



## Ways to Take Title In Arizona

**Community Property:** Arizona is a community property state. There is a statutory presumption that all property acquired by husband and wife is community property. Community property is a method of co-ownership for married persons only. Upon death of one of the spouses, the deceased spouse's interest will pass by either a will or intestate succession.

**Community Property with Right of Survivorship:** Community property with right of survivorship is a method of ownership by husband and wife that vests title in the surviving spouse upon the death of one of the spouses.

**Tenancy in Common:** A method of co-ownership where parties do not have survivorship rights and each owns a specific undivided interest in the entire title.

**Joint Tenancy with Right of Survivorship:** Joint tenancy is a method of co-ownership that gives title to the real property to the last survivor. Title to real property can be acquired by two or more individuals. If a married couple acquired title as joint tenants with the right of survivorship, they must specifically accept the joint tenancy to avoid the presumption of community property.

**Sole and Separate:** Real property owned by a spouse before marriage or any acquired after marriage by gift, descent or specific intent. If a married person acquires title as sole and separate property, his/her spouse must execute a disclaimer deed.

**Corporation:** Title may be taken in the name of a corporation provided that the corporation is duly formed and in good standing in the state of its incorporation.

**General Partnership:** Title may be taken in the name of a general partnership duly formed under the laws of the state of the formation of the partnership. A partnership is defined as a voluntary association of two or more persons as co-owners in a business for profit.

**Limited Partnership:** A partnership formed by two or more persons under the laws of Arizona or another state and having one or more general partners and one or more limited partners. A certificate of limited partnership must be filed in the Office of the Secretary of State, a certified copy of which must be recorded.