

CHOICE OF TENANCY

Re: _____
File No. _____

In connection with our purchase of the Property, I/we hereby direct **Lighthouse Title** to recite, in my/our Deed, Deed of Trust (if any), Title Insurance Policy(ies), and any other necessary or appropriate documentation the following tenancy, indicated by my/our initials in the area provided below:

() 1. **SOLE OWNER:** An undivided ownership interest by **one person** with no other party having a right or interest in or to the Property.

() 2. **TENANTS BY THE ENTIRETY:** An undivided ownership by both **husband and wife**, with the right to the entire Property passing to the surviving spouse upon the death of one (1) spouse.

() 3. **JOINT TENANTS:** An equal ownership interest by all parties named on the Deed with rights of ownership vesting in the survivor of all owners.

Example: Andy, Beth and Charles own Black Acre one-third each (1/3rd each). If Beth dies, Andy and Charles will each own one-half (1/2) of Black Acre.

____% () 4. **TENANTS IN COMMON:** An individual ownership interest in a portion of the Property (either equal or unequal) with another party and sharing a common interest and right to use as to the whole Tenants in Common **does not provide** for survivorship rights. Thus, a will is recommended to identify the recipient of the ownership interest upon the death of one (1) of the owners.

Example 1: Andy, Beth and Charles own Black Acre. Beth own seventy percent (70%), Andy owns twenty percent (20%), and Charles owns ten (10%). Charles dies. Charles had a will which states that his interest should pass to his mother, Charlene. Charlene now owns a ten percent (10%) interest in Black Acre. If Charles dies without a will, his ten percent (10%) interest shall pass according to the laws of the State of **Virginia**.

Example 2: Andy and Beth are married but own Black Acre with Charles. Andy and Beth own a sixty percent (60%) interest in Black Acre, which they hold as Tenants by the Entirety. Charles owns a forty percent (40%) interest in Black Acre. As between Charles and the unit made up of Andy and Beth, the parties own Black Acre as Tenants in Common, for percent (40%) to Charles, sixty percent (60%) to Andy and Beth jointly.

As set forth above, I/we direct **Lighthouse Title** to utilize the initialed tenancy in preparing my/our documentation with respect to the Property.

WITNESS OUR HANDS and SEAL this ____ day of _____, _____.

Witness

Buyer1Name (SEAL)

Witness

Buyer2Name (SEAL)

Witness

Buyer3Name (SEAL)

Witness

Buyer4Name (SEAL)