### CONDITIONS FOR USE OF AFFIDAVIT OF HOMESTEAD

The following conditions must be satisfied to use an Affidavit of Homestead to insure over a judgment. The answers to the following questions must be “Yes” or “Correct”. If any answers are “No” or “Not Correct”, you will not be able to insure over the subject judgment with the Affidavit of Homestead:

1. Is the subject property the primary residence of the defendant in the judgment?

Yes \_\_\_\_\_ No \_\_\_\_\_

2. Is the homestead exemption claimed on the property?

Yes \_\_\_\_\_ No \_\_\_\_\_

3. Has the defendant in the judgment claimed the homestead exemption on the property for every year he/she owned the property while the judgment was recorded?

Yes \_\_\_\_\_ No \_\_\_\_\_

4. Is the defendant in the judgment the current owner of the property?

Yes \_\_\_\_\_ No \_\_\_\_\_

5. Is the address of the property contained in the defendant in the judgment’s driver’s license?

Yes \_\_\_\_\_ No \_\_\_\_\_

6. Is the total face amount of the judgment(s) $100,000 or less?

Yes \_\_\_\_\_ No \_\_\_\_\_

7. The plaintiff in the judgment is not the United States?

Correct \_\_\_\_\_ Not Correct \_\_\_\_\_

8. The judgment is not a construction lien, Federal lien, or Federal Tax Lien?

Correct \_\_\_\_\_ Not Correct \_\_\_\_\_

# AFFIDAVIT OF HOMESTEAD

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ ("Affiant") under oath swears, as follows:

Affiant claims that the following described property is homestead under Article X, Section 4, of the Florida Constitution, and is exempt from the lien of the judgment described below:

[add legal description]

Affiant certifies under oath, that he/she has applied for and received the homestead tax exemption as to the above-described property (“Property”) for every year he/she owned the Property while the judgment was recorded, and that Affiant has resided on the Property continuously and uninterruptedly from \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ to the date of this Affidavit of Homestead.

Affiant certifies under oath, to the extent that there are judgments and/or Federal Tax Liens recorded in \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ County, Florida against a person with the same name or similar name as Affiant, those judgments and/or Federal Tax Liens do not constitute a lien against the Property (“Judgment”) due the above homestead exemption under the Florida Constitution.

Affiant understands that WFG National Title Insurance Company is relying on this Affidavit to insure title to or a mortgage lien on the Property without an exception for the Judgment and hereby indemnifies and holds WFG harmless for any loss due to the Judgment suffered by WFG under its policy of title insurance issued in reliance on this Affidavit.

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

Affiant

STATE OF FLORIDA

COUNTY OF \_\_\_\_\_\_\_\_\_\_

Sworn to (or affirmed) and subscribed before me by means of ☐ physical presence or ☐ online

notarization, this \_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_, 20\_\_, by \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.

Personally Known ☐ OR Produced Identification ☐

Type of Identification Produced: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

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

Notary Public, State of Florida  
 Name:  
 My Commission Expires:   
 My Commission Number is: