

WAYS TO TAKE TITLE

The way you take title may have significant legal estate plan and tax consequences. This information is provided by LAWYERS TITLE OF ARIZONA, INC. as a courtesy only, we are unable to consult you in this matter. For more information, you are encouraged to contact a professional legal tax advisor.

Community Property: (married couples only)

Since Arizona is a community property state, by statute all property acquired by husband and wife is presumed to be community property unless stipulated otherwise. Community property ownership can apply only to married persons. The interest of a deceased spouse may pass either by Will or by Intestate Succession.

Community Property With Right of Survivorship: (married couples only)

Community Property with Right of Survivorship is co-ownership by husband and wife providing for the surviving spouse to retain full title after the death of the other spouse. Allows for a stepped-up tax basis for Capital Gains Taxes to a surviving spouse.

Joint Tenancy With Right of Survivorship: (multiple persons)

Joint Tenancy is a method of co-ownership that gives title to the last surviving Joint Tenant.

Tenants In Common: (multiple persons)

A method of co-ownership where the parties do not have survivorship rights and each owns a specific undivided interest in the entire title.

(example: Mary Doe 60%, John Smith 20% and Joe Kool 20%)

Sole and Separate: (married individual only)

Real property owned by a spouse prior to marriage or acquired after marriage by gift or devise, descent or specific intent.. When a married person acquires title as Sole and Separate Property, his/her spouse must execute a Disclaimer Deed.

Trust: (please confirm with lender first)

Please provide name of Trustees and name and date of the Trust. A full copy of the trust will be required if less than all of the original trustees will sign documents.

Unmarried: (single individual, divorced, widowed)

Corporation: Provide a Corporation Resolution and Articles of Organization.

LLC: Provide the Operating Agreement and Articles of Organization.

Partnership: Provide a Partnership Agreement.

BUYER ESCROW ACTION ITEMS RETAIN FOR YOUR INFORMATION

ESCROW OFFICER: Your Escrow Officer is **Stephanie Foley** and can be reached at **(480) 545-4633** or by fax at **(480) 545-4662**.

LENDER: In the event you are obtaining new financing, please provide the name and phone number of your Loan Officer to your Escrow Officer as soon as possible.

COMMITMENT FOR TITLE INSURANCE: You will receive a Commitment for Title Insurance and copies of the Exception items shown on Schedule B of the Report, including the property CC & R's. Please read through these documents carefully and retain them for your files.

HOMEOWNERS INSURANCE: In the event you are obtaining new financing, you will be required to secure a new Homeowner's Insurance policy prior to closing your escrow. Once you have made the decision of which insurance agent you will be using to prepare your policy, please ask them to contact your Escrow Officer for exchange of information and to arrange for the policy to be delivered for the closing. Payment of the premium will be included in your closing amount at the close of escrow.

THE CLOSING PROCESS:

Closing Appointment: You will be contacted before your closing date to schedule an appointment for final document signing. Your Escrow Officer will be unable to schedule an appointment with you until the lender's documents have been received.

Identification: In order to notarize your signature, we will require identification. **PLEASE BRING ONE CURRENT FORM OF FEDERAL OR STATE ISSUED IDENTIFICATION WITH YOUR PICTURE, SIGNATURE AND PHYSICAL DESCRIPTION; i.e. driver's license or military ID. If you do not provide proper identification, we will be unable to close the transaction.**

Closing Figures: We will prepare an Estimated HUD 1 Settlement Statement (Pre-audit) for your review once we have received your lender's documents and insurance policy, and will contact you with the amount necessary for closing prior to your scheduled appointment. Please be advised that your Escrow Officer will be unable to provide you with a closing figure until the loan package and insurance are provided. You may want to contact your lender and insurance agent directly to determine when their documents will be provided into escrow.

Closing Funds: Please note that all closing funds deposited must be in the form of a Bank Wire or Cashier's Check. If you choose to wire your funds, please contact your Escrow Officer for wiring instructions.

Close of Escrow/Recording: After all necessary documents have been signed and all closing funds have been deposited (including new lender's proceeds), recordation shall occur, which is considered the "close of escrow". Your Escrow Officer will request recording as soon as all criteria for closing have been met.

Disbursement: It will be necessary for your escrow officer to verify with the County Recorder's office that recordation has occurred prior to disbursement of any escrow funds.

Possession and Keys: These items are not handled by your Escrow Agent. Your Real Estate Professional will work with you to facilitate these items. If you are not working with a Realtor, these items must be handled directly between the Seller and Buyer.

Life of an Escrow

