

**LLC Information**

1. Company names: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Please provide 3 options**

2. Who are going to be the initial members of the Company and what are their respective percentage interests?

<i>NAME AND ADDRESS</i>	<i>PERCENTAGE INTEREST</i>
a. _____	_____ %
b. _____	_____ %
c. _____	_____ %
d. _____	_____ %

3. What are the contributions of each member to the company? Complete this section if members are putting property into the company or making a capital (monetary) contribution (if any - not required to establish the company).

<i>NAME</i>	<i>CONTRIBUTIONS</i>
_____	_____
_____	_____
_____	_____
_____	_____

4. Note that companies are often funded by a combination of equity (capital) and debt (i.e., loans to the company). If you have special requirements in this area, what are they?

\_\_\_\_\_ Not applicable to us. We are not making any loans to the company at this time.

\_\_\_\_\_ Yes, we will be both injecting capital and making one or more loans to the Company.

We \_\_\_\_\_ do \_\_\_\_\_ do not need a promissory note prepared. Terms of note are as follows:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

5. What is the purpose of the company?

- \_\_\_\_\_ operating a single business
- \_\_\_\_\_ holding a single investment property
- \_\_\_\_\_ owning and holding multiple investment properties (“holding company”)
- \_\_\_\_\_ managing multiple investment properties (“management company”)
- \_\_\_\_\_ other: \_\_\_\_\_

**6. What type of LLC do you wish to form?**

- \_\_\_\_\_ series LLC with separate “series” for separate properties or businesses
- \_\_\_\_\_ traditional (non-series) LLC suitable for a single property or business

**7. Series LLC property: If you are forming a series LLC, which property or businesses do you want to put in each series (if you know at this time)?**

**Example: Series A: rental property at 123 Oak St., Houston, TX 77057**

- Series A: \_\_\_\_\_
- Series B: \_\_\_\_\_
- Series C: \_\_\_\_\_
- Series D: \_\_\_\_\_

**8. As to initial management of the company as a whole:** The Company can either be managed by its members (with voting based on percentage interest owned) or it can be managed by one or more managers. Managers must provide their address in the Certificate of Formation (filed with the State and available to the public. For anonymity purposes, you may want to consider a POB rather than your home address (unlike the registered agent, the addresses listed here can be a POB).

\_\_\_\_\_ **one managing member** - name: \_\_\_\_\_  
 address: \_\_\_\_\_

\_\_\_\_\_ **co-managing members** (common for business partners or husbands and wives)

name: \_\_\_\_\_  
 address: \_\_\_\_\_

name: \_\_\_\_\_  
 address: \_\_\_\_\_

\_\_\_\_\_ we will be hiring a non-member manager:  
name: \_\_\_\_\_  
address: \_\_\_\_\_

**9. As to management of each series (if this is a series company):**

\_\_\_\_\_ the managers of the company will also manage the individual series (this is the usual case).

\_\_\_\_\_ we will have a separate managing member for each series/property

Details: \_\_\_\_\_

**10. Will you also be selecting officers (President, Secretary, etc.)? This is entirely optional. Most people forming an LLC don't bother. The company can be managed by its managing member(s)/manager(s) without naming officers.**

\_\_\_\_\_ No officers at this time

\_\_\_\_\_ Yes, the officers will be:

President: \_\_\_\_\_

Vice-President: \_\_\_\_\_

Secretary: \_\_\_\_\_

Treasurer: \_\_\_\_\_

**READ THIS NEXT QUESTION CAREFULLY**

**11. Who will be the registered agent and what will be the registered address?** The registered agent receives official mail from the Secretary of State, the Comptroller, and legal correspondence. This is also the person who is served with process by the constable if the company is sued. Most often the registered agent is an individual; but it can also be another company or corporation.

**This address will be public record! Choices:**

\_\_\_\_\_ We have someone to serve as registered agent:

Name: \_\_\_\_\_

Street Address: \_\_\_\_\_

\_\_\_\_\_ Texas:

\_\_\_\_\_ We would like the attorney to serve as registered agent (add \$250 annually)

**Note that the registered address must be a physical street address since a constable cannot serve a PO box. The address cannot contain "Post Office Box," "POB," "PMB," "Unit XX-YY" or**

**other obvious indication that it is a postal box or the Secretary of State will likely reject it. If re-filing is necessary because of such a rejection, it will be at the client's expense.**

**If the attorney serves as registered agent in Texas, there is an extra fee of \$250 annually. Our function is to forward official mail and accept service of process only. The registered agent can be easily changed by filing a form with a nominal fee. Note: for anonymity, it is recommended that the home address NEVER be used as the company's registered address.**

**12. Who will be empowered to sign company checks (check one)?**

- any managing member of the company
- both managing members (if more than one)
- president (if officers are named)
- secretary (if officers are named)
- other: \_\_\_\_\_

**13. If you intend that the company will operate under a "DBA" (assumed name other than the official name at the secretary of state's office), what is that assumed name? This is not required at this point in the process, but if you already know what these DBA name(s) are, then list here. DBA's can be statewide or county-wide; county-wide is suggested. The DBA must be filed with the county clerk where the company does business in order to make this effective.**

- Our DBA will be \_\_\_\_\_
- No DBA at this time

**14. After forming the company, will you need to deed any real estate into it? If so, please give details. We will need a copy of your existing deed(s) to prepare a deed into the company.**

- I am attaching a copy of the deed(s) to this checklist. If there is/are loan(s) against the property, specify:
  - the company will assume this existing debt
  - the company will take the property "subject to" the existing debt
  - do not mention existing indebtedness in the deed
- I am not deeding properties into the LLC yet – maybe later

**19. Do you have any special requirements or instructions?**

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Person completing this form:

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Name

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Mailing Address

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Email

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Phone

This completed form may be emailed to [sharon@pattillorichards.com](mailto:sharon@pattillorichards.com) or may be faxed to 830-896-8489



PATTILLO RICHARDS, P.C.

280 Thompson Drive  
Kerrville, Texas 78028