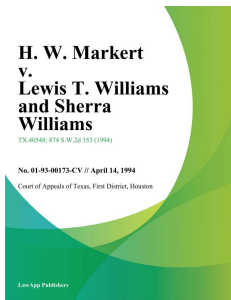


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H W MARKERT V LEWIS T WILLIAMS AND SHERRA WILLIAMS EBOOKS 2019



Author: First District, Houston Court of Appeals of Texas

Realese Date: Expected @@expectedReleaseDate@@

Appellant, H. W. Markert, as lessee, brought this declaratory judgment action to determine the rights and liabilities of the parties under a commercial lease containing both an option to purchase at a fixed-price and a right of first refusal. The sole issue presented at trial was whether the lessees failure to exercise his right of first refusal, which was followed by a sale, extinguished the fixed-price option. A single question was submitted to the jury to determine whether the original parties to the lease intended for the fixed-price option to continue, regardless of whether the lessee exercised the right of first refusal. The jury determined that the parties to the lease did not intend for the fixed-price option to continue, and the trial judge entered judgment in favor of appellees.

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