into a contract for the purchase of real estate or business agree to rely on their own independent verifications and due diligence to determine the accuracy of all information. It is expressly agreed to indemnify and hold harmless Metropolitan Business Advisors and its agents, owners and employees from all claims and damages for all decisions to enter into a contract based on the accuracy, completeness, or lack thereof, of any and all information.
6. **I understand that I will be liable for any commissions due to Metropolitan Business Advisors in the event of a breach of this Agreement by me. (Example: I disclose the existence of the business to a third party who purchases the Business and/or assets owned by the business and property owned by others used in the course of the Business doing its business. I will be required to pay Metropolitan Business Advisors the commission that Seller agreed to pay Metropolitan Business Advisors if I had purchased the business.)**

# **Metropolitan Business Advisors, LLC**

7. The party or parties hereto, as a result of discussions, negotiations, disclosures, etc., shall have NO obligation to reach any agreement, NO obligation to execute a contract, and NO limitation on becoming involved with others for the purpose of purchasing other real estate or business, as a result of this agreement.

On this \_\_\_\_\_ day of \_\_\_\_\_, 2010, the signers hereto, state, without reservation, that this document has been read and understood, and agree to comply with its terms and conditions.

\_\_\_\_\_  
Signature of Inquiring Party

\_\_\_\_\_  
Printed Name of Inquiring Party

\_\_\_\_\_  
Phone Number of Inquiring Party

\_\_\_\_\_  
Address of Inquiring Party