

AFFIDAVIT  
(with acknowledgment)

State of \_\_\_\_\_ )  
County of \_\_\_\_\_ ) ss.

\_\_\_\_\_, each being duly sworn, depose and say:

1. We are the owners of property known as \_\_\_\_\_, being the property lying to the \_\_\_\_\_ of and abutting the property owned by \_\_\_\_\_ (hereafter referred to as our neighbors).
  
2. We have reviewed the survey of our neighbors' property made by \_\_\_\_\_ dated \_\_\_\_\_ which shows that there is a fence located on the property owned by our neighbors and which fence is located \_\_\_\_\_ of the division line between the property that we own and the property owned by our neighbors. (The property lying between the fence located on our neighbors' property and the division line between our property and our neighbors' property is hereafter called the Strip of Land.)
  
3. We know that we do not own the Strip of Land and that the Strip of Land is not included in the deed to our property. We have known those facts from the date that we acquired our property.
  
4. Our use of the Strip of Land, and the use of the Strip of Land by all prior owners of our property, has always been with the permission of our neighbors and the prior owners of our neighbors' property. Therefore, in addition to not having a claim of ownership of the Strip of Land by adverse possession, we also realize that we have no claim for a continued use of the Strip of Land by reason of a prescriptive easement or otherwise.
  
5. We make this affidavit knowing that \_\_\_\_\_ is relying on the truths of the statements contained in this affidavit in insuring title to the property owned by our neighbors free of any objection to title pertaining to a possible claim of adverse

-continued-

possession or prescriptive easement and the purchasers or mortgagees of the property owned by our neighbors are similarly relying on the truth of the statements made herein.

---

---

---

State of \_\_\_\_\_  
County of \_\_\_\_\_ ss:

On the \_\_\_\_\_ day of \_\_\_\_\_ in the year \_\_\_\_\_  
before me, the undersigned, personally appeared

---

personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose names(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

---

(signature and office of individual  
taking acknowledgment)