

IMPORTANT DISCLAIMER:

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While the information contained herein is designed to provide accurate and authoritative information in regard to the subject matter covered, it is offered with the understanding that the presenter(s) are not engaged in rendering legal, accounting, or other professional service. If legal advice or other expert advice is required, the services of a competent professional should be sought.

Personal Note from Nicholas:

Now this is a nifty little document I've used to legally (on record) secure my interest in a property, if I didn't feel particularly comfortable that the seller would protect our agreement.

It's emphasized that every area has its own criteria for the verbiage a document must have in order to be "legally notarized" and recorded. So check with a local attorney to make sure the verbiage here is copasetic.

Using (filing) & NOTARIZE this little document kept one seller from selling a deal right out from under me.



Attention: Clerk of the Court, cross-reference to Deed Book _____, Page _____.

After Recording Return To:

AFFIDAVIT AND MEMORANDUM OF OPTION FOR PURCHASE AND SALE OF REAL ESTATE

STATE OF _____
COUNTY OF _____

BEFORE ME, the undersigned authority, on this day personally appeared _____,
who being first duly sworn, deposes and says that:

1. An Option for the Purchase and Sale of the real property as described below, was entered into by and between the Affiant, as Optionee, and _____, as Optionor, on the _____ day of _____, 20__.

2. The closing of the purchase and sale of said real property, is to take place pursuant to the terms of the Agreement(s) entered into of even date herewith.

3. THE OPTION PROHIBITS ADDITIONAL INDEBTEDNESS.

4. Any interested party may contact: _____, whose mailing address is _____, and whose telephone number is _____.

FURTHER AFFIANT(S) SAYETH NOT.

Signed, sealed and delivered in the presence of:

WITNESS (Seal)

AFFIANT: (Seal)

Sworn to and described before me this _____ day of _____, 20__.

NOTARY PUBLIC

(Seal)

DESCRIPTION OF REAL PROPERTY

All that tract of land lying and being in Land Lot _____ of the _____ District, _____ Section of _____ County, _____, and being commonly known as Address: _____ City: _____, State: _____ Zip: _____ according to the present system of numbering in and around this area, and being more particularly described as Lot _____, Block _____, Unit _____, Phase/Section _____ of _____ Subdivision, as recorded in Plat Book _____, Page _____, _____ County, _____ records together with all light fixtures, electrical, mechanical, plumbing, air-conditioning, and any other systems or fixtures as are attached thereto; all plants, trees, and shrubbery now a part thereof, together with all the improvements thereon; and all appurtenances thereto, all being hereinafter collectively referred to as the "Property." The full legal description of Property is as follows:

(Insert Legal Description)