

Magic Bullets

KILL

**Sacred
Cows**



Dan Auito

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Magic Bullets Kill Sacred Cows

Dear Reader:

Thank you for reading our special report. You may consider printing it out to read at your leisure.

The overall flavor of this work is designed for those of us who have an interest in real estate related materials. You are free to distribute this file far and wide to those whom you feel would enjoy and benefit from reading it.

Throughout the rest of this report we'll be traveling at electrifying speeds, so I encourage you to hold on tight. We will be traveling to all places real estate related on the net while attempting to educate some friends along the way.

I will be your driver, guide and concierge throughout our journey together. Please feel free to wander off occasionally to see the sites on your own when we arrive at various destinations that may be of interest to you. I'll be waiting for your return so please take as much time as you like to fully investigate all that our journey together has to offer.

“Bing!”

Oh my! Please excuse me once again; I seem to have an important message coming over the console here. I hope you don't mind but it has come to my attention that we'll be picking up one more passenger along the way. It seems this person has an immediate need and that, my friends, is our call to duty.

Is everyone ready?

Very well then, we're off!

Please allow me to tell you a story while in route to pick up our fellow voyager. As you may have noticed, we begin our Journey here at the third crossroad of human evolution. We've already passed through the agricultural age of the 1800's and our second revolutionary shift of mechanized mass production of the 1900's is also

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behind us. Here then we begin our journey into the information age, the new millennium of the 2000s and beyond.

WWI, WWII and now WWW! We have ourselves a challenging road ahead, my friends, and we're going to have to embrace Internet technology and learn how to operate and flourish within this new cyberspace economy while keeping our wits about us.

Look over there. Do you see that old world style company? Due to the loss of its control of proprietary information and systems, the ability to project great power and control are being lost at a most alarming rate.

For many, the World Wide Web is delivering devastating blows to those who seek to keep information and methods of operation private, while at the same time the net collects, integrates, connects, multiplies, stores and delivers that which was once private to millions with the click of a mouse.

Today, the true experts give control...they don't horde it!

New shared know-how has emerged on the web. It is no longer necessary to pay 'experts' to interpret what should have always been easy for the rest of us to understand. All we need to do is ask...or look.

So there is a goldmine of information at our fingertips, but we still have a few minor problems to address before we head out in search of Internet gold. Our primary concern is how to find, organize and put into practical use our newfound ore. We'll explore this in greater detail shortly, but first we must welcome our third and final guest. Let's pull in and get acquainted, shall we?

Excuse me, friend, did you put a call into the cyber-help network?

Yes sir, I did. Are you the concierge?

Yes indeed, I am. Might I ask your name?

Certainly, my name is Fizbo but you can call me Fiz.

Hi Fiz. Won't you get in?

It would be my pleasure!

What's all the to-do about Fiz? Sounds from your call to the cyber- help network like you have some concerns.

Well, I've been searching endlessly for answers to a few real estate questions and the subject just seems to overwhelm me at times. I've been reading, randomly surfing the Internet, gathering and asking questions, but nothing seems to make sense. I can't get a straight answer from anyone and some folks have downright tried to take advantage of my situation.

That sounds like a real bummer Fiz. I think I have just the solution. Let's get started, shall we?

I'm ready when you are.

All right, then, here's the before take-off briefing. We'll need to bring everyone up to speed so that we all function as a team.

Together Everyone Achieves More!

As you've probably noticed, we're driving a sleek Dell 8300 with a 2.6 gig power plant today and we've got her turbo charged with a web-linked cable modem as well. Now, Fiz, we'll be traveling at astonishing speeds to our destinations on the information highway so it's critical that we know where we're going and how we're going to get there.

Our three main expressways are google.com, yahoo.com and vivisimo.com. There are some side streets, but these will do for today. Other than that, Fiz, just remember, good manners are your best insurance policy in cyberspace.

With that said, Fiz, where would you like to go today?

Huh?

Well, without the power of focus, all the latest equipment in the world won't help us to get anywhere fast.

Well Fiz, to be quite honest, I spoke with Cyber-help guest relations and they said that you would know what to do.

Oh, you ordered the guided tour package, didn't you? Very well then, according to your profile here, it says you're going to be selling a home soon and you want to do this without the help of 20th century middlemen...on other words, you'd like to sell 'by owner'.

Today we find ourselves flush with the capacity to link to all sources of intelligence and resources across the globe and beyond. No one owns the Internet; therefore no one can withhold the flow of information to those who seek it, even though some may still try. In 1950, half the population were renting, today three quarters of the population own their own homes. One in five sellers sold their own homes last year, closer to one in four will do it this year and that number is sure to grow with 17,280 homes sold every day of the year as we speak.

Now close your eyes, Fiz, and hold out your hand.

O.K. Fiz, you can open them now.

But, there's nothing here.

Fiz, I've just given you a fist full of Magic Bullets. Now you can't see them but you can use them when you need to. These bullets have been carefully crafted and have been proven to work for thousands of years, so do not discount them due to your inability to see their material form. Many people will tell you that they don't exist and here is *your first lesson*:

Lesson #1: They exist when you believe they do. Belief is bullet #1!

How do I shoot them?

Well Fiz, you'll need to craft your own firearm to actually use these bullets with any great success.

But I can't even see them, how in the world...?

Attitude, Fiz! The weapon, which fires Magic Bullets, is a *positive mental attitude*.

How do I get that?

If you will mix faith, hope and desire with hard work and enthusiasm, I believe you will find the result most accurate and accommodating. Now let's move on. Remember we must remain focused.

I'll be introducing you to some new friends along the way here in our journey, so if everyone's ready? We'll start off by removing the number # 1 *fear* in most people's minds when it comes to doing it yourself...that being the legal side of the process.

The Legal Stuff

You, as a seller of your own personal as well as real property, are granted by our constitution the right to sell barter, trade or otherwise dispose of your property in any way you see fit, so long as it doesn't interfere with the rights of others or cause them harm. What this really says is that you could literally write a contract on a napkin and, if all elements are present and in writing, a court of law will enforce it if necessary.

These are the things that must be present or considered in order for your napkin to stand up in court:

#1 Offer and acceptance: You must have a written agreement between seller and purchaser in which the purchaser agrees to buy certain real estate and the seller agrees to sell upon terms of agreement. This is the basis of your contract for sale. This must be in writing to satisfy the law of "The Statute of Frauds." That law says oral contracts for real estate are unenforceable. However, you could use a crayon and a napkin and be in compliance with rule #1. (Indelible writing)

2 Seal or Consideration: A person's signature alone in this case does satisfy the requirement of promising to go through with the deal as agreed but almost all sellers rely on a cold, hard earnest money deposit to insure the other party is in fact earnest. I would accept one percent of the value of the property in the form of an earnest money check as a fair amount of consideration to further deal with a well-qualified party at hand. This check is often written in the name of a third "neutral" party to hold in trust, i.e....lawyer, title officer or other official party.

#3 Capacities of the parties: The person you are contracting with must have contractual capacity. People without contractual capacity include minors, mentally incompetents, insane persons, people who are under the influence of drugs or alcohol, corporate officers unauthorized to contract and so forth. In most cases, including the elderly, if someone is found to be unable to comprehend the effects of their actions, a court will rule the contract null and void or unenforceable. Foreigners from other nations have full contractual authority, but you cannot sell to the enemy by federal law.

#4 Reality of Consent: A contract must be free of mistakes, misrepresentation, fraud, duress and undue influence. The consent must be real; a failure to achieve reality of consent may occur because of mistakes, misrepresentation or fraud. In other words, you can't legally describe one property as the one they're buying and then, when the deal is done, they find that the actual property purchased is the shack next door.

#5 Legality of the object: The object of the contract must be legal. If the purpose violates the constitution, a statute or federal treaty or law, the contract is void. In other words, if you contract to buy illicit drugs and the other party doesn't deliver, don't expect the courts to uphold your agreement.

OK, so what does all this mean in layman's terms? Whatever price and terms you agree upon, get it in writing. A signature promising to do the deal is good enough but you would be wise if you ask for something of value that they will lose if they break their promise for no good reason. If the person you're dealing with doesn't understand what they're doing, stop and get a court appointed guardian or authorized representative who can act in their behalf and finally, you must have the right or authorization to sell that which you are contracting on.

Did you get all that, Fizz? See that's not so hard, is it? Find a reasonable person, who wants to buy your house. Don't lie and get the details in writing backed by their signature with a good faith deposit. Now you can iron out any contingencies or details that need to be taken care of to get the job done!

By the way, for all the reasons stated above, I cannot emphasize enough how extremely important it is to write the following words on every contract you ever sign:

This entire agreement is subject to my attorney's approval.

Don't alter the above sentence in any way. If it needs altering, your attorney will tell you so!

Now go find a good real estate attorney in your state and they will give you all the paperwork you need according to your states laws. These often include:

- A sales contract
- An earnest money agreement
- A property transfer disclosure, lead paint disclosure, predator disclosures (Megan's Law), etc...

- A bill of sale for personal property which will convey washers, dryers, refrigerators, etc...

They also will review all the details while consulting with you all the way up to, and including accompanying you to the closing, usually for a \$500- \$750 flat fee.

Your lawyer is your first material Magic Bullet.

They also assist you in becoming “bulletproof” yourself.

Finding an attorney

- AttorneyFinder.com (Find a real estate attorney)
- Law.net (Questions answered free)
- Audrie.com You will grow to love this woman; it’s time to meet her.

Below are some additional resources for you to investigate. Use the providers who seem to effectively remove your own *fear*.

Contracts/Forms Suppliers

- audrie.com
- uslegalforms.com
- kaktus.com
- urgentbusinessforms.com
- standardlegal.net
- isoldmyhouse.com/forms.html (free fill able contracts) Excellent!
- ehow.com(then follow finance to real estate)
- phoenixfbos.com/forms_contracts.html (free contracts)
- mortgage-investments.com/Real_estate_and_mortgage_Forms/form_fr.htm
- findlaw.com
- alllaw.com/forms/real_estate (sample forms/ lawyer search)
- attorneylocate.com/index.html (ditto)
- homefindersbulletin.com/docs/checklist.pdf (free tenant move in checklist)

Phase 1 completed: You know you’ll be using an attorney to assist you so you are no longer alone. You now have the law on your side and a professional who can practice it to your advantage.

We have much to do, Fiz. How you feeling so far?

I'm with you, what am I going to do next?

Well Fiz, as you can see my first task with you was to remove your *fear*, so I think that is what we must address when we ask others to buy our homes. In reality, when we're done here they'll more likely be begging you to sell it to them.

That brings me to a point that few realize, Fiz. Sure you're selling land and all the things that are affixed to it, which includes a bundle of rights, too! That's a general definition of real property but what you're really doing is attempting to transfer the *power* that, that object represents. People often are searching for a trouble-free, pleasurable, aesthetically pleasing, creature comfortable, needs fulfilling, safe, secure, affordable and convenient place to live. This, my friend, is what sells homes for top dollar in almost all cases. It works for rentals, too! Until you address those concerns one by one, you're going to have unresolved *fears*, which will make your job much harder than it ever needs to be.

So, Lesson # 2: Remove as much fear as you can from your buyer's mind!

How do I do that?

Well, you already have the proper paperwork and an attorney who will ensure everyone is treated fairly according to the real estate laws of your state so that alone relieves the buyers of the thought of how the details of paperwork will be handled. It is your job to prove to them that you can be trusted to transfer your *power* to them effectively.

You may as well round up as many of the following documents as you can, as they will be used in many ways to help you in marketing your home and effectively transferring power over it.

For now, let's take a look at the list:



When you begin the task of collecting as many of the documents below as you can, it pays to contact a local title company or better yet the one who is named on your title policy first to get a property profile or ownership and encumbrance report (O&E). A title company can provide copies of warrantee deeds, mortgage notes, alert you to any assessments, mechanics liens or unpaid taxes, they may also have surveys & plot plans revealing encroachments and so forth, this property profile in effect helps to give your property's legal title status a clean bill of health, get one if you can and add it to the list below. Deals fall through when defects (clouds) on the title aren't cleared up early. Get your attorney early to get this done.

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