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How to Abandon a Nevada Homestead

Declaration of Abandonment of Homestead (NRS 115.040)

INSTRUCTIONS — KEEP FOR YOUR RECORDS. DO NOT ATTACH THIS PAGE TO YOUR NEVADA ABANDONMENT OF HOMESTEAD.

About this form. Under NRS 115.040, a Nevada homestead is **not** considered abandoned unless a written declaration of abandonment is signed and acknowledged by **both spouses** (or the single person who claimed it) and recorded in the same office as the original declaration. Title companies and lenders sometimes request one before a sale or refinance.

1. **Find the recorded homestead**
   Copy its recording date, document number, and county.
2. **Describe the property**
   Enter the address, APN, and legal description.
3. **Both spouses sign**
   If married, both spouses must sign and be notarized; otherwise the single claimant signs.
4. **Sign before a Nevada notary**
   Do **not** sign ahead of time. Bring a current photo ID. We come to you.
5. **Record it**
   Record it with the same County Recorder where the homestead declaration was recorded.
6. **Consider a new homestead**
   Moving to a new Nevada home? Record a new Declaration of Homestead there.

Good to Know

- Abandoning a homestead may expose your equity to creditors. Talk to an attorney if you have judgments or debts.
- Selling the property does not always require an abandonment; ask your title company.
- Keep the recorded original with your property records.

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SCAN TO BOOK

Questions about this document? Talk to an attorney. Gavrilov & Brooks Law Firm has attorneys licensed in Nevada, California, and other states. Phone and video consultations are available. **(916) 504-0529** · **www.gavrilovlaw.com**

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YOUR FORM BEGINS ON THE NEXT PAGE

APN: _____

Recording Requested By: _____

When Recorded Mail To:

Name: _____

Address: _____

City/State/ZIP: _____

DECLARATION OF ABANDONMENT OF HOMESTEAD

(Nevada Revised Statutes Section 115.040)

The undersigned

_____ _____

(full name of claimant) (full name of spouse, if any)

hereby declare(s) that the homestead declared by the undersigned on the following real property is **abandoned**. The declaration of homestead was recorded on

_____ _____ _____

(recording date) document / instrument number (county)

in the records of the County Recorder, and covers the following property:

_____ _____ _____

(street address) (city) (county)

Legal description (copy exactly from the deed, or write “See Exhibit A attached”):

_____

(legal description, line 1)

_____

(legal description, line 2)

_____

(legal description, line 3)

This declaration is signed and acknowledged by both spouses, or by the single person who claimed the homestead, as required by NRS 115.040.

The undersigned hereby affirms that this document submitted for recording does not contain the social security number of any person or persons. (NRS 239B.030)

_____ _____

(Date) (Signature)

_____

(printed name)

_____ _____

(Date) (Signature)

_____

(printed name)

CERTIFICATE OF ACKNOWLEDGMENT

(Nevada Revised Statutes Section 240.166)

State of Nevada)

County of _____)

This instrument was acknowledged before me on _____ by
(date)

_____ .
(name(s) of person(s))

_____
(Signature of notarial officer)

_____
(Title and rank (optional))

(Seal, if any)