



200412010053
Skagit County Auditor

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Document Title:

Option to Buy
Real Estate

Reference Number :

Grantor(s):

additional grantor names on page ___

1. Ferguson, Andrew Ray
2. Ferguson, Julianne James

Grantee(s):

additional grantee names on page ___

1. Bransford, Douglas
2. Bransford, Lynda

Abbreviated legal description:

full legal on page(s) ___

Lots 1-6 inclusive and the last 23 feet of Lot 7
Blk 2, "Beales Maple Grove Addition to the City of
Anacortes"

Assessor Parcel / Tax ID Number:

additional tax parcel number(s) on page ___

P56583

SKAGIT COUNTY WASHINGTON
Real Estate Excise Tax

DEC 01 2004

Amount Paid \$ 0
By: Skagit County Treasurer
Deputy

SP



Northwest Properties, Commercial Division
2204 Riverside Dr., Suite 210
Mt. Vernon, WA 98273
Phone: (360) 428-0195
Fax: (360) 428-0381

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CBA

CBA Form OTB
Option to Buy
Rev. 12/99
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OPTION TO BUY REAL ESTATE

CBA Text Disclaimer: Text deleted by licensee indicated by strike.
New text inserted by licensee indicated by small capital letters.

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- 1. PARTIES.** This Agreement is between Andrew Roy and Julianne James Ferguson as Optionee ("Buyer") and Douglas and Lynda Bransford as Optionor ("Seller").
- 2. PURCHASE PRICE.** The purchase price of the Property is Nine Hundred and Four Thousand Four Hundred and Eighty Three Dollars (\$904,483.00), payable as follows: 5% equity trade, 10% 2nd TD, 85% new SBA loan. If Buyer fails to close this transaction in the prescribed time and elects to extend the Lease by the allowed Option Period then the Purchase Price shall be \$921,632.00. If the Buyer closes this transaction before the end of the Lease or the Option Period the Purchase Price shall be determined by using a base purchase price of \$880,000.00 and shall increase 2% per year of \$400,000.00, or any fraction thereof, compounded yearly.

The following shall be applied to the: Down Payment Purchase Price:

- The dollar amount filled in at Paragraph 4, below;
- Other: _____

- 3. LEGAL DESCRIPTION.** The legal description of the commercial real estate ("Property") is:

Attached As follows: Lots 1 to 6 inclusive, and the East 23 feet of lot 7, block 2, "Beales Maple Grove Addition to the City of Anacortes", according to the plat thereof recorded in Volume 2 of Plats, page 19, records of Skagit County, WA. P96603

- 4. OPTION/TIME LIMIT.** In consideration of: \$ a Statutory Warranty Deed on property located at 1112 7th Street Anacortes, WA executed, paid-by Buyer to Seller; Seller grants to Buyer, and Buyer's successors and assigns, the right to buy the Property on or before the 19th day of January, 2007, (the "expiration date") without grace or extension of said date. THE EQUITY FROM THE TRANSFER OF THE OWNERSHIP OF THE PROPERTY AT 1112 7th ST. ANACORTES, WA TO THE SELLER SHALL BE 5% OF THE VALUE OF THE SUBJECT PROPERTY.
- 5. NOTICE - EXERCISE OF OPTION.** Buyer may exercise this Option, only by written notice delivered or sent (postmarked) by certified mail, to Seller at 1112 7th Street, City of Anacortes Washington 98221 (zip code) at least thirty (30) days in advance of the expiration date of this Option.
- 6. CLOSING.** Closing shall take place as set forth in the Purchase and Sale Agreement referenced below in paragraph 8.
- 7. TIME IS OF THE ESSENCE.** Time is of the essence on this option. In the event that: (a) Buyer shall fail to give notice of exercise of this Option within the time provided herein; or (b) This sale shall fail to close prior to the expiration date (through no fault of Seller); or (c) Buyer shall fail to deposit all necessary documents and money into escrow on or before the time required below; then this Option shall be null and void and Buyer's privilege to buy the Property shall terminate and the option payment filled in at paragraph 4, above, shall be retained by Seller.



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JF

1-15-04
1-13-04



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 Division
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**OPTION TO BUY
 REAL ESTATE
 (CONTINUED)**

- 8. **PURCHASE AND SALE AGREEMENT.** Buyer and Seller have completed and attached a Purchase and Sale Agreement. If Buyer exercises this Option, Buyer and Seller agree to proceed with the transaction according to the terms and conditions set forth in the attached Purchase and Sale Agreement and, unless otherwise provided therein, all time periods stated therein shall run from the date Buyer gives Seller notice exercising this Option (e.g., time periods for financing inspections, and title review). In the event of conflict between this Option and the attached Purchase and Sale Agreement, this Option shall control.
- 9. **COMMISSION.** In the event that this Option shall be exercised, and the sale closed, Seller agrees to pay, at closing of this sale, a commission of \$_____ or 5% of the sale price to North West Properties Inc./Phil Albanese, a licensed real estate broker. No broker involved in this transaction is receiving compensation from more than one party unless disclosed on an attached addendum, in which case Buyer and Seller agree to such compensation. This Agreement may be recorded.

10. AGENCY DISCLOSURE. At the signing of this Agreement,

the Selling Licensee North West Properties Inc./Phil Albanese
 (Insert names of Licensee & the company name as licensed)

represented Seller
 (insert Seller, Buyer, both Seller and Buyer, or neither Seller or Buyer)

and the Listing Agent same
 (Insert names of Licensee & the company name as licensed)

represented same
 (Insert names of Licensee & the company name as licensed)

If Selling Licensee and Listing Agent are different salespersons affiliated with the same Broker, then Seller and Buyer confirm their consent to Broker acting as a dual agent. If Selling Licensee and Listing Agent are the same person representing both parties, then Seller and Buyer confirm their consent to that person and his/her Broker acting as dual agents. If Selling Licensee, Listing Agent or their Broker are dual agents, the Seller and Buyer consent to Selling Licensee, Listing Agent and their Broker being compensated based on a percentage of the purchase price or as otherwise disclosed on an attached Addendum. Both parties confirm receipt of the pamphlet entitled "The Law of Real Estate Agency".

- 11. **TITLE INSURANCE.** Within 10 days (10 days if not filled in), following the date of this Agreement, Seller shall obtain, at Seller's expense, and deliver to Buyer a preliminary commitment for a standard purchaser's policy of title insurance showing title. If Seller cannot, at Seller's sole expense, make title satisfactory to Buyer in Buyer's sole discretion within 5 days (60 days if not filled in) following Buyer's receipt of a copy of said preliminary commitment, all money paid to Seller by Buyer pursuant to this Agreement shall, unless Buyer elects in writing to waive such defects or encumbrances, be immediately refunded to buyer and this Agreement shall thereupon be terminated.

At closing of this transaction, Seller will, at Seller's expense, obtain a policy of title insurance as required under the Purchase and Sale Agreement.



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Handwritten initials and date:
 12-1-04



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**OPTION TO BUY
 REAL ESTATE
 (CONTINUED)**

12. OTHER AGREEMENTS. None As follows: LEASE AGREEMENT, PURCHASE AND SALE AGREEMENT.

DATED this 12th day of January, 2004

[Signature]
 ANDREW ROY FERGUSON (BUYER)
[Signature]
 JULIANNE JAMES FERGUSON (BUYER)

[Signature]
 DOUGLAS BRANSFORD (SELLER)
[Signature]
 LYNDY BRANSFORD (SELLER)

STATE OF WASHINGTON)

COUNTY OF Skagit) ss.

I hereby certify that I know or have satisfactory evidence that _____
 appeared before me and signed this instrument and acknowledged it as the _____
 of _____ to be _____
 free and voluntary act for the uses and purposes mentioned in this instrument.

Dated: _____

 Notary Public in and for the State of Washington,
 residing at _____
 My appointment expires _____

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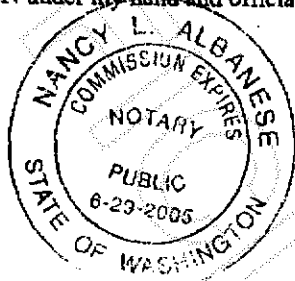
STATE OF WASHINGTON

ACKNOWLEDGMENT - Individual

County of Skagit

On this day personally appeared before me Andrew Ray Ferguson Juliano
James Ferguson Douglas Branstetter Lyndon Branstetter to me known
to be the individual(s) described in and who executed the within and foregoing instrument, and acknowledged
that _____ signed the same as _____ free and voluntary act and deed, for the uses and
purposes therein mentioned.

GIVEN under my hand and official seal this 12 day of Jan, 2004.



Nancy Albanese
Notary Public in and for the State of Washington
Residing at Granatus

My appointment expires 6-29-05

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STATE OF WASHINGTON

ACKNOWLEDGMENT - Individual

County of _____

On this day personally appeared before me _____
to me known
to be the individual(s) described in and who executed the within and foregoing instrument, and acknowledged
that _____ signed the same as _____ free and voluntary act and deed, for the uses and
purposes therein mentioned.

GIVEN under my hand and official seal this _____ day of _____, 20____.

Notary Public in and for the State of Washington
Residing at _____

My appointment expires _____



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