

Tax Deed Affidavit

BEFORE ME, the undersigned, personally appeared

(the "Affiant", whether singularly or more than one), who being first by me duly sworn, on oath, deposes and says:

1. Affiant is the owner of the following property (the "Property"):

SEE SCHEDULE A, LEGAL DESCRIPTION ATTACHED.

2. Affiant acquired title to the Property on _____ by tax deed sale recorded in O.R. Book _____, Page _____, Public Records of _____ County, Florida.

OR

former owner, _____, acquired title to the Property on _____ by tax deed sale recorded in O.R. Book _____, Page _____, Public Records of _____ County, Florida. Affiant(s) acquired the Property on _____ from _____, former owner.

3. Affiant has been in sole possession of the Property continuously and without interruption since the date Affiant acquired title

4. Pursuant to Section 95.16(2), F.S., the Property is deemed possessed in any of the following cases:

a. When it is cultivated or improved;

b. When it is protected by a substantial enclosure [Note: All land protected by the enclosure must be included within the description of the property. If only a portion of the land protected by the enclosure is included within the description of the property, only that portion is deemed possessed];

c. When it is used for the supply of fuel or fencing timber for husbandry or for the ordinary use of the occupant although the Property is not enclosed; or

Note: When a known lot or single farm has been partly improved, the part that has not been cleared or enclosed according to the usual custom of the county is to be considered as occupied for the same length of time as the part improved or cultivated.

[PLEASE CHECK ALL THOSE ITEMS ABOVE WHICH APPLY TO THE PROPERTY]

5. That this Affidavit is made for the purpose of inducing and their respective Title Company to insure title to the Property.
6. Affiant further states that Affiant (or all Affiants, if more than one) is familiar with the nature of an oath, and with the penalties as provided by the laws of the State of Florida for falsely swearing to statements made in an instrument of this nature.

Signature

Printed Name

Signature

Printed Name

State of _____

County of _____

Sworn to and subscribed before me this _____ day of _____, 20____ by

who was personally known to me or produced _____
as identification.

Signature of Notary: _____

Print, type or stamp name of Notary: _____

Commission Expiration Date: _____

The conditions for the use of the Tax Deed Affidavit are as follows:

1. The affidavit must be made under oath, must be recorded as part of the current transaction, and must contain sufficient facts to establish adverse possession;
2. The use of the affidavit is limited to situations where the current owner is selling or mortgaging the property to a bona fide purchaser/lender for value; and
3. The current owner(s) and/or their predecessor(s) must have continuously and uninterruptedly occupied Property; title must have been acquired at least four (4) years prior to the current transaction and the Agent must verify that all statutory and procedural requirements of Chapter 197, F.S. were complied with by the Clerk.

If the Agent has any knowledge of facts that would challenge the credibility of the affidavit, then the Affidavit should not be relied upon, and a quiet title action should be instituted.

SCHEDULE A
LEGAL DESCRIPTION