

NORTH CAROLINA  
WAKE COUNTY

AGREEMENT TO EXTEND OPTION TO PURCHASE

This Agreement made and entered into this \_\_\_\_ day of \_\_\_\_\_, 2020, by and between JACK1, LLC, a North Carolina limited liability company (“Seller”), and THE TOWN OF APEX, a political subdivision of the State of North Carolina and municipal corporation (“Buyer”).

WHEREAS, on the 14<sup>th</sup> of December, 2017, the parties hereto entered into a certain Option to Purchase, a Memorandum of which is recorded in the office of the Register of Deeds of Wake County, North Carolina, in Book 17134, Page 2748, whereby the Seller granted to the Buyer the exclusive right and option to purchase all or a portion of that certain plot, piece, or parcel of land together with all improvements located thereon in the Town of Apex, County of Wake, State of North Carolina, for a period of three years, beginning on the 14<sup>th</sup> day of December, 2017 and ending on the 14<sup>th</sup> day of December, 2020, the premises known and described on Exhibit A of the above referenced Memorandum.

WHEREAS, the Seller and Buyer have agreed to extend the period for which the Buyer may exercise its option to purchase all or part of said leased premises.

NOW, THEREFORE, it is mutually agreed, that the rights described in the Option to Purchase above referred to are hereby granted unto the said Seller for the additional term of three years (the “Extended Term”), subject to the terms and conditions set forth in Article 1 of the Option to Purchase, beginning on December 14, 2020 and ending on December 14, 2023. All the terms, conditions, and covenants set forth in the above described Option to Purchase apply to the additional period of extension as fully as if set forth herein.

IN WITNESS WHEREOF, the parties hereto have executed this extension Agreement on the day and date first above written.

**SELLER:**

**JACK1, LLC**

By: \_\_\_\_\_ (Seal)  
Paula Perkins, Member-Manager

By: \_\_\_\_\_ (Seal)  
Fred Gray Cash, III, and

By: \_\_\_\_\_ (Seal)  
Judy Cash, jointly, as Member-Manager

STATE OF NORTH CAROLINA

COUNTY OF \_\_\_\_\_ [*county in which acknowledgement taken*]

I, \_\_\_\_\_, certify that Paula Perkins, personally appeared before me this day and acknowledged that she is a member/manager of JACK1, LLC, Seller herein, and that by authority duly given as an member/manager of the company, the foregoing instrument was signed and sealed by her on behalf of the company and acknowledged said writing to be the act and deed of said company.

Witness my hand and official stamp or seal, this \_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
[*Signature of Notary Public*]

[SEAL]

My Commission Expires: \_\_\_\_\_

STATE OF NORTH CAROLINA

COUNTY OF \_\_\_\_\_ [*county in which acknowledgement taken*]

I, \_\_\_\_\_, certify that Fred Gray Cash and Judy Cash, personally appeared before me this day and acknowledged that they are jointly a member/manager of JACK1, LLC, Seller herein, and that by authority duly given as an member/manager of the company, the foregoing instrument was signed and sealed by them on behalf of the company and acknowledged said writing to be the act and deed of said company.

Witness my hand and official stamp or seal, this \_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
[*Signature of Notary Public*]

[SEAL]

My Commission Expires: \_\_\_\_\_

**BUYER:**

**TOWN OF APEX**

By: \_\_\_\_\_ (Seal)  
Jacques K. Gilbert, Mayor

STATE OF NORTH CAROLINA

COUNTY OF \_\_\_\_\_ [*county in which acknowledgement taken*]

I, \_\_\_\_\_, certify that Jacques K. Gilbert, personally appeared before me this day and acknowledged that he is the Mayor of the Town of Apex, Buyer herein, and that by authority duly given and as the act of such entity, the foregoing instrument was signed and sealed by him on its behalf and acknowledged said writing to be the act and deed of said municipal corporation.

Witness my hand and official stamp or seal, this \_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
[*Signature of Notary Public*]

[SEAL]

My Commission Expires: \_\_\_\_\_