

HOMESTEAD AFFIDAVIT AS RELEASE OF JUDGMENT LIEN

Before me, the undersigned authority, on this day personally appeared _____ ("Affiant(s)") (insert name of one or more affiants) who, being first duly sworn, upon oath states:

1. "My/our name is/are _____ (insert name of Affiant(s)). I/we own the following described land ("Land"):
(describe the property claimed as homestead)
2. "This affidavit is made for the purpose of effecting a release of that judgment lien recorded in _____ (refer to recording information of judgment lien) ("Judgment Lien") as to the Land.
3. "The Land includes as its purpose use for a home for Affiant(s) and is the homestead of Affiant(s), as homestead is defined in Section 41.002, Property Code. The Land does not exceed:
 - a. 10 acres of land, if used for the purposes of an urban home or as both an urban home and a place to exercise a calling or business; or
 - b. 200 acres for a family or 100 acres for a single, adult person not otherwise entitled to a homestead, if used for the purposes of a rural home.
4. "Attached to this affidavit is evidence that:
 - a. Affiant(s) sent a letter and a copy of this affidavit, without attachments and before execution of the affidavit, notifying the judgment creditor in the Judgment Lien of this affidavit and the Affiant(s)' intent to file for record this affidavit; and
 - b. the letter and this affidavit were sent by registered or certified mail, return receipt requested, 30 or more days before this affidavit was filed to:
 1. *the judgment creditor's last known address;*
 2. *the address appearing in the judgment creditor's pleadings in the action in which the judgment was rendered or another court record, if that address is different from the judgment creditor's last known address;*
 3. *the address of the judgment creditor's last known attorney as shown in those pleadings or another court record; and*
 4. *the address of the judgment creditor's last known attorney as shown in the records of the State Bar of Texas, if that address is different from the address of the attorney as shown in those pleadings or another court record.*
5. "This affidavit serves as a release of the Judgment Lien as to the Land in accordance with Section 52.0012, Texas Property Code."

Further affiant sayeth not.

Signed on this _____ day of _____, 20_____.

(Signature of Affiant(s))

State of _____
County of _____

SWORN TO AND SUBSCRIBED before me on the _____ day of _____, 20__.

NAME: _____

My commission expires:

Notary Public, State of Texas