

**TEXAS PARKS AND WILDLIFE DEPARTMENT REGISTRATION AND TITLING REQUIREMENTS FOR
VESSELS AND OUTBOARD MOTORS SOLD UNDER STATUTORY LIEN FORECLOSURE**

<p>Sold Under Statutory Lien Foreclosure</p> <p>Legend X = Required Item. ● = One of the Two Marked is a Required Item. ■ = One of the Three Marked is a Required Item. IA = If Applicable or If Available.</p> <p>All of the blank TPWD forms may be copied. However, when submitted, all signatures (on all documents) must be original.</p>	Vessel/Boat Application (PWD 143)	Outboard Motor Application (PWD 144)	Affidavit of Statutory Lien Foreclosure Sale By Self-Service Storage Facility (PWD 309B)	Questionnaire Affidavit For Foreclosure Under Statutory Storage Mechanic's Lien (PWD 309)	Agreement/Contract For Storage/Repair/Wrecker Service	Texas Vessel Title OR Out of State Vessel Title/Registration	Texas or Out of State Outboard Motor Title	Ownership Verification from State/Government Agency, or USCG	Evidence of Compliance With Texas Property Code, Section 70.006(c)	Notice to Tenant(s)	Notice to Owners(s) of Record	Notice to Lien Holders(s) of Record	Photocopy of Both Newspaper Publications of Public Sale	First Notification to Owners(s) of Record	First Notification to Non-Recorded Owner(s)	First Notification to Lien Holder(s) of Record	Second Notification to Owner(s) of Record	Second Notification to Non-Recorded Owner(s)	Second Notification to Lien Holder(s) of Record	Photocopy or Proof of Newspaper Publication	Pencil Tracing of Serial Numbers (PWD 504)
	Self-Storage Facility Lien - Vessel	X		X		X	■		■	■	X	X	IA	X							
Self-Storage Facility Lien - Outboard Motor		X	X		X		■	■	■	X	X	IA	X								X
Storage Lien - Vessel	X			X	X	■		■	■					X	IA	IA	X	IA	IA	X	X
Storage Lien - Outboard Motor		X		X	X		■	■	■					X	IA	IA	X	IA	IA	X	X
Garagemans/Mechanic Lien - Vessel	X			X	X	■		■	■					X	IA	IA	X	IA	IA	X	X
Garageman/Mechanic Lien - Outboard Motor		X		X	X		■	■	■					X	IA	IA	X	IA	IA	X	X

Description of Required Documents:

Vessel/Boat Application: Title & Registration, Registration for USCG, or Sales Tax Only (Form PWD 143)- is used to request a Texas title and/or registration for a vessel/boat or to pay sales tax only on vessels 65 and under.

Outboard Motor Application: Title or Sales Tax Only (Form PWD 144) - is used to request a Texas title for an outboard motor or to pay sales tax only on an outboard motor.

Power of Attorney (Form PWD 1055) - is a legal document used to designate a representative (individual or company) to conduct business on behalf of another. Signatures must be notarized.

Forms available at www.tpwd.state.tx.us/boat/forms.htm
 For additional explanation of the requirements listed above,
 or to find the office nearest you, or to have forms mailed, please call either
1-800-262-8755 or 1-512-389-4828.

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Description of Required Documents:

Letter of Authorization (Form PWD 581) - is used to designate another person to submit and pick up associated paperwork when the owner of record or applicant/purchaser can not come in person. In lieu of the form PWD 581 a hand written letter from the owner of record or applicant/purchaser is acceptable. This letter must include a statement authorizing someone other than the owner of record applicant/purchaser to conduct a specific registration and titling transaction for the owner of record or applicant/purchaser, the name of the person authorized to do business for the owner of record or applicant/purchaser, a description of the vessel and/or outboard motor (make, TX or serial number, and year built), and the signature of the owner of record or applicant/purchaser.

Affidavit of Statutory Lien Foreclosure Sale By Self-Service Storage Facility (Form PWD 309B)- is completed when transferring a vessel and/or outboard motor into the name of an individual or business due to a self-service storage lien. Separate application forms required for each vessel and/or outboard motor. Instructions for Transfer of Title of Vessel or Outboard Motor After Foreclosure Sale Under Self-Service Storage Lien (Form PWD 309C) lists each step required in filing a self-service storage lien, as well as any additional forms that may be required.

Questionnaire Affidavit For Foreclosure Under Statutory Storage-Mechanic's Lien (Form PWD 309)- is completed when transferring a vessel and/or outboard motor into the name of an individual or business due to a storage or mechanic's lien. Separate application forms required for each vessel and outboard motor. The Storage/Mechanic's Lien Questionnaire Affidavit Procedures (Form PWD 309A) is a checklist for each step required in filing a storage/mechanic's lien.

Agreement/Contract For Storage/Repair/Wrecker Service - Statutory lien foreclosure requires a complete copy the agreement/contract for storage/repair/wrecker service.

** Foreclosure sale under "self-service" storage lien requires a written rental agreement (or lease) that contains a self-service storage lien.

Texas Vessel Title OR Out of State Vessel Title/Registration - Texas vessel title, or out of state registration card and/or certificate of title (whichever was required by the state in which the vessel was last registered).

Texas or Out of State Outboard Motor Title - Texas outboard motor title, or title issued by the state in which the vessel was last titled.

Ownership Verification from State/Government Agency, or USCG - Verification in writing from TPWD or comparable agency from another state, country or USCG. The verification must be a computer printout by the state or country's registration/titling agency or a letter on the state or country's registration/titling agency's letterhead. The letter or printout must include: the owner(s) name and address, a description of the vessel and/or outboard motor (make, serial number and year built), and lien holder information. Vessels documented with the United States Coast Guard must submit ownership verification from the USCG. To obtain Ownership Verification from TPWD you must submit Ownership/Lien Holder Information Printout or Ownership History Request (form PWD 763).

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Description of Required Documents:

Evidence of Compliance with Texas Property Code, Section 70.006(c) - If you are unable to obtain the title/registration or ownership verification, you must submit evidence that you have given notice to the owner(s) and lien holder(s) of record by publication in accordance with Texas Property Code, Section 70.006(c).

- 1) The signed, certified mail return receipt PS Form 3811 (original green card - not a photocopy) for notice under Section 70.006(c)(1), together with any unopened certified letters returned by the post office; and
- 2) The original response letter from the appropriate governmental entity pursuant to Section 70.006(c)(2)(A) or Affidavit of Fact (Form PWD 314) signed statement from the statutory lien holder that no response from the governmental entity was received on or before the 21st day after the request to the governmental entity was sent; and
- 3) Affidavit of Fact (Form PWD 314) signed statement from the statutory lien holder that all requisites of Section 70.006(c) have been met.

Notice to Tenant(s) - Under Texas Property Code, Section 59.043, notification by certified mail, return receipt requested, must be sent to the tenant(s) listed on the self-service storage agreement (lease). This notice of claim to the tenant must contain an itemized account of the claim, the name, address, and phone number of the storage facility or the storage facility's agent, a statement that the contents of this self-service storage facility have been seized under the contractual landlord's lien, and a statement that if the lien is not satisfied before the 15th day after the day the notice is delivered, the property may be sold at public auction.

The notice must be hand delivered or sent by certified mail, return receipt requested, to the tenant's last known address as stated in the rental agreement or in a written notice from the tenant. The certified mail return receipt PS Form 3811 (original green card - not a photocopy) together with any unopened certified letter(s) or proof of hand delivery returned by the post office must be submitted to TPWD.

Notice to Owner(s) of Record - Under Texas Property Code, Section 70.006, notification to the owner(s) of the vessel or outboard motor must be mailed at least 30 days after the notification to the tenant(s). The notification to all owner(s) must be sent certified mail, return receipt requested, to their respective addresses according to TPWD records or other state's records. The notice must also be mailed to all other known addresses, including the address on the lease/rental agreement. The certified mail return receipt PS Form 3811 (original green card - not a photocopy) together with any unopened certified letter(s) returned by the post office must be submitted to TPWD. The notice must include the amount of charges and a request for payment. It is preferable, but not required, that the notice disclose the storage facility's intent to sell at foreclosure if not paid in full within 30 days.

Notice to Lien Holder(s) of Record - Under Texas Property Code, Section 70.006, notification to the lienholder(s) of the vessel or outboard motor must be mailed at least 30 days after the notification to the tenant(s). The notification to all lienholder(s) must be sent certified mail, return receipt requested, to their respective addresses according to TPWD records or other state's records. The certified mail return receipt PS Form 3811 (original green card - not a photocopy) together with any unopened certified letter(s) returned by the post office must be submitted to TPWD. The notice must include the amount of charges and a request for payment. It is preferable, but not required, that the notice disclose the storage facility's intent to sell at foreclosure if not paid in full within 30 days.

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Description of Required Documents:

Photocopy of Both Newspaper Publications of Public Sale - The foreclosure sale by the self-service storage facility must take place at least 31 days after the notification to all owners and lien holders of record. Under Texas Property Code, Section 59.044, the notice advertising the sale must contain:

- 1) a general description (make, TX or serial number, and year built) of the property;
- 2) a statement that the property is being sold to satisfy a landlord's lien;
- 3) the tenant's name;
- 4) the address of the self-service storage facility; and
- 5) the time, place, and terms of the sale.

The lessor must publish the notice once in each of two consecutive weeks in a newspaper of general circulation in the county in which the self-service storage facility is located.

First Notification to Owner(s) of Record - Notification by certified mail, return receipt requested, must be sent to the owner(s) at the address on TPWD or other state's record. The notice must also be mailed to all other known addresses including the address listed on the written agreement/contract/work order. The certified mail return receipt, PS Form 3811 (original green card - not a photocopy) together with any unopened certified letter(s) returned by the post office must be submitted to TPWD. The notice must include the amount of charges, and a request for payment.

NOTE: FOR WRECKER/TOW SERVICE - A holder of a lien on a vessel/outboard motor who obtains possession of the vessel/outboard motor under the provisions of state law or city ordinance, must send notification not later than the fifth day after possession. If the vessel/outboard motor is registered outside Texas, the notice must be sent not later than the 14th day after possession.

First Notification to Non-Recorded Owner(s) - Notification by certified mail, return receipt requested, must be sent to all known non-recorded owner(s), including the individual whose name appears on the written agreement/contract/work order. The notice must be mailed to all known addresses including the address listed on the written agreement/contract/work order. The certified mail return receipt, PS Form 3811 (original green card - not a photocopy) together with any unopened certified letter(s) returned by the post office must be submitted to TPWD. The notice must include the amount of charges, and a request for payment.

NOTE FOR WRECKER/TOW SERVICE - A holder of a lien on a vessel/outboard motor who obtains possession of the vessel/outboard motor under the provisions of state law or city ordinance, must send notification not later than the fifth day after possession. If the vessel/outboard motor is registered outside Texas, the notice must be sent not later than the 14th day after possession.

First Notification to Lien Holder(s) of Record - Notification by certified mail, return receipt requested, must be sent to the lien holder at the address on TPWD or other state's record. The certified mail return receipt, PS Form 3811 (original green card - not a photocopy) together with any unopened certified letter(s) returned by the post office must be submitted to TPWD. The notice must include the amount of charges, and a request for payment.

NOTE: FOR WRECKER/TOW SERVICE - A holder of a lien on a vessel/outboard motor who obtains possession of the vessel/outboard motor under the provisions of state law or city ordinance, must send notification not later than the fifth day after possession. If the vessel/outboard motor is registered outside Texas, the notice must be sent not later than the 14th day after possession.

09/21/05

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Description of Required Documents:

Second Notification to Owner(s) of Record - If the charges are not paid within 30 days after the first notification, the possessory lien holder must send second notification by certified mail, return receipt requested, to the owner(s) at the address on TPWD or other state's record. The notification must also be mailed to all other known addresses, including the address on the written agreement/contract/work order. The certified mail return receipt, PS Form 3811 (original green card - not a photocopy) together with any unopened certified letter(s) returned by the post office must be submitted to TPWD. The notice must include the amount of charges, and a request for payment. It is preferable, but not required, that the notice disclose the possessory lien holders intent to sell at foreclosure if not paid.

Second Notification to Non-Recorded Owner(s) - If the charges are not paid within 30 days after the first notification, the possessory lien holder must send second notification by certified mail, return receipt requested to all known non-recorded owner(s), including the individual whose name appears on the written agreement/contract/work order. The letters must also be mailed to all known addresses including the address listed on the written agreement/contract/work order. The certified mail return receipt, PS Form 3811 (original green card - not a photocopy) together with any unopened certified letter(s) returned by the post office must be submitted to TPWD. The notice must include the amount of charges, and a request for payment. It is preferable, but not required, that the notice disclose the possessory lien holders intent to sell at foreclosure if not paid.

Second Notification to Lien Holder(s) of Record - If the charges are not paid within 30 days after the first notification, the possessory lien holder must send second notification by certified mail, return receipt requested, to the lien holder(s) at the address on TPWD or other state's record. The certified mail return receipt, PS Form 3811 (original green card - not a photocopy) together with any unopened certified letter(s) returned by the post office must be submitted to TPWD. The notice must include the amount of charges, and a request for payment. It is preferable, but not required, that the notice disclose the possessory lien holders intent to sell at foreclosure if not paid.

Photocopy or Proof of Newspaper Publication - If the charges are not paid before the 31st day after the day the second notice is mailed, the possessory lien holder may sell the vessel and/or outboard motor at a public sale. Notice of auction must be published in a newspaper of general circulation in the county where the vessel and/or outboard motor is located. The notice must include description of vessel/outboard motor, date and location of auction. A copy or proof of the publication must be submitted. Acceptable proof of publication is written documentation provided by the newspaper that provides the date(s) and contents of the publication.

Pencil Tracing of Serial Numbers (Form PWD 504) - may be required when verification of hull identification (HIN) and/or outboard motor identification (MIN) number is necessary. You must attempt to trace these number(s) by placing the form PWD 504 on top of the serial number(s) and rub a pencil across the paper so that an impression appears on the form. If the number(s) are not clearly legible after tracing, please write the number(s) in the area provided. In lieu of the pencil tracing you may attach a photograph of the serial number(s) to the form PWD 504. If a photograph is supplied, the number(s) must be legible in the photo. The form PWD 504 must be signed by the applicant/purchaser or the seller/donor. A notarization to this form is no longer a requirement.

* For foreclosure under statutory self-storage/storage/mechanics lien, a vessel and or outboard motor must have its identifying serial number attached to the vessel or outboard motor.