Form 35E Escalation Addendum Rev. 1/25 Page 1 of 3

ESCALATION ADDENDUM TO PURCHASE AND SALE AGREEMENT

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The	e followin	g is part of t	he Pur	chase and Sale Ag	reement da	ted			
bet	ween	Buyer			Bu	yer			("Buyer")
anc	d t	Seller			Se	llor			("Seller")
cor	ncerning	Address			Cit		State	(the	e "Property").
fror san	m anothe ne terms	r buyer (the as this Agre	"Comp eement.	grees to have the eting Offer"). This Buyer is cautione disclose the terms	Addendum d to offer no	does not assure th o more than Buyer	at the Con	npeting Offer will pay for the Pro	I have all the pperty. Buyer
1.	Net Prid	ce equal to ed by \$ I for Credits	or grea	forth in Appendix	Price of th lation Amou	is offer, then the unt") more than the vent, however, sha	purchase Net Price	price of this o of the Competi	ffer shall be ng Offer and
	price es	calation cla	use) ad	is the stated Purch ljusted for any Cre osts, concessions,	edits to Buy	er or Seller. For	purposes	of this Addend	
2.	NWMLS the full I not filled Form 22	or similar f Purchase P I in) from the B or equiv	orms, c rice to b e date c alent).	competing Offer montaining all mater be paid in cash at of this offer; and (c) A Competing Offe IWMLS Form 22Q	ial terms ne closing; (b) is not cont r may inclu	ecessary for an ent provides for closir ingent on the sale ide other condition	orceable a ng no later of the buye	greement which than day er's property (i.e	(a) requires s (60 days if . no NWMLS
3.	new Pur new Pur with the	rchase Price rchase Price formulas at	e, toget e shall t tached	ALATION. To esca her with a copy of be calculated using hereto in Appendix te copy of the Cor	the Compo the Notice 1. Seller's	eting Offer, at the of New Purchase escalation of this	time Selle Price (For offer shall	r accepts Buye m 35EC) and ir not be effectiv	's offer. The accordance
4.				ALATION. After lation Addendum				•	•
	-			Competing Offe	•	,	·	•	
	i.	If Seller fails	s to pro	vide a Competing of hat fact withine obligated to purch	Offer to Buy _ days (3 days	ays if not filled in).	If Buyer fa	ls to timely give	yer may give
		Offer to Buy	yer. If S	uch notice, Seller eller fails to timely i-escalated price.					
	Buyer's I	nitials	 Date	Buyer's Initials	 Date	Seller's Initials	 Date	Seller's Initials	 Date

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ges 2	of 3	FUNCTIAGE AND SALE AGREEMENT	
b.	No	tice to Seller – Non-Qualifying Offer.	37
	i.	If the offer provided by Seller does not qualify as a Competing Offer under Paragraph 2 of this Addendum, Buyer may deliver notice to Seller of that fact within days (3 days if not filled in) of receipt of the Competing Offer. If Buyer fails to timely give such notice, the offer shall conclusively be deemed to qualify as a Competing Offer under Paragraph 2 of this Addendum.	39
	ii.	If Buyer provides such notice to Seller, Seller shall have days (2 days if not filled in) to give notice of termination of this Agreement. If Seller timely gives such notice, the Earnest Money shall be refunded to Buyer. If Seller does not timely give such notice of termination, then Buyer shall be entitled to purchase the Property at the non-escalated Purchase Price.	43
c.	No	tice to Seller – New Purchase Price.	46
	i.	If the new Purchase Price calculated by Seller is incorrect, Buyer may deliver notice to Seller of that fact within days (3 days if not filled in) of receipt of the Notice of New Purchase Price (Form 35EC) and the Competing Offer. Buyer's notice shall include Buyer's calculation of the new Purchase Price in the Escalation Addendum Notice (Form 35EN). If Buyer fails to timely give such notice, the new Purchase Price stated in the Notice of New Purchase Price (Form 35EC) shall conclusively be deemed to be correct.	48 49 50
	ii.	If Buyer provides such notice to Seller, Seller shall have days (2 days if not filled in) to give notice of termination of this Agreement. If Seller timely provides such notice, the Earnest Money shall be refunded to Buyer. If Seller does not timely give notice of termination, then Buyer's calculated new Purchase Price in Buyer's notice shall conclusively be deemed to be correct.	52 53 54 55

Buyer's Initials

Date

Buyer's Initials

Date

Seller's Initials

Date

Seller's Initials

Date

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APPENDIX 1 - Formulas for Calculating New Purchase Price

The formulas below calculate the new Purchase Price after determining the Net Purchase Price of the Competing Offer, the Escalated Purchase Price for this offer, and any limit set by the Maximum Purchase Price for this offer. Seller shall use the Notice of New Purchase Price (Form 35EC) to perform the calculations.

Α.	Competing Offer Pur	rchae	e Price		\$	Α	
, v.			rice of the Competing Offer if it contains an escalation provision)		Ψ		
	Competing Offer's:	B.	Credits to Buyer (\$ amount)	-	\$	В	
		C.	Credits to Buyer (% of purchase price)	-		С	%
		D.	Credits to Seller (\$ amount)	+	\$	D	
		E.	Credits to Seller (% of purchase price)	+		E	%
F.	Competing Offer Net	Purc	hase Price		\$	F	
G.	Escalation Amount (enter	amount from line 11 of Buyer's Form 35E)	+	\$	G	
H.	Escalated Base (this	offer)			\$	Н	
	This offer's:	I.	Credits to Buyer (\$ amount)	+	\$	1	
		J.	Credits to Buyer (% of Competing Offer purchase price) ^	+		J	%
		K.	Credits to Seller (\$ amount)	-	\$	K	
		L.	Credits to Seller (% of Competing Offer purchase price) ^	-		L	%
M.	Escalated Purchase	Price	(this offer – prior to Max Purchase Price limit)		\$	М	
N.	Maximum Purchase	Drico	(enter amount from line 13 of Buyer's Form 35E)		\$	N	
		FIICE	(enter amount nom line 13 or buyer's Form 33E)		·		
Ο.			ect to Max Purchase Price limit, if applicable)		\$		
O. P.	Net Price (this offer – New Purchase Price	subje				0	
O. P. For i	Net Price (this offer – New Purchase Price mulas: Competing Offer Net P	subje	offer)		\$	0	
O. P. Fori • (Net Price (this offer – New Purchase Price mulas: Competing Offer Net P 1) Calculate to find to	this value of the	ect to Max Purchase Price limit, if applicable)		\$	0	
O. P. Fori • (Net Price (this offer – New Purchase Price mulas: Competing Offer Net P 1) Calculate to find to	this value of the	ase Price (F): alue of F: F = [A * (1 – C + E)] – B + D		\$	0	
O. P. For i • (Net Price (this offer – New Purchase Price mulas: Competing Offer Net P 1) Calculate to find to This offer's Escalated 2) Calculate to find to	e subjective (this with the value of the val	ase Price (F): alue of F: F = [A * (1 – C + E)] – B + D (H): alue of H: H = F + G hase Price (prior to Max Purchase Price) (M):		\$	0	
O. P. For i • (Net Price (this offer – New Purchase Price mulas: Competing Offer Net P 1) Calculate to find a This offer's Escalated 2) Calculate to find a This offer's Escalated 1) Calculate to find a	e subjective (this experience) Purchathe value of the va	ase Price (F): alue of F: F = [A * (1 - C + E)] - B + D (H): alue of H: H = F + G hase Price (prior to Max Purchase Price) (M): alue of M: (A * J) - (A * L) + H + I - K		\$	O P	
O. P. For i • (Net Price (this offer – New Purchase Price mulas: Competing Offer Net P 1) Calculate to find a This offer's Escalated 2) Calculate to find a This offer's Escalated 1) Calculate to find a 2) ^ For purposes of a percentage of	control of calculations of cal	ase Price (F): alue of F: F = [A * (1 – C + E)] – B + D (H): alue of H: H = F + G hase Price (prior to Max Purchase Price) (M):	rice	\$ \$	O P s offer) expresse	r. At
O. P. Fori	Net Price (this offer — New Purchase Price mulas: Competing Offer Net P 1) Calculate to find to This offer's Escalated 2) Calculate to find to This offer's Escalated 1) Calculate to find to 2) ^ For purposes of a percentage of closing, the actual New Purchase Price	Curchathe value of calculations.	ect to Max Purchase Price limit, if applicable)	rice y wil	\$ \$	O P s offer) expresse Competing Offe culated based o	r. A
O. P. Fori	Net Price (this offer — New Purchase Price mulas: Competing Offer Net P 1) Calculate to find to price Calculat	Purchathe value of calculations on Purchathe value of Purchathe value of calculations on Purchathe value of Purchathe	ect to Max Purchase Price limit, if applicable)	rice y wil	\$ \$	O P s offer) expresse Competing Offe culated based o	r. A
O. P. Fori	Net Price (this offer — New Purchase Price mulas: Competing Offer Net P 1) Calculate to find to This offer's Escalated 2) Calculate to find to This offer's Escalated 1) Calculate to find to 2) ^ For purposes of a percentage of closing, the actual New Purchase Price f this offer's Maximum 1) This offer's New I	Purchathe value of calcathe produce of calcathe produce of the pro	ase Price (F): alue of F: F = [A * (1 – C + E)] – B + D (H): alue of H: H = F + G hase Price (prior to Max Purchase Price) (M): alue of M: (A * J) - (A * L) + H + I - K aluating the New Purchase Price only, all credits to Buyer and aurchase price shall be calculated based on the purchase pount paid for percentage credits will be different because the chase Price (N) is equal to or greater than this offer's Esc	rice y wil	\$ \$	O P s offer) expresse Competing Offe culated based o	r. A
O. P. Fori	Net Price (this offer — New Purchase Price mulas: Competing Offer Net P 1) Calculate to find to price This offer's Escalated 2) Calculate to find to price to find	control of the properties. The properties of the properties. The properties of the properties of the properties. The properties of the	ect to Max Purchase Price limit, if applicable)	rice y wil cala	\$ \$ \$ ller (this of the C I be calc ted Pure	o P s offer) expresse Competing Offe culated based o chase Price (N	r. A
O. P. Fori	Net Price (this offer — New Purchase Price mulas: Competing Offer Net P 1) Calculate to find to price This offer's Escalated 2) Calculate to find to price to find	control of the properties. The properties of the properties. The properties of the properties of the properties. The properties of the	ect to Max Purchase Price limit, if applicable)	rice y wil cala	\$ \$ \$ ller (this of the C I be calc ted Pure	o P s offer) expresse Competing Offe culated based o chase Price (N	r. At n the