

State of New Mexico
Real Property Transfer Declaration Affidavit

owner # _____
B/P: _____ FILING DATE: _____
MAILED DATE: _____ DIST: _____

(1) Transferor(s)/Seller(s) Full Name and Mailing Address _____ _____ _____	(2) Transferee(s)/Buyer(s) Full Name and Mailing Address _____ _____ _____ PLEASE VERIFY IF BILLING ADDRESS IS CORRECT: Y / N
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(3) Legal Description of the real property transferred, as it appears in the document of transfer (You may attach copy of deed or instrument of conveyance) _____ _____ _____
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(4) Full Consideration including money or other thing of value paid or exchanged for the transfer, and the terms of the sale including any amount of seller incentives. a. Sales Date _____ 20____ b. Consideration paid or exchanged \$ _____ c. Value of Personal Property included in sale \$ _____ (i.e. Furniture etc.. included in the purchase price) d. Description of Personal Property included in sales _____ e. Terms of sale including and seller incentives _____

(5) Signature Of Affiant: (Seller ___ Buyer <input checked="" type="checkbox"/> Authorized Agent ___) X _____ (only one signature is required) Print Name _____ Date Signed _____ 2009 Acknowledgment of Individual or Authorized Agent State of New Mexico County of Eddy Signed and sworn to (or affirmed) before me on this _____ day of _____, 20____ by _____ (Print Name of Affiant shown in #5 above) Comm. Exp _____ Notary Public Signature _____ <p style="text-align: center;">(S E A L)</p> <p style="text-align: right;">RECEIVED DATE: _____</p>

IF QUESTIONS CALL US AT (575) 885-3813

RETURN THIS FORM TO – Eddy County Assessors Office, 101 W Greene, Ste 319, Carlsbad, NM 88220

Artesia Residence Return To – 111 ½ N First, Artesia, NM 88210

Pursuant to Section 7-38-12.1 and 7-38-12.2 NMSA 2005
See reverse side for statute informat

8 7-38-12.1 RESIDENTIAL PROPERTY TRANSFERS AFFIDAVIT

A. After January 1, 2004, a transferor or the transferor's authorized agent or a transferee or the transferee's authorized agent presenting for recording with a county clerk a deed, real estate contract or memorandum of real estate contract transferring an interest in real property classified as residential property for property taxation purposes shall also file with the county assessor within thirty day of the date of filing with the county clerk, an affidavit signed and completed in accordance with the provisions of subsection B of this section.

B. The affidavit required for submission shall be in a form developed by the department and signed by the transferors or their authorized agents or the transferees or their authorized agents of any interest in real property transferred by deed or real estate contract. The affidavit shall contain at least the following information to be used only for analytical and statistical purposes in the application of appraisal methods:

- (1) the complete names of all transferors and transferees;
- (2) the current mailing addresses of all transferors and transferees;
- (3) the legal description of the real property interest transferred as it appears in the document of transfer;
- (4) the full consideration, including money or any other thing of value, paid or exchanged for the transfer and the terms of the sale including any amount of seller incentives; and
- (5) the value and a description of personal property that is included in the sale price.

C. Upon receipt of the affidavit required by Subsection A of this section, the county assessor shall place the date of receipt on the original affidavits. The county assessor shall retain the original affidavit as a confidential record and as proof of compliance and shall return the copy marked with the date of receipt of the person presenting affidavit.. The assessor shall index the affidavits in a manner that permits cross-referencing to other records in the assessor's office pertaining to the specific property described in the affidavit. The affidavit and its contents are not part of the valuation record of the assessor.

D. The affidavit required by Subsection A of this section shall not be required for:

- (1) a deed transferring non residential property;
- (2) a deed that results from the payment in full or forfeiture by a transferee under a recorded real estate contract or recorded memorandum of real estate contract;
- (3) a lease of or easement on real property, regardless of the length of term;
- (4) a deed, patent or contract of sale or transfer of real property in which an agency or representative of the United States, New Mexico or any political subdivision of the state is the named grantor or grantee and authorized transferor or transferee;
- (5) a quitclaim deed to quiet title or clear boundary disputes;
- (6) a conveyance of real property executed pursuant to court order;
- (7) a deed to an unpatented mining claim;
- (8) an instrument solely to provide or release security for a debt or obligation;
- (9) an instrument that confirms or corrects a deed previously recorded;
- (10) an instrument between husband and wife or parent and child with only nominal actual consideration therefore;
- (11) an instrument arising out of a sale for delinquent taxes or assessments;
- (12) an instrument accomplishing a court-ordered partition;
- (13) an instrument arising out of a merger or incorporation;
- (14) an instrument by a subsidiary corporation to its parent corporation for no consideration, nominal consideration or in sole consideration of the cancellation or surrender of the subsidiary's stock;
- (15) an instrument from a person to a trustee or from a trust to a trust beneficiary with only nominal actual consideration therefore;
- (16) an instrument to or from an intermediary for the purpose of creating a joint tenancy estate or some other form of ownership; or
- (17) an instrument delivered to establish a gift or a distribution from an estate of a decedent or trust.

E. The affidavit required by Subsection A of this section shall not be construed to be a valuation record pursuant to Section 7-38-19 NMSA 1978.

F. Prior to November 1, 2003, the department shall print and distribute to each county assessor affidavit forms for distribution to the public upon request.

7-38-12.2 Penalties. (2003)

A. A person who intentionally refuses to make a required report within the time period specified under the provisions of Section 7-38-12.1 NMSA 1978 or who knowingly makes a false statement on an affidavit required under the provision of Section 7-38-12.1 NMSA 1978 is guilty of a misdemeanor and upon conviction shall be punished by the imposition of a fine of not more than one thousand dollars (\$1,000).

B. The secretary, or any employee or any former employee of the department or any person subject to the provisions of Section 7-38-12.1 NMSA 1978 who willfully releases information in violation of that section, except as provided in Section 7-38-12.1 NMSA 1978 or as part of a protest proceeding as defined in Section 7-38-24 NMSA 1978, is guilty of a misdemeanor and shall be fined not more than one thousand dollars (\$1,000).

HISTORY: Laws 2003.ch. 118, sec 2

Dear Property Owner,

Filings in the County Clerk's office indicate you have recently acquired or deeded the following property as listed below. Pursuant to NMSA 7-36-16(E), we are required to annually conduct a study of sales ratios to be submitted to the Property Tax Division, Taxation & Revenue, Santa Fe, NM.

Please take a moment and complete the attached forms and return it to our office. Your voluntary cooperation is greatly appreciated and will help ensure the accuracy of our records and efficiency of our office. If you need further information, please contact this office.

CI

Thank you,
lee O'Brien

Eddy County Assessor's Staff
(575) 885-3813

TELL US ABOUT THIS TRANSACTION:

- Did this transaction involve relatives? Yes No
- Did this transaction involve a foreclosure? Yes No
- Was this transaction an estate sale? Yes No

WHAT TYPE OF FINANCING? (Check one)

- Cash Conventional Mortgage Real Estate Contract FHA-VA Loan

Additional comments: _____

WHAT TYPE OF PROPERTY? (Check one)

- Residential Commercial Agricultural No. of Acres _____
- Other _____

NUMBER OF BUILDINGS _____

DOES THIS SALE INVOLVE A MOBILE HOME? Yes No

DATE OF SALE _____

SALES PRICE Land (Lot) _____

Building(s) _____

Total Sale Price _____

SELLER _____

BUYER _____

Signature

Only one signature required