

CERTIFICATE OF TRUST AFFIDAVIT

STATE OF [STATE])) ss. COUNTY OF [COUNTY WHERE THE AFFIDAVIT IS SIGNED])

1. Affiant / Trustee

I, [AFFIANT NAME], residing at [AFFIANT ADDRESS], being first duly sworn, depose and state that I am a currently acting and duly qualified trustee of the trust identified below, and I have personal knowledge of the matters set forth herein.

2. Purpose and Authority

This Certificate of Trust is executed pursuant to the Uniform Trust Code (as enacted in the state of execution) and analogous authority, including but not limited to U.T.C. §1013, Cal. Probate Code §18100.5, Fla. Stat. §736.1017, and Tex. Prop. Code §114.086, as applicable. It is furnished in lieu of the full trust instrument to facilitate the transaction identified below without disclosing the dispositive provisions of the trust. Purpose: [PURPOSE OF THIS AFFIDAVIT]

3. Certification of Trust

1. **Name of Trust.** The trust is known as [FULL NAME OF THE TRUST] (the "Trust").
2. **Date of Trust.** The Trust was established by written trust instrument dated .
3. **Settlor(s) / Grantor(s).** The Trust was created by the following settlor(s):

[SETTLOR S GRANTOR S OF THE]

4. **Currently Acting Trustee(s).** The following person(s) are the currently acting and duly qualified trustee(s) of the Trust:

[CURRENT ACTING TRUSTEE S]

5. **Revocability.** The Trust is revocable and may be amended or revoked by the settlor(s) in accordance with its terms.
6. **Tax Identification.** The Trust uses the settlor's Social Security Number as its taxpayer identification number pursuant to Treas. Reg. §1.671-4(b).
7. **Trustee Powers.** The Trustee has all powers necessary or appropriate to carry out the purposes of the Trust, including, without limitation, the following powers relevant to the present transaction:
[SUMMARY OF TRUSTEE POWERS RELEVANT TO]. Such powers include, as applicable, the power to acquire, hold, invest, reinvest, manage, sell, exchange, lease, mortgage, pledge, encumber, and convey real and personal property of every kind; to borrow money and execute promissory notes,

deeds of trust, and security agreements; and to open, maintain, and close accounts with financial institutions in the name of the Trust.

8. **Signature Requirements.** Any one trustee, acting alone, has full authority to bind the Trust and to execute documents on behalf of the Trust.
9. **Title to Trust Property.** Title to property of the Trust shall be taken in the name of the Trustee(s), as Trustee(s) of the **[FULL NAME OF THE TRUST]**, dated .
10. **Trust in Full Force.** The Trust has not been revoked, modified, or amended in any manner that would cause the representations in this Certification to be incorrect, and is in full force and effect as of the date of this Affidavit.
11. **Reliance and Indemnification.** Any person or entity may rely upon this Certification as though it were a complete copy of the trust instrument. The Trustee agrees to indemnify and hold harmless any party that, in good-faith reliance upon this Certification, enters into a transaction with the Trust. Any person to whom this Certification has been delivered shall not be required to inquire further into the terms of the Trust, and any such person who acts in reliance on this Certification without actual knowledge that the representations contained herein are incorrect shall not be liable for so acting.

4. Additional Facts

[NUMBERED FACTS ONE FACT PER PARAGRAPH]

Oath and Penalty of Perjury

I certify under penalty of perjury under the laws of the State of [STATE] that I know the contents of this Affidavit signed by me and that the statements set forth above are true and correct to the best of my knowledge.

Signature of Affiant

Affiant

_____ PRINTED NAME

_____ SIGNATURE

_____ DATE

Notary Jurat

State of [STATE] County of [COUNTY WHERE THE AFFIDAVIT IS SIGNED]

Subscribed and sworn to before me this _____ day of _____, **20**, by **[AFFIANT NAME]**, who is personally known to me or who produced _____ as identification.

Notary Public: _____ My commission expires: _____
[NOTARY SEAL]

***Jurat vs. acknowledgment.** This certificate is a **jurat** — the correct notarial certificate for an affidavit. A jurat (i) requires the affiant to appear before the notary, (ii) requires the affiant to sign in the notary's presence (no pre-signing), and (iii) includes administration of an oath or affirmation. An **acknowledgment** (used for deeds, powers of attorney, and contracts) does NOT include an oath and is the wrong certificate for an affidavit. Using an acknowledgment in place of a jurat may cause a court to reject the affidavit as defective.*