

CHOICE OF TENANCY

Re:
File No.

In connection with our purchase of the Property, I/we hereby direct _____ 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 in which the property lies.

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 _____ to utilize the initialed tenancy in preparing my/our documentation with respect to the Property.

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

Witness _____ (SEAL)
_____ (
_____ (
_____ (