

By: Senator(s) Fillingane

To: Judiciary, Division A

SENATE BILL NO. 2455

1 AN ACT TO AMEND SECTION 63-21-30, MISSISSIPPI CODE OF 1972,
2 TO RESTORE CERTAIN DELETED LANGUAGE CONCERNING AFFIDAVIT OF
3 AFFIXATION; AND FOR RELATED PURPOSES.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

5 **SECTION 1.** Section 63-21-30, Mississippi Code of 1972, is
6 amended as follows:

7 63-21-30. (1) If the legal owner of a manufactured home or
8 mobile home and the real property to which the manufactured home
9 or mobile home has become affixed, wishes to permanently retire
10 the title to a manufactured home or mobile home to real property,
11 then such owner may file or cause to be filed an affidavit of
12 affixation duly sworn to and acknowledged before any officer or
13 person authorized to administer an oath under the laws of this
14 state in the official records of the chancery clerk of the county,
15 or in the judicial district in counties having more than one (1)
16 such district, in which the real property is located, which
17 contains or is accompanied by:

18 (a) The names and addresses of the legal owner or
19 owners of the manufactured home or mobile home and real property
20 to which the manufactured home or mobile home has become affixed;

21 (b) The name of the manufacturer, the make, the model
22 name, the model year, the dimensions, and the manufacturer's
23 serial number or VIN of the manufactured home or mobile home, to
24 the extent such data exists;

25 (c) The legal description and indexing instructions of
26 the real property to which the manufactured home or mobile home is
27 or shall be permanently affixed;

28 (d) A statement that the party executing the affidavit
29 is the owner of the real property described therein;

30 (e) A statement that the manufactured home is to be
31 taxed as an improvement to the real property;

32 (f) A statement that either:

33 (i) The manufactured home or mobile home is
34 covered by a certificate of title that the owner shall surrender
35 to the Department of Revenue;

36 (ii) The manufactured home or mobile home is
37 covered by a manufacturer's statement or certificate of origin
38 that the owner shall surrender to the Department of Revenue; or

39 (iii) The manufactured home or mobile home is not
40 covered by a certificate of title and the owner of the
41 manufactured home or mobile home, after diligent search and
42 inquiry, is unable to produce the original manufacturer's

43 certificate of origin for the manufactured home or mobile home,
44 together with a bill of sale, paid tax receipts showing assessment
45 in the name of the owner for a period of not less than ten (10)
46 years, an installment contract reflecting the serial number or VIN
47 of the manufactured home or mobile home, or other due proof of
48 ownership acceptable to the Department of Revenue; or

49 (iv) If the manufactured home or mobile home is
50 manufactured before July 1, 1999, an affidavit of ownership
51 substantially similar to the affidavit provided in subsection (22)
52 of this section;

53 (g) A statement whether or not the manufactured home or
54 mobile home is subject to one or more security interests or liens
55 and if the manufactured home or mobile home is subject to one or
56 more security interests or liens, the name and address of each
57 party holding a security interest in or lien on the manufactured
58 home or mobile home, including each holder shown on any
59 certificate of title issued by the Department of Revenue, if any,
60 the original principal amount secured by each security interest or
61 lien;

62 (h) A lien release as to each party holding a security
63 interest in or lien on the manufactured home or mobile home;

64 (i) A statement that:

65 (i) All permits required by applicable
66 governmental authorities have been obtained;

67 (ii) The homeowner intends that the mobile home or
68 manufactured home be an immovable fixture and a permanent part of
69 the real property; and

70 (iii) The wheels and axles have been removed;

71 (j) A statement that the manufactured home is
72 permanently connected to a septic or sewer system and other
73 utilities such as electricity, water and/or gas;

74 (k) A statement that all ad valorem taxes due and
75 payable for the manufactured home or mobile home and land on which
76 it is located have been paid, together with a paid receipt for the
77 prior year confirming the same;

78 (l) If different than the owner, the name and address
79 of a person authorized to file a certified copy of the affidavit
80 of affixation with the tax collector after it has been duly
81 recorded in the real property records;

82 (m) A statement authorizing the tax collector or other
83 designated agent to submit the completed application to the
84 Department of Revenue for retirement of the title to the
85 manufactured home or mobile home to real property; and

86 (n) Due acknowledgement of the signature of each
87 affiant as required by Section 89-3-1 et seq. or any successor
88 statute.

89 (2) The chancery clerk, upon receipt of an affidavit of
90 affixation meeting the requirements set forth in subsection (1) of
91 this section and applicable fee to record the affidavit and

92 provide a certified copy thereof, shall record the affidavit of
93 affixation in the official records and shall provide a certified
94 copy of the recorded affidavit to the owner or other party
95 submitting the affidavit of affixation for recording. The
96 chancery clerk shall forward a copy of the recorded affidavit of
97 affixation to the county tax assessor in order to assist in
98 locating and identifying the manufactured home or mobile home for
99 property tax purposes.

100 (3) After completing the requirements in subsections (1) and
101 (2) of this section, the owner of the manufactured home or mobile
102 home, or lienholder as shown on the certificate of title pursuant
103 to a power of attorney from the owner of the manufactured home or
104 mobile home, if such lienholder is a designated agent, or the
105 person authorized in the affidavit of affixation, shall file a
106 certified copy of the recorded affidavit of affixation with the
107 tax collector of the county where the manufactured home or mobile
108 home is located for retirement of the home's title, accompanied
109 by:

110 (a) A copy of the deed or other instrument of
111 conveyance of legal ownership to the real property to which the
112 manufactured home or mobile home has become affixed conveying a
113 fee simple or other legal ownership interest in the subject real
114 property; and

115 (b) One (1) of the following:

116 (i) The certificate of title to the manufactured
117 home or mobile home duly endorsed or otherwise showing the release
118 of any lienholders noted on the certificate of title;

119 (ii) The manufacturer's certificate of origin;

120 (iii) If the manufactured home or mobile home is
121 not covered by a certificate of title and the owner of the
122 manufactured home or mobile home, after diligent search and
123 inquiry, is unable to produce the original manufacturer's
124 certificate of origin for the manufactured home or mobile home, a
125 statement to that effect in the affidavit of affixation, together
126 with a bill of sale, paid tax receipts showing assessment in the
127 name of the owner for a period of not less than ten (10) years, an
128 installment contract reflecting the serial number or VIN of the
129 manufactured home or mobile home, or other due proof of ownership
130 acceptable to the Department of Revenue; or

131 (iv) If the manufactured home or mobile home is
132 manufactured before July 1, 1999, an affidavit of ownership
133 substantially similar to the affidavit provided in subsection (22)
134 of this section.

135 (4) Upon receipt of the affidavit of affixation and
136 accompanying documents, the tax collector shall submit the
137 completed application for the retirement of the title to the
138 manufactured home or mobile home to the Department of Revenue.

139 (5) Upon receipt of an application containing the items
140 required in subsections (3) and (4) of this section, the

141 Department of Revenue shall retire the title and shall notify the
142 applicant, the lender, and authorized representative, if any, in
143 writing at the address shown in the affidavit that the title to
144 the manufactured home or mobile home has been retired. If the
145 affidavit of affixation indicates that the manufactured home or
146 mobile home is currently covered by a certificate of origin or is
147 not covered by a certificate of title and after diligent search
148 and inquiry the owner is unable to produce the original
149 manufacturer's certificate of origin, but otherwise provides a
150 bill of sale, paid tax receipts showing assessment in the name of
151 the owner for a period of not less than ten (10) years, an
152 installment contract reflecting the serial number or VIN of the
153 manufactured home or mobile home, or other due proof of ownership
154 in a form acceptable to the Department of Revenue, or if the
155 affidavit of affixation has an attached affidavit of ownership as
156 provided for in subsection (3) (b) (iv) of this section then the
157 Department of Revenue may issue a certificate of title for the
158 purpose of effectuating the retirement of title.

159 (6) If the legal owner of the manufactured home or mobile
160 home whose title has been retired under this section and the real
161 property to which the manufactured home or mobile home has become
162 affixed, wishes to detach or sever the manufactured home or mobile
163 home from the real property, then such owner may file or cause to
164 be filed an affidavit of severance duly sworn to and acknowledged
165 before any officer or person authorized to administer an oath

166 under the laws of this state in the official records of the
167 chancery clerk in the county, or in the judicial district in
168 counties having more than one (1) such district, in which the real
169 property is located, which contains or is accompanied by:

170 (a) The names and mailing addresses of the legal owners
171 of the manufactured home or mobile home and real property to which
172 the manufactured home or mobile home has become affixed;

173 (b) A description of the manufactured home or mobile
174 home including the name of the manufacturer, the model year, make,
175 width, length, and the serial number or VIN of the manufactured
176 home or mobile home;

177 (c) The book and page number or instrument number, and
178 date of recordation of the affidavit of affixation;

179 (d) A statement that the party executing the affidavit
180 is the owner of the real property described in the affidavit of
181 affixation;

182 (e) A statement that the manufactured home is no longer
183 to be taxed as an improvement to the real property;

184 (f) A statement whether or not the manufactured home or
185 mobile home and real property to which the home is affixed is
186 subject to one or more security interests or liens and if the same
187 is subject to one or more security interests or liens, the name
188 and address of each party holding a security interest in or lien
189 on the manufactured home or mobile home and the real property to
190 which it is affixed, the original principal amount secured by each

191 security interest or lien and a statement that the security
192 interest or lien as to the manufactured home or mobile home shall
193 be released;

194 (g) A lien release as to the manufactured home or
195 mobile home or, if the lienholder desires to retain a security
196 interest or lien in the manufactured home or mobile home after
197 title is severed from the real property, a lienholder's statement
198 of the names and addresses of any lienholders in the order of
199 their priority and the dates of their mortgages, deeds of trust or
200 other liens filed of record upon the real property;

201 (h) A statement that all ad valorem taxes due and
202 payable for the land on which the manufactured home or mobile home
203 is located have been paid, together with paid receipts for the
204 prior year confirming the same and acknowledgement that taxes for
205 the current year, which are assessed but not yet due and payable,
206 will be based on the status of the manufactured home or mobile
207 home and real property to which it is attached as of January 1 of
208 the current year;

209 (i) If different than the owner, the name and address
210 of a person authorized to file a certified copy of the affidavit
211 of severance with the tax collector after it has been duly
212 recorded in the real property records and the person has received
213 the newly issued certificate of title from the Department of
214 Revenue;

215 (j) A statement authorizing the tax collector or other
216 designated agent to submit the completed application to the
217 Department of Revenue for the issuance of a new certificate of
218 title to the manufactured home or mobile home; and

219 (k) Due acknowledgement of the signature of each
220 affiant as required by Section 89-3-1 et seq. or any successor
221 statute.

222 (7) If a manufactured home or mobile home whose title has
223 been retired pursuant to this section is destroyed completely or
224 otherwise becomes uninhabitable, and the legal owner of the
225 manufactured home or mobile home, and the real property to which
226 the manufactured home or mobile home was affixed, desires to
227 document the destruction or uninhabitability thereof, then the
228 owner of such destroyed or uninhabitable manufactured home or
229 mobile home may file an affidavit of destruction duly sworn to and
230 acknowledged before any officer or person authorized to administer
231 an oath under the laws of this state in the official records of
232 the chancery clerk in the county and applicable judicial district,
233 if any, in which the real property is located, which contains or
234 is accompanied by:

235 (a) The date and cause of destruction or
236 uninhabitability of the manufactured home or mobile home;

237 (b) The names and mailing addresses of the legal owner
238 of the manufactured home or mobile home and real property to which
239 the manufactured home or mobile home has become affixed;

240 (c) A description of the manufactured home or mobile
241 home including the name of the manufacturer, the model year, make,
242 width, length and the serial number or VIN of the manufactured
243 home;

244 (d) The book and page number or instrument number, and
245 date of recordation of the affidavit of affixation;

246 (e) A statement that the party executing the affidavit
247 is the owner of the real property described in the affidavit of
248 affixation; and

249 (f) Due acknowledgement of the signature of each
250 affiant as required by Section 89-3-1 et seq. or any successor
251 statute.

252 (8) The chancery clerk, upon receipt of an affidavit of
253 severance meeting the requirements set forth in subsection (6) of
254 this section or an affidavit of destruction meeting the
255 requirements set forth in subsection (7) of this section and
256 applicable fee to record the affidavit and provide a certified
257 copy thereof, shall record the affidavit of severance or
258 destruction, as applicable, in the official records and provide a
259 certified copy of the recorded affidavit to the owner or other
260 party submitting the affidavit for recording and shall forward a
261 copy of the affidavit to the county tax assessor in order to
262 assist in (a) in the case of an affidavit of severance, locating
263 and identifying the manufactured home or mobile home for property

264 tax purposes; or (b) in the case of an affidavit of destruction,
265 removing the manufactured home or mobile home from the tax roll.

266 (9) After completing the requirements in subsections (6) and
267 (8) of this section, the owner of the manufactured home or mobile
268 home, and the real property to which the manufactured home or
269 mobile home has become affixed with a recorded and retired title,
270 or the person authorized in the affidavit of severance, shall file
271 a certified copy of the duly recorded affidavit of severance with
272 the tax collector of the county where the manufactured home or
273 mobile home is located for the issuance of a new certificate of
274 title to the manufactured home or mobile home, accompanied by:

275 (a) An abstract of land title showing legal ownership
276 of the manufactured home or mobile home and real property along
277 with any unreleased mortgages, deeds of trust or other liens filed
278 of record upon the real property;

279 (b) A lien release as to the manufactured home or
280 mobile home or a lienholder's statement of the names and addresses
281 of any lienholders in the order of their priority; and

282 (c) The required fee for the certificate of title for
283 the manufactured home or mobile home.

284 (10) Upon receipt of the items required in subsection (9) of
285 this section, the tax collector of the county where the
286 manufactured home or mobile home is located shall, for any
287 manufactured home or mobile home for which a certificate of title
288 would be required under Section 63-21-9, submit the completed

289 application to the Department of Revenue for the issuance of a new
290 certificate of title to the legal owner of the real property
291 identified in the affidavit of severance.

292 (11) Upon receipt of an application containing the items
293 required in subsection (10) of this section, the Department of
294 Revenue shall issue a new certificate of title in the name of the
295 legal owner(s) of the real property to which the manufactured home
296 or mobile home was attached and, if applicable, shall list the
297 lienholders, if any, in the order of their priority as shown in
298 the abstract of title. The new certificate of title shall be
299 delivered to the applicant or authorized representative, if any,
300 at the address shown in the affidavit.

301 (12) Upon completing the requirements in subsection (10) of
302 this section, the conveyance of and the perfection of a security
303 interest in a manufactured home or mobile home shall be governed
304 by the provisions of Chapter 21, Title 63, Mississippi Code of
305 1972, or Chapter 9, Title 75, Mississippi Code of 1972, as
306 applicable.

307 (13) A manufactured home or mobile home shall be deemed real
308 property for all purposes and shall be governed by the laws
309 applicable thereto, upon the occurrence of all of the following
310 events:

311 (a) An affidavit of affixation conforming to subsection
312 (1) of this section has been duly recorded; and

313 (b) An application for retirement of the title to a
314 manufactured home or mobile home conforming to subsection (3) of
315 this section has been filed with the Department of Revenue.

316 When an application for retirement is filed with the
317 Department of Revenue within sixty (60) days of recording the
318 related affidavit of affixation in the official records of the
319 chancery clerk in the county, or in the judicial district in
320 counties having more than one (1) such district, in which the real
321 property is located and the application is thereafter accepted by
322 the department, the requirements of this section shall be deemed
323 satisfied as of the date the affidavit of affixation is recorded.

324 (14) A manufactured home or mobile home whose title has been
325 retired pursuant to this section shall be conveyed by deed or
326 other real property contract and shall only be transferred or
327 otherwise contracted together with the real property to which it
328 is affixed, unless and until the procedures described in this
329 section for severance or destruction and issuance of a new title
330 are followed. The legal description in any such conveyance
331 instrument may include a recitation that the real property
332 includes a manufactured home or mobile home permanently affixed to
333 the real property but such a recitation is not required.

334 (15) If the title has been retired under this section, for
335 purposes of perfecting, realizing, and foreclosure of security
336 interests, a separate security interest in the manufactured home
337 or mobile home shall not exist, and the manufactured home or

338 mobile home shall only be secured as part of the real property to
339 which it is attached through a mortgage or deed of trust and such
340 lien shall automatically attach as of the date of recording and
341 must be foreclosed in the same manner as a mortgage on real
342 property.

343 (16) Upon written request, the Department of Revenue shall
344 provide written acknowledgment of compliance with the provisions
345 of this section. Such written acknowledgment may be filed in the
346 official records of the chancery clerk in the county, or in the
347 judicial district in counties having more than one (1) such
348 district, in which the real property is located.

349 (17) This section applies to the sale or transfer of
350 manufactured homes or mobile homes occurring on or after January
351 1, 2019, or to any person who voluntarily elects to retire the
352 title to the manufactured home or mobile home pursuant to this
353 section.

354 (18) Recordation of the affidavit of affixation pursuant to
355 subsections (1) and (2) of this section shall be prima facie
356 evidence that the manufactured home or mobile home has become
357 affixed to the real property as an improvement to real property
358 and shall satisfy the requirements of 11 USC Section 1322(b)(2),
359 or any successor statute, to the extent the manufactured home or
360 mobile home constitutes the owner's principal residence.

361 (19) The affidavit of affixation required pursuant to this
362 section shall be in substantially the following form:

363 THIS INSTRUMENT PREPARED BY: INDEXING INSTRUCTIONS:
364 _____
365 _____

366 AFFIDAVIT OF AFFIXATION
367 (MANUFACTURED HOME OR MOBILE HOME)
368 STATE OF _____
369 COUNTY OF _____

370 Before me, the undersigned notary public in and for said
371 county and state, appeared [type the name and address of each
372 homeowner signing this affidavit], known to me (or satisfactorily
373 proven) to be the person(s) whose name(s) is/are subscribed below
374 (each a "homeowner"), and who, being by me first duly sworn, did
375 each by personal oath state as follows:

376 1. Homeowner(s) own(s) the manufactured home or mobile home
377 ("home") described as follows:

378 _____
379 Manufacturer's Name Make Model Name Model Year
380 _____
381 Manufacturer's Serial No./VIN Length/Width New/Used

382 2. The home is or will be located at the following "property
383 address":

384 _____
385 Street City County State Zip Code

386 3. The legal description of the real property where the home
387 is or will be permanently affixed ("land") is:

388 [insert legal description]

389 4. The homeowner(s) executing below is/are all the legal
390 owner(s) of the real property to which the home has become
391 permanently affixed.

392 5. The home shall be assessed and taxed as an improvement to
393 the land.

394 6. Check one:

395 [] The home is currently covered by a certificate of
396 title and the homeowner shall surrender the original title to a
397 designated agent on behalf of the Department of Revenue;

398 [] The home is currently covered by a manufacturer's
399 certificate of origin and the homeowner shall submit the original
400 certificate of origin to a designated agent on behalf of the
401 Department of Revenue; or

402 [] The home is not covered by a certificate of title
403 and the owner of the manufactured home, after diligent search and
404 inquiry, is unable to produce the original manufacturer's
405 certificate of origin for the home, and an affidavit of ownership
406 is attached hereto.

407 7. The home (check one):

408 [] Is not subject to any security interest or lien;
409 or

410 [] Is subject to the following security interests or
411 liens:

412

413 Lienholder #1 Original Principal Amount Secured

414 _____

415 Address:

416 _____

417 Lienholder #2 Original Principal Amount Secured

418 _____

419 Address:

420 8. Other than those disclosed in this affidavit, the
421 homeowner is not aware of (a) any other security interest or lien
422 affecting the home; and (b) any other facts or information that
423 could reasonably affect the validity of the title of the home or
424 the existence or nonexistence of security interests or lien in it.

425 9. A release of personal property security interest or lien
426 from each of the lienholders identified in paragraph 7 of this
427 affidavit, if any, is attached hereto.

428 10. (a) All permits required by applicable governmental
429 authorities have been obtained; (b) the wheels and axles have been
430 removed; and (c) the home is or will be permanently connected to a
431 septic or sewer system and other utilities such as electricity,
432 water and/or gas.

433 11. The home is or shall become an immovable fixture and a
434 permanent part of the real property.

435 12. All ad valorem taxes currently due and payable for the
436 home and the land to which it is attached have been paid and a

437 receipt for the prior year confirming the same are attached
438 hereto.

439 13. The homeowner(s) hereby authorize(s) the following
440 person(s) to file an application to retire title to the home with
441 the tax collector of the county where the manufactured home or
442 mobile home is located and to receive written acknowledgement from
443 the Department of Revenue of retirement of title:

444 _____
445 Name of Authorized Representative _____
446 Mailing Address _____ Phone Number _____

447 14. The homeowner(s) hereby authorize(s) the tax collector
448 to submit the completed application on behalf of the homeowner(s)
449 to the Department of Revenue to permanently retire title to the
450 manufactured home or mobile home to herein described land. This
451 affidavit is executed by homeowner(s) pursuant to applicable state
452 law and shall be recorded in the official land records in the
453 county, or in the judicial district in counties having more than
454 one (1) such district, in which the home is located.

455 Further, affiant(s) sayeth naught.

456 _____

457 Signature of Homeowner #1:

458 _____

459 Printed Name Address City State Zip Code

460 _____

461 Signature of Homeowner #2 (If more than one (1) homeowner):

462 _____
463 Printed Name Address City State Zip Code

464 Sworn to and subscribed before me this the _____ day of
465 _____, 20__.

466 _____
467 Notary Public
468 My Commission Expires: _____

469 (20) The affidavit of severance required pursuant to this
470 section shall be in substantially the following form:

471 THIS INSTRUMENT PREPARED BY: INDEXING INSTRUCTIONS:
472 _____ _____
473 _____ _____

474 AFFIDAVIT OF SEVERANCE
475 (MANUFACTURED HOME OR MOBILE HOME)
476 STATE OF _____
477 COUNTY OF _____

478 Before me, the undersigned notary public in and for said
479 county and state, appeared [type the name and address of each
480 homeowner signing this affidavit], known to me (or satisfactorily
481 proven) to be the person(s) whose name(s) is/are subscribed below
482 (each a "homeowner"), and who, being by me first duly sworn, did
483 each by personal oath state as follows:

484 1. Homeowner(s) own(s) the manufactured home or mobile home
485 ("home") described as follows:

486 _____

487 Manufacturer's Name Make Model Name Model Year

488 _____

489 Manufacturer's Serial No./VIN Length/Width New/Used

490 2. The title to the home was previously retired pursuant to
491 that certain affidavit of affixation recorded on _____ in
492 Book _____, Page _____ or as Instrument _____.

493 3. The homeowner(s) executing below is/are all the legal
494 owner(s) of the real property to which the home has become
495 permanently affixed.

496 4. Upon the recording hereof, the home shall no longer be
497 assessed and taxed as an improvement to real property.

498 5. The home (check one):

499 [] Is not subject to any security interest or lien;

500 or

501 [] Is subject to the following security interests or

502 liens:

503 _____

504 Lienholder #1 Original Principal Amount Secured

505 _____

506 Address:

507 _____

508 Lienholder #2 Original Principal Amount Secured

509 _____

510 Address:

511 6. Other than those disclosed in this affidavit, the
512 homeowner is not aware of (a) any other security interest or lien
513 affecting the home; or (b) any other facts or information that
514 could reasonably affect the validity of the title of the home or
515 the existence or nonexistence of security interests or lien in it.

516 7. Check one:

517 [] A release of the real property security interest or
518 lien from each of the lienholders identified in paragraph 6 of
519 this affidavit, if any, is attached hereto; or

520 [] A statement from each of the lienholders identified
521 in paragraph 6 of this affidavit is attached hereto authorizing
522 the lienholder's security interest or lien to be recorded on the
523 face of the certificate of title and, if more than one (1)
524 lienholder, the order of priority of the same.

525 8. All ad valorem taxes due and payable for the land on
526 which the home is located have been paid, and a paid receipt for
527 the prior year confirming the same are attached hereto. Homeowner
528 acknowledges that taxes for the current year, which are assessed
529 but not yet due and payable, will be based on the status of the
530 home and land to which it is attached as of January 1 of the
531 current year.

532 9. The homeowner(s) hereby authorize(s) the following
533 person(s) to file a certified copy of the affidavit of severance
534 with the tax collector of the county where the manufactured home

535 or mobile home is located and to receive the newly issued
536 certificate of title from the Mississippi Department of Revenue:

537 _____

538 Name of Authorized Representative Mailing Address Phone Number

539 10. The homeowner(s) hereby authorize(s) the tax collector
540 to submit the completed application on behalf of the homeowner(s)
541 to the Department of Revenue to sever title to the manufactured
542 home or mobile home from herein described land and issue a new
543 certificate of title in the name of the homeowner(s).

544 This affidavit is executed by homeowner(s) pursuant to
545 applicable state law and shall be recorded in the official land
546 records in the county in which the home is located.

547 Further, affiant(s) sayeth naught.

548 _____

549 Signature of Homeowner #1:

550 _____

551 Printed Name Address City State Zip Code

552 _____

553 Signature of Homeowner #2 (If more than one (1) homeowner):

554 _____

555 Printed Name Address City State Zip Code

556 Sworn to and subscribed before me this the _____ day of
557 _____, 20__.

558 _____

559 Notary Public

560 My Commission Expires: _____

561 (21) The affidavit of destruction required pursuant to this
562 section shall be in substantially the following form:

563 THIS INSTRUMENT PREPARED BY: INDEXING INSTRUCTIONS:

564 _____

565 _____

566 AFFIDAVIT OF DESTRUCTION

567 (MANUFACTURED HOME OR MOBILE HOME)

568 STATE OF _____

569 COUNTY OF _____

570 Before me, the undersigned notary public in and for said
571 county and state, appeared [type the name(s) of each homeowner
572 signing this affidavit], known to me (or satisfactorily proven) to
573 be the person(s) whose name(s) is/are subscribed below (each a
574 "homeowner"), and who, being by me first duly sworn, did each by
575 personal oath state as follows:

576 1. Homeowner(s) own(s) the manufactured home or mobile home
577 ("home") described as follows:

578 _____

579 Manufacturer's Name Make Model Name Model Year

580 _____

581 Manufacturer's Serial No./VIN Length/Width New/Used

582 2. The title to the home was previously retired pursuant to
583 that certain affidavit of affixation recorded on _____ in

584 the official land records of _____ County, Mississippi, in
585 Book _____, Page _____ or as Instrument _____.

586 3. The homeowner(s) executing below is/are all the legal
587 owner(s) of the real property to which the home has become
588 permanently affixed.

589 4. The home was destroyed or became uninhabitable on
590 _____ (insert date) as a result of _____
591 (describe cause).

592 This affidavit is executed by homeowner(s) pursuant to
593 applicable state law and shall be recorded in the official land
594 records in the county, or in the judicial district in counties
595 having more than one (1) such district, in which the home is
596 located.

597 Further, affiant(s) sayeth naught.

598 _____

599 Signature of Homeowner #1

600 _____

601 Printed Name Address City State Zip Code

602 _____

603 Signature of Homeowner #2 (If more than one (1) homeowner)

604 _____

605 Printed Name Address City State Zip Code

606 Sworn to and subscribed before me this _____ day of

607 _____, 20__.

608 _____

609 Notary Public

610 My Commission Expires: _____

611 (22) The affidavit of ownership required pursuant to this
612 section shall be in substantially the following form:

613 THIS INSTRUMENT PREPARED BY: INDEXING INSTRUCTIONS:

614 _____

615 _____

616 AFFIDAVIT OF OWNERSHIP

617 (For Mobile Homes Manufactured before July 1, 1999)

618 STATE OF _____

619 COUNTY OF _____

620 BEFORE ME, the undersigned notary public in and for said
621 county and stated, appeared [Name of Grantor(s)] who are known to
622 me or have produced satisfactory evidence of their identity to be
623 the person(s) whose name(s) is/are subscribed below, and how being
624 first duly sworn, did each on personal oath state the following to
625 wit:

626 1. That the legal names of the owners at the time of
627 execution of this Affidavit of Ownership are:

628 _____

629 Name Street Address

630 _____

631 City, State, Zip Code Telephone Number

632 _____

633 Name Street Address

634

635 City, State, Zip Code Telephone Number

636 [Attach Any Additional Owners as Exhibit A]

637 2. That [Name of Grantor(s)] received consideration in the
638 amount of _____ dollars cash in hand, and other good and
639 valuable consideration, the receipt and sufficiency of is hereby
640 acknowledged, and sold to [Name of Owner(s)] the following
641 manufactured home or mobile home:

642

643 Manufacturer's Name Make Model

644

645 Manufacturer's Serial No./VIN Length & Width Model Year

646 3. That the manufactured home or mobile home is located at
647 the following property address:

648

649 Street Address City State

650

651 Zip Code County County Tax Parcel Number

652 4. That the manufactured or mobile home is not covered nor
653 has ever been covered by a certificate of title.

654 5. That the legal description of the real property where the
655 manufactured or mobile home is or will be permanently affixed is:

656 (If manufactured or mobile home is personal property, indicate

657 N/A.)

658 [insert legal description]

659 6. The manufactured or mobile home (check one):
660 [] Is not subject to any security interest or lien; or
661 [] Is subject to the following security interests or
662 liens:

663 _____
664 Lienholder #1 Original Principal Amount Secured

665 _____
666 Address

667 _____
668 Lienholder #2 Original Principal Amount Secured

669 _____
670 Address

671 7. Other than those liens and encumbrances itemized in
672 Number 6, Owner(s) is/are not aware of any other security
673 interest, lien or encumbrance affecting the manufactured or mobile
674 home.

675 8. The manufactured or mobile home (check one):
676 [] Is assessed as real property and a Certificate of
677 Mobile Home is filed in the office of the chancery clerk and is
678 recorded in Land Deed Book _____, Page _____; or
679 [] Is assessed as personal property. The mobile home
680 account number is _____.

681 9. This manufactured home or mobile home was manufactured or
682 assembled prior to July 1, 1999, and has never been titled
683 pursuant to Section 63-21-9, as amended.

684 Further, affiant(s) sayeth naught.

685 WITNESS MY SIGNATURE, on this ____ day of [Month], [Year].

686 _____

687 [Grantor Name(s)]

688 _____

689 [Grantee Name(s)]

690 STATE OF _____

691 COUNTY OF _____

692 Personally appeared before me, the undersigned authority in
693 and for the said county and state, on this ___ day of [Month],
694 [Year], within my jurisdiction, the within named [Grantor Name]
695 who acknowledged that (he) (she) (they) executed the above and
696 foregoing instrument.

697 So subscribed and sworn before me this the ___ day of
698 [Month], [Year].

699 _____

700 Notary Public

701 My Commission Expires: _____

702 **SECTION 2.** This act shall take effect and be in force from
703 and after July 1, 2025.