Owner’s Affidavit

Restoration of Priority

BEFORE ME, the undersigned authority, personally appeared \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ who, after being sworn, depose(s) and says:

1. I am the owner of the property described in Exhibit A attached to this affidavit. This affidavit is made regarding the Notice of Commencement recorded \_\_\_\_\_\_\_\_ in O.R. \_\_\_\_\_\_\_\_\_, Page\_\_\_\_\_\_\_, and/or Instrument No. \_\_\_\_\_\_\_\_\_\_\_, of the Official Records of \_\_\_\_\_\_\_\_\_\_\_\_\_ County, Florida.
2. All parties who have established privity with me (as set forth in Florida Statute 713.05) relating to the construction described in the Notice of Commencement are paid in full through \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**.** (***Instructions****: state date through which payment for work was made, which should be as close to the closing date as possible*)*,*
3. Regarding construction under the Notice of Commencement, I have obtained a list of all subcontractors and suppliers (pursuant to Florida Statute 713.165) from each person who has established privity (as set forth in Florida Statute 713.05) with me. All of those subcontractors and suppliers are listed in this paragraph.

(Instructions: list the names next to the numbered lines in this paragraph, if additional space is needed continue list on the rear of this page, if the answer is “none” write “none” in any space provided in this paragraph.)

1) \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ 6) \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

2) \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ 7) \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

3) \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ 8) \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

4) \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ 9) \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

5) \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ 10) \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

I made a personal inspection of the property to locate any notice to owner posted on the subject property.

Regarding construction described in the Notice of Commencement, all parties who have served notice to owner on me (as set forth in Florida Statute 713.06) or posted notice to owner on the subject property are listed in this paragraph.

(Instructions: list the names next to the numbered lines in this paragraph, if additional space is needed continue list on the rear of this page, if the answer is “none” write “none” in any space provided in this paragraph.)

1) \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ 6) \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

2) \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ 7) \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

3) \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ 8) \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

4) \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ 9) \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

5) \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ 10) \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

1. All parties listed in paragraphs 4 and 6 have provided a Contractor’s Payment Affidavit as required by Sec. 713.06(3)(d)(1), F.S., and lien waivers as evidence that they have all been paid in full up to and including the date stated in paragraph 2 and any further work, materials or labor shall relate to a new Notice of Commencement to be recorded subsequent to the recording of the mortgage to which the liens of any and all construction lienors are intended to be inferior.
2. This affidavit is given to induce Old Republic National Title Insurance Company, to insure title to the subject property. Affiant agrees to indemnify them for any loss or damages resulting from its reliance on this affidavit.