

## HOME EQUITY AFFIDAVIT

STATE OF TEXAS  
COUNTY OF \_\_\_\_\_

I am the borrower(s) in the current transaction and being duly sworn make the following statements concerning the home equity section 50(a)(6), Article XVI, Texas Constitution loan that is being funded by \_\_\_\_\_ [institution name].

1. The mortgage instrument and the promissory note being secured thereby were executed in the office of \_\_\_\_\_ [institution name] and were not executed before the specific calendar date stated in the written closing instruction from the lender to be insured by the title policy issued in this transaction.
2. I have not elected to rescind the extension of credit secured by the lien of the mortgage anytime prior to the date of execution of this affidavit.
3. I acknowledge receipt from the lender of a copy of all documents related to the extension of credit secured by the lien of the mortgage and the promissory note secured thereby that were executed simultaneously with the mortgage and promissory note.
4. I am not aware of any fees collected by the Title Company or disbursed by it that were not shown on the final settlement statement approved by the lender.
5. I acknowledge that there are no blanks other than signature lines for execution by the lender in any of the documents I have executed at this closing.
6. The written acknowledgment I have executed as to the fair market value of the land had attached to it an appraisal or evaluation as to the fair market value of the land at the time is/was signed by me.

7. All of the property described in the mortgage and attached to this affidavit as Exhibit "A" is my homestead and I own no other homestead property;
8. I acknowledge and affirm that I own no other land apart from that land described in Exhibit "A" of this affidavit that is subject to a home equity, Subsection (a)(6) of Section 50, Article XVI, Texas Constitution loan;
9. I do not own any other land apart from that described in Exhibit "A" of this affidavit that is subject to a mortgage that I executed, that is or was a home equity, subsection (a)(6) of Section 50, Article XVI, Texas Constitution loan that was closed or executed within one year prior to today.

The statements contained in this affidavit are true and correct. I understand that the Title Insurance Company is relying on the accuracy of the statements made by me for the issuance of any title insurance policies and endorsements in this transaction.

Executed this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
Affiant

\_\_\_\_\_  
Affiant

Sworn and Subscribed before me, this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
NOTARY PUBLIC, State of Texas

\_\_\_\_\_  
Printed Name of Notary

My commission expires:

\_\_\_\_\_