

Information & Instructions: Affidavit of filing and posting

PREVIEW

1. The Affidavit in the form that follows may be used to verify in writing that the trustee or holder of the note or his or her designee has posted the Notice of Foreclosure Sale at the proper place at the County Courthouse of the county where the property is located and has filed the Notice with the County Clerk's Office as required by the Texas Property Code.
2. The form recites the steps that have been taken by the trustee or substitute trustee and holder of the note in order to comply with the foreclosure requirements.
3. The Affidavit of Filing and Posting is signed by the attorney handling the foreclosure proceedings.

Form: Affidavit of filing and posting

PLEASE DO NOT COPY

AFFIDAVIT OF FILING AND POSTING

State of Texas

County of _____

Before me, the undersigned authority, on this day personally appeared [Name], a person well known to me who, after being first duly sworn, on oath stated:

My name is [Name] and I am a person over the age of 18 years. I have never been convicted of a felony or crime of moral turpitude. I have personal knowledge of the facts stated below:

THIS DOCUMENT

A Deed of Trust, [Date], was executed by [name] (Mortgagor), conveying to the Trustee named in the Trust Deed all of Mortgagor's right, title, and interest in the real estate described as [set forth legal description and street address of property] and securing payment of indebtedness owed to [name of lending institution] (Beneficiary), which indebtedness is evidenced by a Real Estate Lien Note [Date], in the original principal sum of \$[Amount], executed by Mortgagor and payable to Beneficiary.

The Deed of Trust has been [either filed and recorded in the Real Property Records of [Name] County, Texas, under Clerk's File No. [Number] and Film Code No. [Number] or recorded in Volume [NUMBER], Page [NUMBER] of the Deed of Trust Records of [Name] County, Texas].

THANK YOU

At the request of [name of holder of note] and by virtue of the power and authority conferred on the [Trustee or Substitute Trustee] appointed to enforce the power of sale contained in the Deed of Trust, I have posted and filed of record in [Name] County, Texas, a Notice of [Trustee's or Substitute Trustee's] Sale.

[If appropriate, add: the posting was further performed by the [Name] County [Name] (Sheriff's or Constable's) Deputy at the time stated on the certificate affixed to the back of the Notice.

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A true and correct copy of the notice is attached to this affidavit and incorporated by reference for all purposes. The sale will take place as follows:

PREVIEW

Time:

Place: At the Courthouse door of the County Courthouse of [Name] County, Texas.]

Signed on _____.

[Name]

State of Texas
County of _____

PLEASE DO NOT COPY

Subscribed and sworn to before me on _____ by

_____.

Signature of officer

Notary's typed or printed name

THIS DOCUMENT

My commission expires:

[or Notary's Stamp]

THANK YOU

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