



# 1031 Exchange ADDENDUM TO REAL ESTATE PURCHASE CONTRACT



**THIS IS AN**  **ADDENDUM**  **COUNTEROFFER** to that REAL ESTATE PURCHASE CONTRACT (the "REPC") with an Offer Reference Date of \_\_\_\_\_ including all prior addenda and counteroffers, between \_\_\_\_\_ as Buyer, and \_\_\_\_\_ as Seller, regarding the Property located at \_\_\_\_\_ (the "Property"). The terms of this Addendum are hereby incorporated as part of the REPC, and to the extent the terms of this Addendum modify or conflict with any provisions of the REPC, including all prior addenda and counteroffers, these terms shall control.

### 1. 1031 EXCHANGE (check applicable box)

**Seller – 1031 Exchange.** Seller desires to enter into this transaction and to sell the Property as a "Relinquished Property" under Section 1031 of the Internal Revenue Code. Accordingly Buyer agrees to fully cooperate with the Seller in completing the 1031 Exchange, at no expense or liability to Buyer; or

**Buyer – 1031 Exchange.** Buyer desires to enter into this transaction and to acquire the Property as a suitable "like-kind" exchange property under Section 1031 of the Internal Revenue Code. Accordingly Seller agrees to fully cooperate with the Buyer in completing the 1031 Exchange, at no expense or liability to Seller.

**ALL OTHER TERMS** of the REPC, including all prior addenda and counteroffers, not modified by this ADDENDUM/COUNTEROFFER shall remain the same.  **Seller**  **Buyer** shall have until \_\_\_\_\_  **AM**  **PM** Mountain Time \_\_\_\_\_ to accept the terms of this ADDENDUM/COUNTEROFFER in accordance with the provisions of Section 23 of the REPC. Unless so accepted, the offer as set forth in the ADDENDUM/COUNTEROFFER shall lapse.

\_\_\_\_\_  
 Buyer  Seller Signature (Date) (Time)  Buyer  Seller Signature (Date) (Time)

### ACCEPTANCE/COUNTEROFFER/REJECTION

#### CHECK ONE:

**ACCEPTANCE:** of ADDENDUM/COUNTEROFFER  **Seller**  **Buyer** hereby accepts the terms of this ADDENDUM/COUNTEROFFER.

**COUNTEROFFER:**  **Seller**  **Buyer** presents as a counteroffer the terms of attached Counteroffer No. \_\_\_\_\_

\_\_\_\_\_  
 Buyer  Seller Signature (Date) (Time)  Buyer  Seller Signature (Date) (Time)

**REJECTION:**  **Seller**  **Buyer** rejects the foregoing ADDENDUM/COUNTEROFFER. [ \_\_\_\_\_ ] Initials  
Date \_\_\_\_\_, \_\_\_\_\_ Time \_\_\_\_\_

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