

**LIEN AFFIDAVIT -- ORIGINAL CONTRACTOR  
NON-HOMESTEAD PRIVATE PROPERTY**

(reference Texas Property Code § 53.054)

[This header is for your convenience and may be deleted from the actual notice letter]

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**LIEN AFFIDAVIT AND CLAIM**

STATE OF TEXAS   §  
                                  §  
COUNTY OF       §

BEFORE ME, the undersigned authority, personally appeared [insert name of person signing this affidavit, along with their title or relationship to the Claimant], who upon his/her oath states the following:

1. My name is [insert name of person signing this affidavit] and I am a resident of [insert county] County, Texas. I am [insert title] of [insert name of claimant], hereinafter sometimes referred to as "Claimant." I am over 18 years of age, and am competent and authorized to make this affidavit.

2. Claimant's mailing address is [insert mailing address] and [if different] physical address is [insert street address] [OR] [the same as Claimant's mailing address].

3. Claimant furnished labor and materials for improvements to the real property described herein under a contract by and between Claimant and [insert name of owner], who is the owner or reputed owner of the real property described herein, whose last known address(es) is/are: [set forth the address of owner].

4. The labor, materials, and work furnished by Claimant are generally described as follows: [insert a general description of the work performed] [OR] [insert "a description of the work is set forth in the attached contract or billing statement."] [optional: A true and correct copy of the contract between claimant and [insert name of owner] further describing said work is attached hereto and is incorporated herein as Exhibit "[insert the letter or number of the exhibit, i.e. "A" or "1"]."

5. The real property sought to be charged with a lien by Claimant is described as the [insert name of Project] Project, which is the real estate located at [insert street address of property] and additionally described as follows: [insert the legal description of the property].

6. Claimant is the original contractor for the improvements for which a lien is claimed.

7. After allowing all just credits, offsets, and payments, the amount of \$[insert dollar amount of claim] remains unpaid and is due and owing to Claimant under its contract with [insert name of owner], and Claimant, claims a lien on said property and improvements under the provisions of Texas Property Code § 53.001 et seq. to secure payment of said amount.

8. Claimant also claims a constitutional lien on such property pursuant to the provisions of Article 16, Section 37 of the Texas Constitution.

9. One (1) copy of this Affidavit is being sent certified mail, return receipt requested to the above-described Owner addressed to its last known address(es).

[name of claimant]

By: \_\_\_\_\_  
[name], [title]

SUBSCRIBED AND SWORN TO AND ACKNOWLEDGED BEFORE ME on this the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Notary Public in and for the State of Texas