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Florida Land Trust Planning Questionnaire

Property, title, proposed trust terms, and transfer considerations

Please complete this questionnaire as fully as possible and attach the records identified below. If information is not available, please write "unknown." Use an additional page for each additional property, owner, trustee, or beneficiary. The responses will assist counsel in evaluating the proposed arrangement and related title, financing, tax, homestead, insurance, and estate-planning issues.

This questionnaire is for information gathering only. It does not create a trust, authorize a transfer, amend any loan or insurance contract, or establish an attorney-client engagement by itself. No deed or trust document should be signed or recorded until the proposed structure and transaction have been reviewed.

Date completed

Matter / referral source

1. Prospective client and current owners

Prospective client's full legal name

Other names used, if any

Mailing address

Telephone

Email

Preferred language / contact method

Marital status and, if married, date and place of marriage

Spouse's full legal name and contact information (if different)

Names of all current record owners exactly as shown on the deed

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For each record owner: mailing address, marital status, and relationship to the client

**Is any owner acting as trustee, personal representative, guardian, agent, or entity representative?
Identify the capacity and provide authority documents.**

2. Property and chain of title

Property street address, city, county, and ZIP code

Parcel identification number

Complete legal description (attach current deed or title evidence)

☐ Single-family residence ☐ Condominium ☐ Townhome ☐ Vacant land ☐ Multifamily ☐
Commercial ☐ Other

Property type, number of units, and current use

☐ Owner occupied ☐ Tenant occupied ☐ Vacant ☐ Second home ☐ Under construction ☐
Other

Identify each occupant and relationship to the owner; note any minor occupants.

Date acquired, purchase price, and source of funds used to acquire the property

Current deed recording date and instrument / book and page number (if known)

☐ Individual ownership ☐ Spouses / tenancy by the entirety ☐ Joint tenancy ☐ Tenants in common
☐ Entity ownership ☐ Other / unsure

Describe current vesting and any agreement or understanding among co-owners.

Estimated fair market value and basis / adjusted basis, if known

3. Homestead, taxes, and property operations

☐ Homestead exemption currently claimed ☐ Property may qualify for homestead ☐ No homestead
claim ☐ Unsure

County of any homestead exemption and name(s) under which claimed; describe actual occupancy.

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Other exemptions, assessment limitations, tax deferrals, or special classifications

Property tax status, including delinquency, payment plan, or pending assessment dispute

Property insurer, policy type, named insured(s), and renewal date

Property manager, if any; identify authority granted and management agreement term.

☐ Homeowners association ☐ Condominium association ☐ No association

Association name, contact, governing documents, transfer requirements, and account status

Leases, rental arrangements, deposits, or pending occupancy agreements; attach copies.

4. Financing, liens, and title matters

☐ Mortgage ☐ Home equity line ☐ Other secured debt ☐ No known secured debt ☐ Unsure

For each loan or lien: creditor / servicer, approximate balance, payment status, and maturity date

☐ Current ☐ Delinquent ☐ Forbearance or modification ☐ Foreclosure pending ☐ Unsure

Attach the note, mortgage, current statement, and any transfer, trust, due-on-sale, or consent provisions available.

Has the lender or servicer been contacted about the proposed transfer? If so, identify the contact and response.

Known title exceptions, easements, restrictions, judgments, tax liens, code violations, claims, or pending litigation

Attach any title commitment, title policy, survey, lien search, or foreclosure / litigation papers available.

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5. Proposed trust structure and parties

List the proposed parties and intended roles. Attach a separate schedule if there are multiple parties or if the proposed ownership percentages do not fit below.

Proposed trustee(s)

Full legal name / entity: _____

Role or relationship: _____

Address and contact information: _____

Share, authority, or succession order: _____

Proposed successor trustee(s)

Full legal name / entity: _____

Role or relationship: _____

Address and contact information: _____

Share, authority, or succession order: _____

Proposed beneficiary(ies)

Full legal name / entity: _____

Role or relationship: _____

Address and contact information: _____

Share, authority, or succession order: _____

Person(s) authorized to direct the trustee, if different

Full legal name / entity: _____

Role or relationship: _____

Address and contact information: _____

Share, authority, or succession order: _____

Proposed successor beneficiaries or recipients at death

Full legal name / entity: _____

Role or relationship: _____

Address and contact information: _____

Share, authority, or succession order: _____

For any entity: jurisdiction of formation, active status, owners / managers, and authorized signatory

Identify any proposed party who is a minor, incapacitated, non-U.S. person, trust, or entity.

What documentation establishes each proposed party's authority and capacity to act?

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6. Objectives and proposed operating terms

☐ Ownership-record privacy ☐ Continuity of management ☐ Estate or succession planning ☐ Co-ownership administration ☐ Transaction or portfolio planning ☐ Other

Describe the client's principal objectives and any specific result expected from the arrangement.

☐ Client intends to occupy ☐ Property will be rented ☐ Sale is contemplated ☐ Refinancing is contemplated ☐ Beneficial interest transfer is contemplated ☐ No transaction currently planned

Describe any contemplated sale, refinance, contribution, transfer, or other transaction, including deadlines.

Who should have authority to lease, insure, repair, borrow against, sell, or otherwise encumber the property?

What actions should require beneficiary consent, unanimous consent, or a specified voting threshold?

How should income, expenses, reserves, tax reporting, and net proceeds be allocated?

May a beneficiary transfer, pledge, or encumber an interest? Identify proposed restrictions or consent rights.

What events should trigger a buyout, sale, removal or replacement of a trustee, or termination of the arrangement?

State the intended succession terms for death, incapacity, divorce, bankruptcy, withdrawal, or dispute.

Identify any family, business, or co-owner agreement that should be coordinated with the trust.

7. Related legal, tax, and financial considerations

Is the property or any proposed party subject to a pending or threatened lawsuit, judgment, bankruptcy, divorce, probate, foreclosure, tax collection, or creditor claim? Identify parties, dates, case numbers, and deadlines.

Has the property or any interest in it been promised, contracted for sale, pledged, or transferred recently? Provide dates and documents.

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Identify unpaid taxes, support obligations, liens, judgments, or other claims that could affect a transfer.

Identify existing wills, trusts, marital agreements, operating agreements, or other documents relevant to title or succession.

Identify the client's accountant, tax advisor, title agent, lender, or other professional consulted about this proposal and summarize any advice received.

Who will report income and expenses, and has tax counsel advised on grantor status, EIN requirements, or information returns?

8. Records to provide

- ☐ Current deed and prior deeds, if available
- ☐ Current title commitment or policy and any title search
- ☐ Property tax bill, exemption records, and assessment notices
- ☐ Loan documents, current statements, modification agreements, and lender correspondence
- ☐ Insurance declarations page and any policy endorsements
- ☐ Association declaration, bylaws, rules, transfer requirements, and account statement
- ☐ Leases, deposits, property management agreement, and rent ledger
- ☐ Survey, legal description, permits, code notices, and lien documents
- ☐ Entity formation, status, ownership, and authority records for any entity involved
- ☐ Existing estate planning, marital, co-ownership, or property agreements
- ☐ Relevant lawsuit, bankruptcy, foreclosure, judgment, or creditor papers
- ☐ Any proposed purchase, sale, refinance, or transfer agreement and related deadlines

9. Client acknowledgment

I have reviewed my responses and believe they are accurate and complete to the best of my knowledge. I will promptly advise counsel if material information changes or if a transaction deadline arises. I understand that any proposed trust and transfer remain subject to review of title, loan and insurance requirements, tax and homestead treatment, applicable agreements, and the interests and authority of all affected parties.

Client signature

Printed name

Date