**STATE OF LOUISIANA : AFFIDAVIT FOR CANCELLATION**

**PARISH OF CADDO : OF UNENFORCEABLE ENCUMBRANCE**

**BEFORE ME**, the undersigned authority, a Notary Public, duly qualified, commissioned and acting in and for the State and Parish aforementioned, personally came and appeared:

 ***[Affiant (“upon request of any interested party” – La. C.C.P. Art. 4134(D))]***

who, being duly sworn by me, did depose and state:

There is of record a certain legal mortgage or extract of inventory over the property of a natural tutor (or “special mortgage given for the faithful performance of his/her duties by a tutor or a curator of an interdict”) dated ***[date]***, recorded ***[date]***, found at Mortgage Book ***[book]***, Page ***[page]***, under registry number ***[registry number]*** of the Records of Caddo Parish, Louisiana from proceedings styled ***“[Style]”*** bearing docket No. ***[docket number]***, First Judicial District Court, Caddo Parish, Louisiana, in favor of minor(s) ***[name(s)]*** (or “interdict ***[name]***”). The minor(s) ***[name him/her/them]*** are not subject to a continuing or permanent tutorship pursuant to La. C.C. Article 354, *et seq*.

The said minor(s) being ***[name(s) with date(s) of birth]*** (or attach copies of birth certificate(s)), all being greater than four (4) years since reaching the age of majority, (or “said interdict being ***[name]*** and greater than four (4) years has elapsed since the termination of the interdiction” (attach copy of interdict’s death certificate or certified copy of judgment authorizing the resignation or removal of curator/curatrix)), the said encumbrance provided by law for preservation and/or faithful performance has therefore prescribed, been preempted and/or become unenforceable and the effect of which has ceased because of the lapse of time pursuant to La. C.C. Articles 3337 and 3360.

Further, affiant is entitled pursuant to La. C.C.P. Art. 4134(D) to have the inscription of said extract of inventory (or “special faithful performance mortgage in the tutorship/interdiction”) cancelled and erased from the records of Caddo Parish, Louisiana, and ***[interested party]*** authorizes the Ex-Officio Recorder of Mortgages to cancel and/or erase the said encumbrance and hereby indemnifies and holds the Ex-Officio Recorder of Mortgages harmless for the loss any party may suffer as a result of the erasure or cancellation.

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 ***[Affiant]***

 SWORN TO AND SUBSCRIBED before me, Notary Public, this \_\_\_\_\_\_\_\_\_\_\_\_ day of

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 20\_\_\_\_.

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 Notary Public