



202306130007

06/13/2023 09:18 AM Pages: 1 of 5 Fees: \$207.50
Skagit County Auditor

RECORDING REQUESTED BY AND
WHEN RECORDED MAIL TO:

Norbert Styblo, Esq.
NextEra Energy Resources
700 Universe Blvd., LAW/JB
Juno Beach, FL 33408
(561) 691.3699

MAIL TAX STATEMENTS TO:
(SAME AS ABOVE)

The undersigned Lessor declares that:
Documentary transfer tax is \$0.00
computed on the full value of the property conveyed

(Space Above For Recorder's Use)
APN: 8084-000-001-000
P129949

MEMORANDUM OF REAL ESTATE OPTION AGREEMENT

This Memorandum of Real Estate Option Agreement is made as of June 4, 2021, by and between Spire, LLC, a California limited liability company, whose address is P.O. Box 496014, Redding, CA 96049 ("**Seller**"), and Boulevard Associates, LLC, a Delaware limited liability company, whose address is 700 Universe Boulevard, Juno Beach, FL 33408 Attention: Land Services ("**Purchaser**").

The parties hereby wish to memorialize the following terms of that certain Real Estate Purchase Option Agreement (the "**Agreement**"), with an Effective Date of June 4, 2021 between Seller and Purchaser (defined terms not expressly defined herein shall have the meaning ascribed to each in the Agreement):

Seller: Spire, LLC, a California limited liability company

Purchaser: Boulevard Associates, LLC, a Delaware limited liability company

Property: The certain land consisting of approximately 11.68 acres located in the County of Skagit, State of Washington including the improvements thereon, such land being more particularly described in Exhibit A attached hereto. S9/T34 N/R3 E W.M.

Option Term: The term of the Option shall be thirty-six (36) months, commencing on the Effective Date.

Option to Purchase: Purchaser is granted an exclusive right and option to purchase the Property at any time during the Option Term by delivering a Notice to the Seller, whereafter the Agreement

shall automatically constitute a contract of sale between the Seller and Purchaser for the sale of Property at the purchase price and pursuant to the terms and conditions set forth in the Agreement.

Exclusivity of Option: During the Option Term, or until the Settlement Date occurs, whichever occurs later, Seller shall not offer any portion of the Property for sale to, accept any offer to purchase any portion of the Property from, nor enter into any contract to sell any portion of the Property with, nor enter into any lease, rental, or occupancy agreement affecting any portion of the Property with, nor enter into any agreement permitting any tenant to occupy any portion of the Property with, any person other than the Purchaser hereunder without in each instance first obtaining the prior written consent of the Purchaser.

Other: Seller's rights and restrictions as to the Property, and transfer, assignment and leasing rights and restrictions during the Option Term are more particularly set forth in the Agreement.

[Signatures on Next Pages]

IN WITNESS WHEREOF, this Memorandum of Real Estate Option Agreement has been duly executed by the parties on the date written below.

Seller:

Spire, LLC, a California limited liability company

By: 
M.D. Emmerson, Managing Member

ALL CAPACITY ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

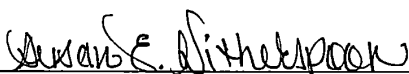
STATE OF CALIFORNIA)
)
COUNTY OF Shasta)

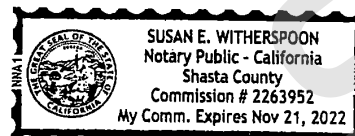
On April 19, 2021, before me, Susan E. Witherspoon, Notary Public,
(Name and title of the officer)
personally appeared M.D. Emmerson, who provided to me
(Name of person signing)

on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.


Signature of officer




(Seal)

Purchaser:

Boulevard Associates, LLC,
a Delaware limited liability company

By


Anthony Pedroni, Vice President**ACKNOWLEDGEMENT**

STATE OF FLORIDA)
) ss
COUNTY OF PALM BEACH)

Sworn to (or affirmed) and subscribed before me by means of ☒ **physical presence**
or ☐ **online notarization**, this 4 day of June, 2021 by Anthony
Pedroni, as Vice President of Boulevard Associates, LLC, a Delaware limited liability company,
personally known to me to be the person who subscribed to the foregoing instrument and
acknowledged that he executed the same on behalf of said limited liability company and that he
was duly authorized so to do.

(notary seal)



NOTARY PUBLIC, STATE OF FLORIDA

My commission expires: _____

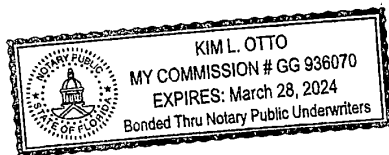


EXHIBIT A TO MEMORANDUM**Legal Description of Property**

Lot 1 of Sierra Pacific Binding Site Plan PL 08-0315 approved November 16, 2009 and recorded November 16, 2009 as Skagit County Auditor's File No. 200911160068, said Parcel is a Portion of the West Half of the Northeast Quarter of Section 9, Township 34 North Range 3 East of the W.M., Skagit County, Washington.

Tax Parcel P129949

XrefID: 8084-000-001-000

QLA: 8732