



BASIC INFORMATION AND DOCUMENTS TO ESTABLISH TITLE FROM VARIOUS GRANTORS

Trustee/Successor Trustee:

- Affidavit from trustee with copies of relevant provisions of trust document attached evidencing the authority to transfer. For a successor trustee, the affidavit should also provide evidence of prior trustee's death, resignation, etc. with copies of relevant death certificates, resignation letters, and appropriate sections of the trust agreement establishing the right of the affiant to act as successor.
- Trustee's deed

Partnerships:

- Provision in partnership agreement defining power of partner(s) and permitting/not restricting transfer.
- Partnership resolution/vote evidencing approval of sale and identifying the partner(s) authorized to sign deed.
- Deed executed by all of the partners or those designated in the resolution/vote of the partners.

Limited Partnerships/Limited Liability

Partnerships:

- Provision in limited partnership/limited liability partnership agreement permitting/not restricting transfer and voting rights of partners.
- Resolution/vote evidencing approval of sale and identifying the partner(s) authorized to sign deed.
- Deed executed by parties designated in the resolution/vote.

Executors/Administrators:

- Notice of death
- Certificate of appointment of fiduciary
- Court order or power in will authorizing sale
- Certificate of no tax due/satisfaction of tax liability.
- Executor's/Administrator's deed conveying title held by decedent at death.

Corporation:

- Corporate resolution signed by the Secretary of the corporation showing the authority by way of director, officer, shareholder vote to the transfer and the identity of the individual to act on behalf of the corporation in signing the deed.
- Deed executed by the individual named in the resolution with appropriate acknowledgement clause for a corporation.

Limited Liability Company:

- Review operating agreement to determine whether member or manager managed. An affidavit from seller's counsel attesting to these facts can suffice. See *Standard of Title Standard 22.1, Comment 4*.
- Resolution/vote by members/managers authorizing sale and identifying member/manager to sign deed. OR
- Deed executed by member/manager identified in resolution/vote and authorized under the terms of the operating agreement.

The information and documents listed above represent a starting point for establishing title in any particular transaction involving the entities noted. This is not intended to be a complete or final checklist. Each transaction must be reviewed and analyzed on its own facts. If you have questions concerning a transaction, call your underwriter 866-523-8042.

Regardless of the grantor's entity form, it is important to verify the legal existence of the grantor at the time of the transfer of title. It is also important to verify the existence at the time the grantor took title because if the grantor did not have the capacity to hold title at the earlier date, then, unless the provisions of the Validating Act apply (C.G.S. Sec. 47-36aa(a)(4)), there is a title problem. Status of entities can be verified on the Secretary of State's website at <http://www.concord-sots.ct.gov/CONCORD/index.jsp>.

NOTE: This Underwriting Communication is intended for use by title issuing offices, title insurance agents and approved attorneys of First American Title Insurance Company and any reliance by any other person or entity is unauthorized.

NOTE TO AGENTS: While the scope of your agency is limited to the functions of underwriting and the issuance of title insurance policies on our behalf and does not include closing or escrow services, we sometimes provide information and recommendations with regard to your ancillary closing or escrow business as a courtesy to you. Moreover, some communications, depending on whether noncompliance could impact on liability under our policies or closing protection letters, should be considered directives. This Communication is being provided to you with those considerations in mind.

**REQUIRED SIGNATURES
FOR
LISTINGS AND RELATED FORMS**

ALL LISTINGS:	
Signatures by or on behalf of listing firm	All listing contracts for sale, lease or sublease filed with the MLS must be signed by or on behalf of the listing firm by the listing broker, the Designated Realtor of the firm, the office manager, or any other signatory duly authorized by the firm;
Listings for Sale:	(a) Listings for Sale (i) <u>by Owners(s)</u> , must be signed by Owner(s); (ii) <u>by Contract Purchaser(s)</u> , must be signed by the Contract Purchaser(s) <u>and</u> Owner(s).
Listings for Lease:	(b) Listings for Lease (i) <u>by Owner(s)</u> , must be signed by Owner(s); (ii) <u>by Contract Purchaser(s)</u> , must be signed by the Contract Purchaser(s). (Note: Listing to be subject to Contract Purchaser taking title to property).
Listings for Sublease:	(c) Listings for Sublease (i) <u>by a Tenant</u> , must be signed by the Tenant.
Relocation Company	Listing for sale by Relo Company: (i) if Relo Company has taken title to property (Relo Company is record owner [deed recorded]), to be signed <u>by Relo Company</u> (see execution by "Corporation" below). (ii) if Owner has retained title to property, to be signed <u>by Owner</u> (as record owner) and can also be signed by Relo Company. Note: If listing signed on behalf of Owner, see "Power of Attorney" below. Further Note: If listing is signed by Owner and Relo Company, and it is requested by Owner, the listing agreement may provide that (a) the Broker shall look solely to the Relo Company for the payment of any commission, or (b) the Relo Company agrees to indemnify and hold harmless the Owner from and against any liability for the payment of any commission as the result of the Owner having signed the listing agreement.

SPECIAL LISTINGS:	
Power of Attorney	Listings for sale or lease signed on behalf of an Owner pursuant to a power-of-attorney or other authorization by the Owner, must be signed on behalf of the Owner by the person holding the power-of-attorney or the person authorized to sign the listing, and, when filed, must be accompanied by a copy of such power-of-attorney or authorization signed by the Owner and witnessed by two witnesses and notarized by a notary public.
Estate	Listings for sale or lease by an estate, must be signed by the Executor(s) of the estate, and, when filed, must be accompanied by evidence of the appointment of the Executor(s). (In most instances this will be in the form of a certificate from a Probate Court).
Trust	Listings for sale or lease by a trust, must be signed by the trustee(s) of the trust, and, when filed, must be accompanied by evidence of the appointment of the trustee(s). (In most instances this will be in the form of a certificate of appointment by a Probate Court, or in the form of a copy of the relevant trust agreement). [Any questions concerning such listings should be cleared with the MLS office].
Corporation	Listings for sale or lease by a corporation, limited liability company, or partnership, must be executed on behalf of the entity by a duly authorized officer or member, or by a person duly authorized to sign on behalf of such entity. [Any questions concerning such listings should be cleared with the MLS office]. https://www.concord-sots.ct.gov/CONCORD/help/BusinessInquiry.htm
CHANGE FORMS:	
	<p>The following change forms must be signed by the same persons designated above (owners, tenants, subtenants) who were required to sign the original listing, <u>and</u> must be signed on behalf of the firm which filed the listing by the person(s) listed below:</p> <p>Price Change: Listing broker <u>or</u> Designated Realtor Renewal: Listing broker <u>or</u> Designated Realtor Withdrawal: Listing broker <u>or</u> Designated Realtor Deletion: Listing broker <u>and</u> Designated Realtor Reinstate: Listing broker <u>or</u> Designated Realtor</p> <p>The following forms <u>only</u> have to be signed on behalf of the firm which had filed the listing, and are to be signed on behalf of such firm by the listing broker <u>or</u> the designated Realtor of the firm:</p> <p>Pending, contracts exchanged, and sold Scheduling an open house Changing any data Changing any remarks</p>