



**AFFIDAVIT OF STATUTORY LIEN FORECLOSURE SALE
BY SELF-SERVICE STORAGE FACILITY**

(A separate form is required for each vessel or outboard motor.)

WARNING: FALSIFYING INFORMATION ON DOCUMENTS IS A PUNISHABLE OFFENSE.

Texas Penal Code, Section 37.10. Any person who knowingly makes a false entry in, or false alteration of a governmental record is guilty of a felony of the third degree punishable by confinement in jail for any term of not more than 10 years or less than 2 years and punished by a fine not to exceed \$10,000.

A. GENERAL INFORMATION.

(1) This information is about the foreclosure of a (check only one): VESSEL OUTBOARD MOTOR

(2) Description: _____

Make	Year Built	Length
HIN/MIN/Serial Number	State Registration Number	Horsepower

(3) Name and address of tenant(s) who rented the storage unit where the vessel or outboard motor was found:

Name	Street Address	City and State
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B. STORAGE LIEN INFORMATION.

(1) Date of storage agreement (lease): _____

Date	Location
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(2) Location of storage facility: _____

Street Address	City and State
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Mailing address (if different): _____

Street Address	City and State
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(3) The storage agreement (lease) contains an express lien on the contents in paragraph ____ of the agreement. A photocopy of the storage agreement (lease) is attached.

C. TITLE VERIFICATION.

Attached is the registration card and/or certificate of title (whichever was issued by the state in which the vessel/outboard motor was last documented), or verification in writing from TPWD or comparable agency from another state. The verification is either a printout by the state agency, or a document on the state agency's letterhead describing the vessel/outboard motor and listing the owner(s) and lienholder(s) names and addresses. Or, if such verification is unobtainable, documentation of compliance with Texas Property Code, Section 70.006(c) is attached.

D. FORECLOSURE INFORMATION.

- (1) Date each storage facility tenant was given a "notice of claim" under Texas Property Code, Section 59.043: _____
- (2) Date all owners and lienholders of record were given notice by the storage facility owner of (i) amount of unpaid charges, and (ii) request for payment under Texas Property Code, Section 70.006(a): _____
- (3) Dates of newspaper publication of public sale notice under Texas Property Code, Section 59.044: _____
- (4) Date foreclosure sale (auction) was held: _____
- (5) Location of foreclosure sale: _____

Street Address	City and State
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For notices given pursuant to E(1) and (2) above, attach 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. As evidence of dates of newspaper publication, attach photocopy of both newspaper notices. The storage facility is required by Texas Property Code Section 59.046 to apply the sale proceeds to the payment of charges and pay the balance, if any, to the tenant.

E. AFFIDAVIT OF REPRESENTATIVE OF SELF-SERVICE STORAGE FACILITY.

As a duly authorized representative of the undersigned statutory lienholder, I certify that the following facts as true and correct: (1) the vessel or outboard motor described above was stored at self-service storage facility under the storage agreement described above; (2) the storage facility maintained possession of the vessel or outboard motor for 30 continuous days prior to the mailing of the notice of claim to the owners and lienholders; (3) the tenants, owners and

lienholders were notified, as required by statute, of the storage facility's intent to sell same under statutory lien if all charges were not paid in 30 days; and (4) all other statutory lien sale procedures have been complied with.

In consideration of the issuance of a Certificate of Title being applied for, the storage facility agrees to indemnify and hold harmless Texas Parks and Wildlife Department, its employees and officers from and against all claims, demands, and judgments because of or in connection with the issuance of the requested Certificate of Title for the above described vessel or outboard motor.

Name of Storage Facility	Street Address	City and State
Mailing Address (if different)	Street Address	City and State

Signature of Affiant (representative of Storage Facility): _____

Subscribed and sworn to before me this ____ day of _____, _____.
Month Year

SEAL

Notary Public, _____ County, Texas

F. BILL OF SALE [Note: This bill of sale does not preclude a separate, more comprehensive bill of sale.]

By virtue of the Public Sale outlined above and in accordance with the laws of the State of Texas, I, as representative of the undersigned self-service storage lien, hereby sell and assign the above described vessel or outboard motor to the highest bidder at said sale, namely: _____ for the sum of \$ _____.
[This figure must be the same as shown on the PWD 143/144. Do not include price of trailer.]

Name of Purchaser	Street Address	City and State
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Signature of Seller or Agent (representative of Storage Facility) _____

Subscribed and sworn to before me this ____ day of _____, _____.
Month Year

SEAL

Notary Public, _____ County, Texas

LIST OF REQUIRED ATTACHMENTS TO THIS AFFIDAVIT:

1. Photocopy of entire storage agreement (lease).
2. Photocopy of both newspaper publications of public (foreclosure) sale, required under Texas Property Code, Section 59.044
3. Photocopy of: (1) notice of claim to tenant(s) under Texas Property Code, Section 59.043; (2) evidence of mailing, i.e., certified mail return receipt PS Form 3811 (original green card—not a photocopy); or (3) any unopened certified mail letter(s) returned by the post office.
4. Photocopy of: (1) notices to all owners and lienholders under Texas Property Code, Section 70.006(a); (2) evidence of mailing, i.e., certified mail return receipt PS Form 3811 (original green card—not a photocopy); or (3) any unopened certified mail letter(s) returned by the post office.
5. Registration card and/or certificate of title (whichever was issued by the state in which the vessel/outboard motor was last documented), or written verification from TPWD or state agency of another state, or a **PWD 314** signed statement of compliance with Texas Property Code, Section 70.006(c), with photocopies of documentation required by that section.