

## Requirements for Transfer of an Ardencroft Lease

Prior to settlement of an Ardencroft leasehold, the Administrative Assistant (AA) is usually contacted first by the legal representative of the owner that a contract of sale has been signed and a settlement date set (i.e., a paralegal, realtor, or title company representative). The AA provides the template documents, if necessary, along with instructions (most settlement attorney offices have our version of these documents). The lawyer's office obtains the historical records for the property from the Recorder of Deeds in Wilmington to complete them. These documents should be in the possession of the Directors for signature and notarization at least three business days before the scheduled date of settlement.

- **Flagged Boundary Survey** – If the most recent survey is older than one year, an official flagged boundary survey and plot plan is required. The survey must be prepared by a licensed surveyor, in accordance with the Delaware Board of Surveyors "minimum standards" which shows accurate dimensions of the lot, locations of improvements and includes the calculated square footage, etc. Location or Mortgage Inspection plans are not a substitute for the survey or plot plan. The Flagged Boundary Survey must be sent to the Directors with the Assignment of Lease/Bill of Sale and Ardencroft Lease.
- **Land Rent** – Any balance due of land rent must be paid in full. If there is a balance due on land rent, that payment must be made at settlement and the check mailed to the Bookkeeper from the settlement office. The attorney's office may request a copy of the land rent invoice(s) and an account statement showing balance due (especially when interest charges have been assessed).
- **Sewer** - The property must be connected to the New Castle County sewer system.
- **If a new Lease Agreement** is needed due to a name change for such reasons as: Inheritance, Leaseholder to Leaseholder's Trust, Marriage, Divorce Settlement, Death, or Gift of Leasehold, a new survey is not required unless the leasehold has never been surveyed. Legal documents supporting the name change, such as a legally documented Will, Marriage License, Death Certificate, or Divorce Decree and a letter with a full explanation for requiring the name change along with the Assignment of Lease/Bill of Sale and Ardencroft Lease executed by a lawyer will be required.
- **Additional Information your legal representative may need** –

- No transfer tax is collected for Ardencroft. A 3% Transfer Tax is paid directly to New Castle County.
- There should not be any property tax listed on the HUD statement
- The land rent is paid once a year, and covers the year ending on 3/24
  - ▶ *The lease will generally show the land rent bill for the prior completed year, but that when closing takes place in late March or early April, the lease may show the current year's land rent.*
- Any outstanding code violation fines should be collected from the seller at closing and paid to New Castle County