

OWNER'S AFFIDAVIT

BEFORE ME, the undersigned authority, personally appeared _____, as _____, and attested by _____, as _____, of the CITY OF VERO BEACH, FLORIDA, a municipal corporation organized under the laws of the State of Florida, on behalf of said municipal corporation, (the "Seller"), ("Seller" refers to singular or plural as context requires) who, first being duly sworn, deposes and says that, to Affiant's knowledge:

A. OWNER'S AFFIDAVIT

1. Seller is the owner of the following described property (the "Property"):

All those certain parcels of land lying and being in the County of Indian River, State of Florida, as more particularly described on Exhibit "A" attached hereto and made a part hereof (the "Property").

2. There is no outstanding contract for the sale of the property to any person or persons whomsoever, nor any unrecorded deed, mortgage or other conveyances affecting the title to the Property.
3. There are no liens, encumbrances, mortgages, claims, boundary line or other disputes, demands or security interests in, on or against the Property; that there are no unpaid taxes, levies, assessments, paving liens or utility liens against the Property (other than real estate taxes for the current year).
4. There have been no improvements made upon the Property within the past ninety (90) days for which there remain any outstanding and unpaid bills for labor, materials or supplies for which a lien or liens might be claimed by anyone.
5. There are no matters pending against Seller which could give rise to a lien that would attach to the Property during the period of time between the effective date of the title insurance commitment and the time of recording of the instruments evidencing the Buyer's fee simple or other interests in the Property; and that the Seller has not executed and will not execute any instrument that would adversely affect the title to the Property from the date of this Affidavit forward.
6. There are no judgments, claims, disputes, demands or other matters pending against Seller that could attach to the Property.
7. Except as may be described in Chicago Title Insurance Company Commitment No. _____, Seller is in sole constructive or actual possession of the Property and no other person has any right to possession of the Property, or asserts any claim of title or other interests in it.
8. Seller represents there are no violations of governmental laws, regulations or ordinances pertaining to the use of the Property.

Seller states that this instrument is given for the express purpose of inducing FLORIDA POWER & LIGHT COMPANY, a Florida corporation, to purchase the Property and to cause CHICAGO TITLE INSURANCE AGENCY, INC. as agent for CHICAGO TITLE INSURANCE COMPANY to insure title to said property. This Affidavit is made under the full understanding of the law regarding liability for any misrepresentation herein.

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Approved as to form and legal sufficiency:

By: _____

Printed Name: _____

Title: _____

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Document 2 ID	interwovenSite://SMVLDMS/America/18001541/2
Description	#18001541v2<America> - Exhibit D Form of Seller's Affidavit Final (EWP 020513)
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