

LAW OFFICE OF CONRAD WILLKOMM, P.A.
3201 North Tamiami Trail, Second Floor, Naples, Florida 34103
and
4415 Metro Pkwy, Unit 218, Ft. Myers, Florida 33916
(239) 262-5303
Facsimile (239) 262-6030
conrad@swfloridalaw.com
www.swfloridalaw.com

DEED PREPARATION INTAKE FORM

Current Owner's Full Name(s): _____

** If Transferor is a business entity (Corporation, LLC, etc.) or a Trust then please furnish the governing documents.*

Phone Number: _____ Email: _____

Subject Property Address: _____

Is there a mortgage on the property? Yes No

If yes, please provide the amount of the outstanding balance: \$ _____

Marital Status of Owner(s): Single Married (Spouses) Married (to Others) Widowed

If widowed, please list the name and date of death of said spouse:

Is this property homestead? Yes No

Citizenship Status: U.S. Citizen Resident Alien Non-Resident Alien

**The disposition of a U.S. real property interest by a foreign person is subject to the Foreign Investment in Real Property Tax Act of 1980 (FIRPTA) income tax withholding.*

Name of the person(s) or entity the property is being transferred to ("Transferee"):

**If Transferee is a Trust, then please furnish a copy of the Certificate of Trust or Trust document.*

Marital Status of Transferee: Single Married (Spouses) Married (to Others) Widowed

Transferee's address: _____

**Please note: this is the address where the tax bill will be sent to.*

Do you want this transfer to take place: now or upon your death

Please briefly describe the reason for the transfer: _____

The transfer of real estate could constitute a taxable gift. Although taxes may not be due, a gift tax return may need to be filed. We recommend you contact your CPA to make this determination.

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**DEED PREPARATION
ATTORNEY CONFLICT WAIVER AND DISCLOSURE**

To Whom It May Concern:

Please note, you have engaged our office to assist with the preparation of deed transfer(s) in accordance with your direction, either verbally or as provided on our Deed Intake Sheet.

This letter shall confirm that you have been advised that, based on our limited capacity of representation, you have not received any tax, homestead, Medicaid planning, or related advice from our office. Additionally, there is an inherent conflict between the respective transferor(s) and transferee(s) involved in any deed transfer.

BY ENGAGING OUR FIRM TO PREPARE YOUR DEED TRANSFER(S), YOU ARE AGREEING TO WAIVE ANY CONFLICT THAT EXISTS, WHETHER BETWEEN YOU AND ANY OTHER RESPECTIVE TRANSFEROR AND/OR TRANSFEREE.

Accordingly, due to such inherent conflict, we direct and advise you that you have the ability to seek advice from independent, outside counsel concerning the respective transfer(s) and the waivers contained herein. Please note, you and any other parties to the respective deed transfer have agreed that there will be complete and free disclosure and exchange of all information given to us in the course of this representation. Although unlikely, we retain the right to withdraw our involvement in this transaction at any time should any such information and/or matters arise, which in our professional judgment, make it impossible to perform our duties as stated in this letter.

In order to proceed with having our office assist with the requested preparation of deed transfer(s), please complete and return the Deed Preparation Attorney Conflict Waiver and Disclosure form on the following page. Should you have any questions, please do not hesitate to contact your supervising attorney. We look forward to assisting you with this matter.

Sincerely,

LAW OFFICE OF CONRAD WILLKOMM, P.A.

**DEED PREPARATION
ATTORNEY CONFLICT WAIVER AND DISCLOSURE
ACKNOWLEDGMENT AND AGREEMENT**

I/we, _____, hereby acknowledge the following:

- | | |
|--------------------|--|
| _____
(Initial) | 1. That, I/we waive and hold the Law Office of Conrad Willkomm, P.A. harmless from any conflict that exists, whether between me/us and any other respective transferor and/or transferee. |
| _____
(Initial) | 2. That by signing the deed(s), I/We am/are giving up my/our interest in such respective property that may or may not be to my detriment; |
| _____
(Initial) | 3. That, the interest I/we am/are giving up is irrevocable and I/we may not get it back without the consent of the recipient(s) unless I/we am/are executing an Enhanced Life Estate Deed which only vests upon my/our death(s); |
| _____
(Initial) | 4. That, if I/we gift this property prior to my/our death(s), the recipient(s) will lose a step up in basis and certain tax filing requirements may be necessary for me/us and my/our recipient(s); |
| _____
(Initial) | 5. That, I/we have been advised to consult with a CPA to discuss potential tax implications, and the Law Office of Conrad Willkomm, P.A. has not given me any tax advice; |
| _____
(Initial) | 6. That, if this is my/our homestead, I will lose my homestead exemption status for tax purposes unless I/we am/are executing an Enhanced Life Estate Deed; |
| _____
(Initial) | 7. That, in most instances transferring of homestead property is not required for Medicaid planning and/or creditor protection; |
| _____
(Initial) | 8. That, the Law Office of Conrad Willkomm, P.A. has not done a title search or examination and is obtaining the prior deed information from www.CollierAppraiser.com , https://www.leepa.org/Search/PropertySearch.aspx , or the respective property appraiser website in which the property lies; and |
| _____
(Initial) | 9. That, the Law Office of Conrad Willkomm, P.A. has disclosed the limited scope of its representation to me. |

Accordingly, by signing below, I/we hereby acknowledge that the Law Office of Conrad Willkomm, P.A. shall be released from any and all responsibility regarding such transfer(s) of ownership.

Print Name: _____

Print Name: _____

Date: _____

Date: _____