

## **SALE SUBJECT TO RIGHT OF FIRST REFUSAL**

### Contingency Addendum

**NOTE:** This form is used by an agent when negotiating the sale of a property on which another person holds a right of first refusal to purchase the property, to prepare a contingency provision for waiver of the first refusal right as an addendum for an offer to buy or counteroffer.

**DATE:** \_\_\_\_\_, 20\_\_\_\_\_, at \_\_\_\_\_, California.

*Items left blank or unchecked are not applicable.*

1. This is an addendum to the following agreement:

☐ Purchase Agreement, ☐ Counteroffer, ☐ \_\_\_\_\_,

1.1 ☐ of same date, or dated \_\_\_\_\_, 20\_\_\_\_\_, at \_\_\_\_\_, California,

1.2 entered into by \_\_\_\_\_, as the Buyer,  
and \_\_\_\_\_, as the Seller,

1.3 regarding real estate referred to as \_\_\_\_\_.

2. A Right of First Refusal previously granted to a third party to purchase the property referenced above is presently outstanding giving that third party the right to purchase the referenced property on the same terms as contained in the above referenced agreement.

2.1 Seller is required by the terms of the Right of First Refusal agreement to give the third party holding the right notice Seller has entered into this agreement and the terms of this agreement.

### **AGREEMENT:**

In addition to the terms of the agreement referenced at item 1 above, Buyer and Seller agree to the following:

3. This agreement is subject to termination by Seller in the event the third party holding the first refusal right to buy the property exercises their right to buy the property on the same terms as contained in this agreement.

4. Seller will, on acceptance, promptly give notice of this sale to the third party holding the right of first refusal to commence the \_\_\_\_\_ day option period in which the third party may exercise their right to buy the property.

**Buyer: I agree to the terms stated above.**

Date: \_\_\_\_\_, 20\_\_\_\_\_

Buyer's Name: \_\_\_\_\_

Signature: \_\_\_\_\_

Buyer's Name: \_\_\_\_\_

Signature: \_\_\_\_\_

**Buyer: I agree to the terms stated above.**

Date: \_\_\_\_\_, 20\_\_\_\_\_

Seller's Name: \_\_\_\_\_

Signature: \_\_\_\_\_

Seller's Name: \_\_\_\_\_

Signature: \_\_\_\_\_