



200501310173
Skagit County Auditor

1/31/2005 Page 1 of 4 11:56AM

When recorded return to:

Jacob Cohen
Cohen, Manni & Theune
P.O. Box 889
Oak Harbor, WA 98277

**AGREEMENT TO RESCIND
OPTION TO PURCHASE REAL ESTATE,
PERMISSION TO USE BUILDING PLANS, AND
MUTUAL RELEASE**

Grantor/Seller Name and Address: Michael Monti and Gretchen Monti
4738 E. Fairfield Street
Anaheim Hills, CA 92807

Grantee/Buyer Name and Address: John R. Cox & Associates, LLC

Property Description: 200412160116

Tax Parcel No.: 4695-000-028-0000, P111766
County: Skagit
Street Address: 4124 Ellisport Place, Anacortes WA 98221

Legal Description: The following real property situated in the County of Skagit, State of Washington, as follows:

Lot 28, PLAT OF MARINE HEIGHTS, according to the plat thereof recorded in Volume 16 of Plats, pages 173 through 175, records of Skagit County, Washington.

SUBJECT TO: Restrictions, reservations and easements of record, including but not limited to CC&R's amended September 7, 1999, and recorded September 13, 1999 in Skagit County, Washington, under Auditor's File No. 199909130145.

SKAGIT COUNTY WASHINGTON
Real Estate Excise Tax
PAID

JAN 31 2005

Amount Paid \$
By: Skagit County Treasurer Deputy

This agreement is made and entered into between Michael and Gretchen Monti, hereinafter referred to as "Monti", and John R. Cox & Associates, LLC, hereinafter referred to as "Cox".

For and in consideration of the sum of Fifty-five Thousand and no/100 Dollars (\$55,000.00) paid by Monti to Cox simultaneous with the execution of this agreement, the parties agree as follows:

1. That certain "Option to Purchase Real Estate" entered into between the parties named herein and recorded under Skagit County Auditor's File No. 2004/2160116 on the 16th day of December, 2004, is hereby cancelled and rescinded in its entirety and is considered by both parties hereto to be null and void and any option granted therein to Cox to purchase the aforescribed real property is hereby cancelled and terminated.

2. All agreements entered into between the parties relating to the aforescribed Lot 28, including any construction contract whereby Cox was going to build a residence on Lot 28 for the benefit of Monti, are hereby cancelled and terminated. All business transactions and/or agreements between the parties are hereby rescinded, cancelled and terminated.

3. Cox hereby grants to Monti the one time right to use all or any portion of the engineering studies, drawings, construction plans, designs and specifications that Cox had prepared and presented to Monti for the purpose of building a residence on Lot 28. This permission to use the said plans relates only to Monti building a residence on the aforescribed Lot 28. Monti may alter the plans as they see fit in the event they choose to use any portion of the plans to build a residence on Lot 28. Monti may use any other contractor, other than Cox, to build a residence on Lot 28 using the aforesaid plans and documents. Both parties agree that Cox shall continue as the owner of the construction plans but Monti may use them to build a residence on Lot 28.



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4. Except as otherwise provided herein, the parties hereby mutually release each other from any and all claims, demands, causes of action and/or breaches of contract which may have accrued between the parties prior to the date of the mutual execution of this agreement. It is the intent of this mutual release that all existing controversies between the parties are hereby fully and finally laid to rest and are hereby declared fully and completely settled.

EXECUTED on the dates set forth below.

Michael Monti
Michael Monti

Dated: 1/26/05

~~John R. Cox & Associates, LLC by
Its member John Randy Cox~~

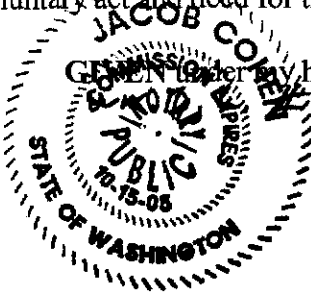
Dated: 1/24/05

Gretchen Monti
Gretchen Monti

Dated: 1/26/05

STATE OF WASHINGTON)
 ISLAND) ss
COUNTY OF SKAGIT)

On this day personally appeared before me John Randy Cox, as a member of John R. Cox & Associates, LLC to me known to be the individual described in and who executed the within and foregoing instrument, and acknowledged that he signed the same as his free and voluntary act and deed for the uses and purposes therein mentioned.



Witness my hand and official seal this 24th day of JANUARY, 2005.
COX ** JK 5070F

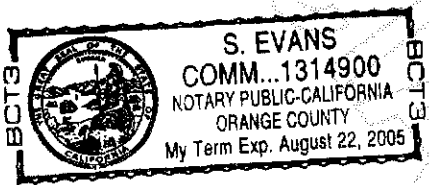
Jacob Coley
NOTARY PUBLIC in and for the state of
Washington, residing at OAK HARBOR
My commission expires: 10/15/05



STATE OF California
COUNTY OF Orange) ss

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

GIVEN under my hand and official seal this 26 day of January, 2005.

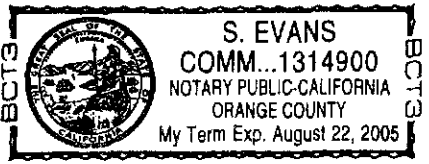


S. Evans
NOTARY PUBLIC in and for the state of California, residing at Orange
My commission expires: 8/22/05

STATE OF California
COUNTY OF Orange) ss

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

GIVEN under my hand and official seal this 26 day of January, 2005.



S. Evans
NOTARY PUBLIC in and for the state of California, residing at Orange
My commission expires: 8/22/05



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