

AGREE Meeting **this** Thursday ~ Three days away!!!

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Mark your calendar! **AGREE's Monthly Marketing Meetings Thursday, May 21st.**
From Habersham Bank,
Kathy Palmer - VP of Trust Services & Diane Stover - Banking Officer for IRA/Trust Administration will share information on **"The Superior Opportunities to Build Wealth in Tax-deferred and/or Tax-free IRAs"**
Nick Nichols & Hal Morrison will co-moderate.

8:30 AM:
Registration, coffee, danish and networking with other AGREE members and guests.

9:00-11:29AM:
Marketing properties you *HAVE*, and presenting Buyer needs you *WANT*. Be knowledgeable about the property and prepared to verbally present your most motivated HaveWants to bring your transactions to fruition. Bring written information on all your Haves & Wants (flyers, brochures etc.).

11:30- NOON:
Keynote Speaker: Kathy Palmer and Diane Stover of Habersham Bank

NOON-1:00PM:

FREE lunch & networking. Break bread with fellow commercial brokers, exchange information and receive more details on items you may have briefly heard about during the HaveWant Marketing Session..

1:00 – 2:15 PM:

*****After Lunch Discussion ***** Please plan to attend the special **After Lunch Discussion** ~ Kathy Palmer & Diane Stover will continue the discussion on additional **"Opportunities to Build Wealth in Tax-deferred and/or Tax-free IRA's"**.

After the discussion, please plan on staying for additional marketing. The After-Lunch Discussions have proven to be very informative and beneficial with interesting and educational subjects. After-Lunch Discussions included The Benefit of Counseling, Go Zone Tax Credit Opportunities, Brownfield Issues and working backwards from rents to determine max land value.

MEETING LOCATION

The AGREE monthly Marketing Meetings are held at the [Holiday Inn Select - Perimeter Dunwoody](#) located at 4386 Chamblee Dunwoody Road, Atlanta GA 30341 (770.457.6363). The entrance to the hotel is 50 yards south of I-285.

Parking in the rear of the building is your best bet.

Inspirational Vitamin

Long-range planning does not deal with future decisions, but with the future of present decisions.

- **Peter F. Drucker**

Writer & Management Consultant

7 of the Most Motivated Transaction Ideas

1. Lend/Lease Back
2. Give a soft option to purchase
3. Joint Venture and provide a safety first position
4. Take a low interest carry back note
5. Take on reverse cash flow
6. Move the Debt
7. Partition the cash flow & provide a high rate of return

May Real Estate Formulas & Definitions

CONTRACT FOR DEED

Also known as a Land Contract or Land Installment Contract. A method of financing where title remains in the Seller's name until the Buyer has paid the full purchase price. A Contract for Deed will normally trigger the **DUE ON SALE CLAUSE** in a **DEED OF TRUST** or **MORTGAGE**.

BUYING ON STOCK CREDIT

Situation - Our exchangor, Able, would like to acquire some income producing real estate to diversify his investment portfolio. Able is currently heavily invested in the stock market. However, Able is not interested in sell-

ing the stock to generate the cash necessary to purchase real estate. At this point Able wants to hang onto the stock, too.

Solution - Able retains ownership of the stock. Instead of selling the stock, Able creates a personal note, secured by the stock, to purchase Blackacre in a "nothing down" transaction from Baker. Able uses the stock as security to buy the real estate.

Benefits to Able - Able keeps the stock and gets the real estate, too. In this way, the income from the real estate will cover the payments on the personal note, even though

the note is secured by the stock. Since the stock is not being sold, there is no gain to be recognized on the stock.

Benefits to Baker - Baker sells Blackacre for a well-secured note. If Baker needs additional assurances, Able and Baker may agree to secure the note all or in part, with Blackacre, as well as the stock. They may make arrangements to release the security on Blackacre or parts of the stock, under a mutually agreed set of circumstances, i.e. part of the security may be released upon a successful payment history, or if the stock appreciates a certain amount, etc.

What will you do to facilitate a transaction?

- ◆ Seller Financing
- ◆ Add Cash
- ◆ Remain on existing debt
- ◆ Add other properties and/or assets
- ◆ Assist in "Taker" loan qualifications
- ◆ Continue to manage the property
- ◆ Lease back vacant space
- ◆ NNN master lease back the entire property
- ◆ Lease back vacant land or developed sites/lots
- ◆ Guarantee NOI for some period of time
- ◆ Accept "problem property" for part or all of the equity
- ◆ Guarantee renovation cost or project completion
- ◆ Make mortgage payments for a period of time
- ◆ Add mortgages or other owned "paper"
- ◆ Divide the property
- ◆ Add services of value
- ◆ Accept created mortgages or unsecured note
- ◆ Pay all closing costs
- ◆ Lease-option the property
- ◆ Discounted sale with buy-back
- ◆ Accept charitable tax deduction

Attend AGREE Meetings for **FREE!**

Members & guests should arrive by 8:30 a.m. for orientation. The meeting begins promptly at 9:00 a.m. The cost for members to attend the meeting is \$25, which includes a continental breakfast, the meeting, lunch & information. The cost for guests/non-members to attend the meeting is \$40. A reminder: a non-member may attend up to two meetings as a guest, after which membership is required to attend future meetings (memberships now \$99 for a year!).

If you bring a guest who signs up to become an AGREE Member, you get the next meeting FREE!

There is no limit to the number of guests you can bring or the number of FREE meetings you can earn. We are always looking for ways to increase membership. If you have ideas, share them with a member of the Board of Directors (contact information can be found on the back page).

Formal Presentations

Please make every effort to make a FORMAL PRESENTATION of one of your properties. Formal presentations must be on the AGREE Form. This is another opportunity for you to showcase your property to all of the attendees at this month's meeting. Come to the

meeting with the intent of actively pursuing *at least* one transaction. Please prepare a package on your most motivated property/person and provide graphics with your presentation. An overhead projector will be provided and a formal presentation

form is enclosed in this mailing. Come with the attitude that an all cash sale is only one of dozens of ways to make a deal. The verbal Have/Wants are good, but they are no comparison to formal presentations as a means of marketing your properties.



Trademarks & Trade-names in a 1031 Exchange...

Did you know...

For the first time intangibles such as Trade-marks & Trade-names can qualify as 'Like Kind Property' for §1031 Tax-Deferred Exchanges. This was a Letter of Advise from the Federal Government's Chief Counsel (ILM 20091106).

This is a policy change from a previous private letter ruling (PLR) # 200602034, which was issued as a Technical Advice Memoranda that said, "Such intangibles could not be 'Like Kind' to similar intangibles because they are too closely related to and a part of Goodwill". Goodwill is not considered to be of 'Like Kind' to the Goodwill of any other business being purchased. This also contradicts a previous ruling that said, "A newspaper masthead (name) could not be considered as 'Like Kind' in an exchange because it was too closely related to Goodwill".

The Chief Counsel Advise letter declared the IRS should not follow the position set forth in the PLR# 200602034 issued previously and that Trade-Marks & Trade-Names and Mastheads can be valued separately from the Goodwill of a business and therefore be eligible for an exchange of 'Like Kind' property.

Article Submitted By AGREE Member: David Thomas

Welcome our 2009 Officers & Directors

For more information contact one of the 2008 Directors and Officers below:

President	Ernie Eden, CCIM, S.E.C., Bull Realty 404-874-1640 Ext. 156 Ernie@agreega.com
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All information is subject to change without notice.