

**AGREEMENT TO OWNER'S AFFIDAVIT**

BEFORE ME, the undersigned authority, personally appeared \_\_\_\_\_  
("Affiant") who being first duly sworn upon oath, deposes and says:

1. Affiant is the \_\_\_\_\_ of \_\_\_\_\_,  
a \_\_\_\_\_ ("Owner").
2. Owner is the holder of fee simple title to the real property located in the City of Weston, Broward County, Florida, and more particularly described in **Exhibit A** attached to this Affidavit ("**Property**").
3. There are no construction, mechanic's, materialmen's, or laborers' liens filed against the Property or any portion thereof; and there have been no repairs, improvements or other work done to or labor, materials or services bestowed upon the Property or any portion thereof for which any or all of the cost of the same remains unpaid.
4. Affiant does not know of any person, firm or corporation who is entitled to a construction lien against the Property or any portion thereof under Chapter 713 of the Florida Statutes.
5. Affiant makes this Affidavit to induce the **CITY OF WESTON**, a Florida municipal corporation and the **INDIAN TRACE DEVELOPMENT DISTRICT**, a Florida community development district established and operated pursuant to the provisions of Chapter 190, Florida Statutes, to accept a Bill of Sale for the water distribution facilities and wastewater collection facilities, and all appurtenances thereto, which lie within publicly dedicated rights-of-way or within dedicated easements located on or immediately adjacent to the Property.
6. Affiant has paid all sales tax with respect to the Improvements and has complied in all respects with the sales tax laws of the State of Florida.
7. No judgment or decree has been entered in any court of this State or the United States against Affiant or the Owner which remains unsatisfied.
8. The Property is free and clear of all mortgages, liens, taxes, assessments, fees, and encumbrances whatsoever, except as shown in that certain Opinion of Title from \_\_\_\_\_ dated \_\_\_\_\_.
9. Affiant understands that Section 1445 of the Internal Revenue Code provides that a City of Weston and Indian Trace Development District of a United States real property interest must withhold tax if the Owner is a foreign person. To inform the City of Weston and Indian Trace Development District that withholding of tax is not required upon purchase of the above described property, Owner certifies the following:
  - a. Owner is not a nonresident alien individual, foreign corporation, foreign partnership, foreign trust or foreign estate for purposes of United States federal income taxation.
  - b. Owner's U.S. Taxpayer Identification Number is: \_\_\_\_\_  
\_\_\_\_\_.
  - c. Owner's U.S. address is: \_\_\_\_\_  
\_\_\_\_\_.

- d. No other persons or entities have an ownership interest in the above described property.

Owner understands the City of Weston and Indian Trace Development District of the described property intends to rely on the foregoing representations in connection with the United States Foreign Investment in Real Property Tax Act. (FIRPTA). Owner understands this certification may be disclosed to the Internal Revenue Service by the City of Weston and Indian Trace Development District and that any false statements contained in this certification may be punished by fine, imprisonment or both. Owner has the authority to sign this affidavit as either individual Owner or on behalf of an entity Owner. Under penalties of perjury, Owner states that this declaration was carefully read and is true and correct

- 10. Affiant states that he is familiar with the nature of an oath and with the penalties provided by the laws of the State of Florida for falsely swearing to statements made in an instrument of this nature. Affiant further states that he has read this Affidavit in full and understands its context.

FURTHER AFFIANT SAYETH NAUGHT.

\_\_\_\_\_

Sworn to and subscribed before me on \_\_\_\_\_ by \_\_\_\_\_ who (check one)  is personally known to me or  has produced \_\_\_\_\_ as identification.

\_\_\_\_\_  
Notary Public, State of \_\_\_\_\_

\_\_\_\_\_  
Print or Type Name of Notary Public  
My commission expires:

(SEAL)