

**LIEN AFFIDAVIT – SUBCONTRACTOR/SUPPLIER
NON-HOMESTEAD PRIVATE PROPERTY**

(reference Texas Property Code § 53.054, §53.056, §53.103)

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

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 Claimant's physical address is [insert street address] [OR] [the same as claimant's mailing address].

3. [FIRST ALTERNATIVE – use this paragraph if your contract is with the original contractor] Claimant furnished materials and labor pursuant to a contract with [insert name of original contractor], the original contractor on the project, whose last known address(es) is/are [insert all addresses of original contracting partner].

[SECOND ALTERNATIVE – use this paragraph if your contract is with a subcontractor or supplier] Claimant furnished materials and labor pursuant to a contract with [insert name of party with which you have a contract], whose last known address(es) is/are [insert all addresses of party with which you have a contract]. The original contractor on the project is [name of original contractor], whose last known address(es) is/are [insert all addresses of original contractor].

4. The name of the owner or reputed owner of the real estate hereinafter described is [insert name of owner], whose last known address(es) is/are: [insert the address of owner].

5. 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 party with which you have a contract] 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”].”

6. 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].

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 contracting party], 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. The month or months that the work was done and materials were furnished for which payment is requested are [insert month(s) and year(s)].

9. Notice of the claim was sent to the Owner on the following dates and by the following method:

<u>Date sent</u>	<u>Method Sent</u>
[date]	Via Certified Mail No. [insert certified mail number] Return Receipt Requested
[date]	Via Certified Mail No. [insert certified mail number] Return Receipt Requested

[OR] [insert “a true and correct copy of all notices reflecting the date and method by which they were sent are attached hereto as Exhibit “[insert the letter or number of the exhibit, i.e. A or 1]” and incorporated herein by reference.”]

10. One (1) copy of this Affidavit is being sent by Certified Mail, Return Receipt Requested to the owner described above, addressed to its last known address(es) as described above and one (1) copy of this Affidavit is being sent by Certified Mail, Return Receipt Requested to the original contractor described above, addressed to its last known address(es) as described above.

[name of claimant]

By: _____
[name], [title]

SUBSCRIBED AND SWORN TO AND ACKNOWLEDGED before me by the said
[insert name], [insert title] of [insert name of claimant] this _____ day of _____,
20____, to certify which witness my hand and seal of office.

Notary Public in and for the State of Texas