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How to Complete an Arizona Lost Note Affidavit

Affidavit of Lost Promissory Note • A.R.S. § 47-3309

INSTRUCTIONS — KEEP FOR YOUR RECORDS. DO NOT ATTACH THIS PAGE TO YOUR DOCUMENT.

About this form. If an original promissory note is lost, the lender or holder may still enforce it or release it by proving its terms and ownership. This affidavit is commonly needed for private loans, payoffs and mortgage satisfactions.

1. **Identify the note**
   Borrower, lender, date, amount and any mortgage that secures it.
2. **Explain the loss**
   When and how the original was lost or destroyed.
3. **Attach a copy if you have one**
   A copy helps prove the terms.
4. **Swear to it before a notary**
   A company officer signs for a business lender.

Signing requirements: Signed under oath or affirmation before a notary (jurat). Bring a current government photo ID.

After It's Signed

- Use with a Deed of Release and Full Reconveyance when a paid-off private loan's note is missing.

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Have questions about your Lost Note Affidavit? To consult with an attorney, contact **Gavrilov & Brooks Law Firm** at **(916) 504-0529** or **www.gavrilovlaw.com**.

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AFFIDAVIT OF LOST PROMISSORY NOTE

State of Arizona • A.R.S. § 47-3309

Affiant full name

Date of birth

Affiant address

Affiant capacity (holder, or officer of holder)

Name of holder / lender

The affiant, being duly sworn (or affirmed) according to law, deposes and says that:

1. The holder was the owner and holder of the following promissory note:

Maker(s) / borrower(s)

Original payee

Date of note

Original principal ($)

Unpaid balance ($)

Security (deed of trust recorded in county, instrument no.), if any

2. The holder was entitled to enforce the note when loss of possession occurred, and the loss was not the result of a transfer by the holder or a lawful seizure.

3. The note was lost, destroyed or stolen as follows, and cannot reasonably be obtained:

4. The note has not been paid, assigned, pledged, endorsed or otherwise transferred, except as stated in this affidavit.

5. The holder agrees to indemnify and hold harmless the maker and any person who relies on this affidavit against any loss, including attorney fees, resulting from a claim by any other person to enforce the note.

6. A true copy of the note, if available, is attached.

The affiant makes this affidavit knowing that it will be relied upon, and understands that false statements made under oath are subject to the penalties for perjury under Arizona law.

X

Affiant signature

Date

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JURAT

STATE OF ARIZONA

COUNTY OF _____

Subscribed and sworn to (or affirmed) before me this _____ day of _____, 20____, by _____ (name(s) of affiant(s)).

X _____
Signature of Notary Public

_____
Notary Public (printed name)

_____ _____
My commission expires Commission number

(Notary seal)

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