Form #5 Sample form of Identification Letter - 200% Rule

(use when identifying **more** than 3 Replacement Properties, attach additional sheet if necessary)

Date:_____ (Must be dated and reach us **no later** than 45 days from closing date of the first of the Relinquished Property(ies); fax copies **are** OK.)

To:
Edmund & Wheeler, Inc.
567 Cottage Street
Littleton, NH 03561 Tel: (603)444-0020; Fax (603)444-6611

Dear Mr. Foss:

In connection with the Section 1031 Exchange that Edmund & Wheeler is facilitating for me/us, the following Replacement Properties are identified, using the **200% Rule**:

I. Sale price(s) of Relinquished Property(ies): $_____

II. Double this amount and enter here: $_____

III. Enter the Replacement Property selections, using the following format: (FMV = Fair Market Value)
(Describe by complete street address **OR** by legal description **OR** by deed Book & Page number **OR** by Tax Map Page & Lot number; with condominiums, add the Unit Number). **When identifying tenancy-in-common interests, specify the percent ownership in the whole property or the cash necessary to acquire an interest in the property. Properties owned by Related Parties are not eligible for identification.**

Property #1: _____ $_____

Property #2:_____ $_____

Property #3: _____ $_____

Property #4:_____ $_____

Property #5: _____ $_____

Property #6:_____ $_____

IV. Add up all the above Fair Market Values: $_____

V. The figure in IV. must be **less than** the figure in II.

VI. Then, please select one (1) of the following choices:
A. "I/we elect to be entitled to receive **any one (1)** of the above properties to complete the exchange;" **OR** B. "I/we elect to be entitled to receive **any or all** of the above properties to complete the exchange."

Sincerely yours,
(All of the taxpayers involved in the exchange must sign)

NOTE: The above choice VI. (A) allows the exchange to terminate once one (1) of the selected properties has been received, sometimes well before the 180th day. At that time, any funds remaining in the account can be disbursed and a final accounting made.

The second choice VI. (B) is for those taxpayers wishing to acquire multiple Replacement Properties for one Relinquished Property (or set of properties). By law, the exchange must stay open for its full duration (180 days max.), after which any remaining funds are distributed and a final accounting made.