

**RESIDENTIAL PROPERTY LIEN AFFIDAVIT FOR HOMESTEAD OR  
NON-HOMESTEAD PROPERTY–  
ORIGINAL CONTRACTOR**

(reference Texas Property Code § 53.054 and § 53.254)

[This header is for your convenience and may be deleted from the actual notice letter]

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**NOTICE: THIS IS NOT A LIEN. THIS IS ONLY AN  
AFFIDAVIT CLAIMING A LIEN.**

**LIEN AFFIDAVIT AND CLAIM**

STATE OF TEXAS           §  
  §  
COUNTY OF               §

BEFORE ME, the undersigned authority, personally appeared [insert name of person signing notice], who upon his oath, deposed and stated the following:

1. My name is [insert name of person signing notice] and I am a resident of [insert county] County, Texas. I am [insert title] of [insert name of claimant], hereinafter sometimes referred to as “Claimant.” I am over 18 years of age, and am competent and authorized to make this affidavit.

2. Claimant's mailing address is [insert mailing address] and [if different] physical address is [insert physical address]. [OR] [is the same as Claimant’s mailing address.]

3. Claimant furnished labor and materials for improvements to the real property described herein under a contract by and between Claimant and [insert name of owner], who is the owner or reputed owner of the real property described herein whose last known address is [insert the address of the owner].

4. The labor, materials, and work furnished by Claimant are generally described as follows: [insert a general description of the work performed]. [OR] [a description is set forth in the attached contract or billing statement.] A true and correct copy of the contract between claimant and [insert name of owner] further describing said work is attached hereto and is incorporated herein as Exhibit “[insert letter or number, e.g. “A” or “1”].”

5. The real property sought to be charged with a lien by Claimant is described as follows: [insert the street address and the legal description of the property].

6. Claimant is the original contractor for the improvements for which a lien is claimed.

7. After allowing all just credits, offsets, and payments, the amount of \$[insert dollar amount of claim] remains unpaid and is due and owing to Claimant under its contract with [insert name of owner]. Claimant claims a lien on said property and improvements under the provisions of Texas Property Code § 53.001 et seq. to secure payment of said amount.

8. Claimant also claims a constitutional lien on such property pursuant to the provisions of Article 16, Section 37 of the Texas Constitution.

9. One (1) copy of this Affidavit is being sent Certified Mail, Return Receipt Requested to the Owner described above, addressed to the Owner's last known addresses as described above.

[name of claimant]

By: \_\_\_\_\_  
[name], [title]

SUBSCRIBED AND SWORN TO AND ACKNOWLEDGED BEFORE ME on this the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Notary Public in and for the State of Texas