

REPLACEMENT PROPERTY IDENTIFICATION LETTER

Exchanger: _____

Relinquished Property: _____

In accordance with the provisions of I.R.C. Section 1031, the Replacement Property must be identified in writing on or before midnight of the 45th day from the date the Relinquished Property is transferred. Please refer to Sections III.A. and III.B. of our Exchange Agreement for this transaction, which summarize the I.R.S. Requirements for identification of Replacement Property.

Identified Replacement Property must be "unambiguously" identified by the exchanger by street address, legal description or "distinguishable name". (Note: In the event that the Replacement Property consists of improved real property where the improvements are to be produced during the exchange period, then, in addition to the street address, legal description, or "distinguishable name", the identification must include as much detail regarding the construction of the improvements as is practicable at the time the identification is made.)

As of June 10, 1991, rules and regulations became effective which dramatically impacted the number of properties that can be identified as potential replacement properties. The rules are as follows:

- 1. **Three (3)-Property Rule:** A maximum of three properties may be identified without regard to the fair market value of the properties.
or
- 2. **Two Hundred Percent (200%) Rule:** Any number of properties may be identified, so long as the aggregate fair market value of the properties identified does not exceed 200% of the aggregate fair market value of the Relinquished Property.
or
- 3. **Ninety Five Percent (95%) Rule:** The exchanger may identify any number of properties without regard to the aggregate fair market value, so long as exchanger receives ninety five percent (95%) of the aggregate fair market value of all identified Replacement Properties prior to the end of the one hundred and eighty (180) day period.

I hereby identify the following as potential Replacement Property(ies). (The identification must be exact, therefore, please use the complete property address **or** the tax assessor's number, which must include the county and state.)

- 1. _____ \$ _____
(value for the 200/95% rules)
- 2. _____ \$ _____
(value for the 200/95% rules)
- 3. _____ \$ _____
(value for the 200/95% rules)

(If more than 3 properties are to be identified, please add to the back of this form.)

It is solely the exchanger's responsibility to conform to the rules and regulations regarding the 45-day identification period and 180-day exchange completion period. You must acquire ownership of all replacement properties you intend to purchase, within a maximum of 180 days after the close of the sale of the first Relinquished property you sold as part of this exchange. Also, please refer to Section II.B of our Exchange Agreement stating the restrictions regarding your rights to obtain the benefits of the exchange proceeds once you identify property.

By: _____

Dated: _____

By: _____

Dated: _____