

Escrow Number: _____

FIRST NATIONS TAX DEFERRED EXCHANGE CORP.

IDENTIFICATION OF REPLACEMENT PROPERTY FORM

DATE: _____

Sent Via: ___ Fax; ___ U.S. Mail; ___ Messenger; ___ Overnight Carrier ___

To: First Nations Tax Deferred Exchange Corp. Fax: (773) 594-0600

Reference is made to Exchange Agreement dated ____/____/____. In accordance with that Agreement and Treasury Regulations Section 1.1031(k)-1(c), the undersigned is hereby identifying the following property(ies) as his/her/its intended replacement property:

IF ADDITIONAL SPACE IS NEEDED, TO IDENTIFY YOUR PROPERTY(IES), PLEASE ATTACH AN EXHIBIT TO THIS FORM AND WRITE THE WORDS, "SEE ATTACHED EXHIBIT" ON THE APPLICABLE LINE(S).

- 1. _____
- 2. _____
- 3. _____

IF IDENTIFYING MORE THAN THREE PROPERTIES, PLEASE SEE PAGE TWO OF THIS DOCUMENT!

- 4. _____
- 5. _____
- 6. _____

*****SIGNATURES ARE REQUIRED*****

TAXPAYER [Individual(s)] RECEIVED THIS ___ DAY OF _____, 200__

By: _____

FIRST NATIONS TAX DEFERRED EXCHANGE CORPORATION (FNTDEC)

BY: _____

ITS: _____

TAXPAYER (Entity or Trust)

By: _____

Its: _____

IF IDENTIFYING MORE THAN THREE PROPERTIES:

- **You, and your tax counsel, should review the:**
- 1. **200% Rule {1.1031(k)-1(4)(i)(b)} and**
- 2. **95% Rule {1.1031(k)-1(4)(ii)(b)}.**

THREE-PROPERTY RULE / 200% RULE / 95% RULE:

If there is more than one item of Replacement Property, multiple designations shall be made in accordance with Treasury Regulations Section 1.1031(k)-1(c)(4). The maximum number of items of Replacement Property that the Taxpayer may identify is:

- Three without regard to the fair market value of these identified properties (the “Three Property Rule”).
- More than three, if the aggregate fair market value of these identified properties, does not exceed 200 percent of the aggregate fair market value of the Relinquished Property (the “200 % Rule”).
- More than 200 percent of the aggregate fair market value of the Relinquished Property, if the Taxpayer receives, within the Exchange Period, at least 95 percent of the aggregate fair market value of all identified Replacement Property (the “95 % Rule”).
- For purposes of this section, the fair market value of Replacement Property shall be determined in accordance with Treasury Regulations Section 1.1031(k)-1.

GENERAL INFORMATION ABOUT YOUR ATTORNEY REPRESENTATIVE

Inquiry:

Will the attorney, listed on page one of your Exchange Agreement & Escrow Agreement, continue to represent you during the acquisition of your identified replacement property?

___yes; ___no (**if no is checked, please provide new attorney information in the space below**)

New Attorney Information:

Attorney’s Name: _____

Attorney’s Address: _____

Ph. # _____

Fax # _____