

# **AFFIDAVIT OF CLAIM FOR TAX DEED SALE SURPLUS FUNDS**

STATE OF \_\_\_\_\_

COUNTY OF \_\_\_\_\_

The undersigned, upon oath, does depose and say:

1. My name is \_\_\_\_\_ (claimant). My current mailing address is \_\_\_\_\_  
City \_\_\_\_\_ State \_\_\_\_\_ Zip code \_\_\_\_\_.
2. I hereby submit my claim for tax deed surplus funds being held by the Clerk of Circuit Court of Lee County, Florida resulting from the tax deed sale on \_\_\_\_\_ (date), under Tax Deed No. \_\_\_\_\_. The approximate amount of surplus being held is \$ \_\_\_\_\_. The STRAP# of the property is \_\_\_\_\_.
3. I hereby attest that I am entitled to the surplus funds by virtue of my interest in the property as: (check one)
  - **Previous Owner** - legal titleholder of record of such property at the time of such tax deed sale and I have included the following :
    - Copy of Deed showing interest in property
  - **Heir/Beneficiary/ Executor** of the Estate of such property at the time of such tax deed sale and I have included the following:
    - Death Certificate of previous owner (certified copy or an original)
    - Probate documentation for the estate containing the tax deed number, filed in Florida, listing all heirs/beneficiaries and their entitlement and is a certified copy from the court of final order
  - **Lien Holder or Mortgagee** of record at the time of such tax deed sale and I have included the following:
    - Copy of recorded lien(s) or mortgage (debtor(s) named is one and the same person as the owner of the property at the time of such tax deed sale and subject lien or mortgage is valid and was recorded in the Official Records of Lee County, Florida)
    - Amount currently outstanding, unpaid and owing on such lien or mortgage is \$ \_\_\_\_\_.
    - Proof of officer's authority to request funds (if claiming on behalf of a business)  
Business Name \_\_\_\_\_ and Title of Officer \_\_\_\_\_.
4. I hereby make claim to the surplus funds generated from such tax deed sale. I understand that the Clerk of Circuit Court will subtract their fees from the sale pursuant to FL statute. I further understand that if I am making a claim as the owner/heir/beneficiary of the property, any valid liens and mortgages against the property will be paid before I am entitled to any of the surplus.
5. I have not, either before or after such tax deed sale, conveyed my title or assigned my interest in such property to any third party or any portion of the surplus funds from such tax deed sale being held by the Clerk of Circuit Court of Lee County, Florida and/or Lee County.

6. I have attached to this notarized affidavit a true and genuine copy of my current government issued photo identification that shows my address and date of birth.
7. I acknowledge that I am making the above representations under oath in order to receive payment of such surplus funds, and understand that, if it is later discovered or determined that payment of such surplus funds to me was in error, I am personally liable for the repayment of such surplus funds to the Clerk and/or Lee County, Florida.

Further affiant sayeth not.

\_\_\_\_\_  
CLAIMANT SIGNATURE

\_\_\_\_\_  
CLAIMANT PRINT NAME

\_\_\_\_\_  
Witness #1 Sign AND Print Name

\_\_\_\_\_  
Witness # 2 Sign AND Print Name

BEFORE ME, the undersigned authority, personally appeared \_\_\_\_\_, who is personally known by me or who has produced \_\_\_\_\_ as identification and who by me was first duly sworn and cautioned, states that he/she executed the foregoing and the contents thereof are true and correct.

IN WITNESS my hand and official seal, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

My Commission Expires: \_\_\_\_\_

\_\_\_\_\_  
Notary Public

(Seal)

**Please remember to reference the tax deed number on all claim documents, ID's, and correspondence submitted to our office.**

Execution of this affidavit by an assignee of the claimant will not, by itself, be sufficient to substantiate a claim to funds. Any claim by an assignee must also include an affidavit and assignment from the party originally entitled to claim the funds prior to any assignment.

Please include current contact information: email, phone number(s) and/or additional addresses. Please allow 6-8 weeks to complete the review process. In some situations the review process may take longer. You may inquire on the status of your claim by sending an email to the Tax Deed Help Desk at: [info\\_deltax@leeclerk.org](mailto:info_deltax@leeclerk.org).

**Please note:** If claiming on behalf of an estate, funds will not be disbursed without an order of family administration under Part I, Chapter 735, Florida Statutes; or an order of summary administration under Part II, Chapter 735, Florida Statutes; or a letter or other writing under seal of the court under Section 735.301, Florida Statutes. Contact a legal professional if you have questions about estate or other legal issues. Employees of the Clerk are not authorized to provide legal advice.