INSTRUCTIONS FOR COMPLETING

COMPLAINT TO QUIET TITLE BASED ON FRAUDULENT CONVEYANCE

UNDER SECTION 65.091, FLORIDA STATUTES **Disclaimer**

This form is being provided pursuant to Section 65.091, Florida Statutes. The Clerk's Office cannot render legal advice and is not rendering legal advice by the provision of this form and these instructions. Quiet title actions are complicated legal matters best handled by an attorney. You are urged to seek legal counsel for any assistance necessary in filing any legal action, including a quiet title action. Deputy clerks are not authorized to provide any legal advice beyond providing this form and these instructions. *The Clerk's Office makes no representation that this form is adequate for your specific needs.*

Filing Fees

Sub-subparagraph 28.241(1)(a)2.a. requires persons to pay a graduated filing fee based upon the value of the claim. You must pay the fee which you believe represents the value of your claim.

50,000 or less - $400.00

More than $50,000 but less than $250,000 - $905.00

$250,000 or more in value - $1,905.00

Summons Issuance Fee $10.00 Per Summons if the summons is provided by the filer

IN ADDITION TO THE FILING FEE AND SUMMONS ISSUANCE FEE, you must arrange for service of the complaint. You are responsible for ensuring the complaint is served and paying all service fees associated with service of the complaint. The Clerk may advise you of the options available for service of the complaint in the County, but you are responsible for selecting the party who will serve the complaint.

• If service is outside of Santa Rosa County, you must contact the Sheriff of that county to obtain applicable service fees.

• It is suggested that you discuss who will file the return of service with the Clerk once the complaint has been served. It is your responsibility to ensure the return of service is filed.

General

Prior to filling out the complaint, you should get copies of the following:

a. The deed(s) you are claiming are fraudulent.

b. The deed which conveyed the property in question to you; and

c. The deed or deeds from prior owners of the property in question necessary to show the chain of title for at least seven years prior to the recording of deed you are claiming is fraudulent.

d. The Court will determine ownership of the property in question, so you should gather all records that prove your case, including tax records.

Heading

In the first blank fill in the CIRCUIT or COUNTY court.

In the second blank fill in the Circuit Number. (Ex. Santa Rosa County is the First Judicial Circuit.)

In the third black fill in the County where you will file the case.

Caption

The heading on the form is called the caption.

In the first blank, above the word "Plaintiff(s)," you should fill in the names of all persons which you claim own the property in question.

The case number will be completed by the Clerk's Office.

In the second blank, above the word "Defendant(s)," you should fill in the names of all persons which you believe are fraudulently claiming ownership of the property in question.

Introductory Paragraph

In the first blank, you should again fill in the names of all persons which you claim own the property in question.

In the second blank, you should again fill in the names of all persons which you believe are fraudulently claiming ownership of the property in question.

Paragraph 1

Fill in the name of the county where the property is located.

Paragraph 2

Fill in the exact legal description of the property in question.

Paragraph 3

In this paragraph, you should list the deeds which show you and, if necessary, the previous owners before you, have owned the property in question for more than seven years. If you have not owned the property in question for more than seven years, you should provide information concerning the deed that transferred the property in question to the person(s) who sold it to you. You should continue providing deed information for each deed necessary to show continuous ownership for a total of more than seven years.

Paragraph 4

In the first blank, you should fill in the date the deed was executed/signed.

In the second blank, you should fill in the date the fraudulent deed was recorded.

In the third blank, you should fill in the Official Record Book book number.

In the fourth blank, you should fill in the Official Record Book page number OR Instrument Number shown on the fraudulent deed.

In the fifth blank, you should fill in the name of the county where the fraudulent deed is recorded.

Signature Block

Each person claiming ownership of the property in question should complete the signature block. Including providing their mailing address, telephone number, and email address.

- **READ ALL OF THE INFORMATION AND INSTRUCTIONS BEFORE COMPLETING THE FORMS AND SUBMITTING THEM FOR FILING.**
- **DO NOT SIGN ANY DOCUMENTS THAT REQUIRE A NOTARY OR DEPUTY CLERK SIGNATURE UNTIL YOU ARE IN FRONT OF THE NOTARY OR DEPUTY CLERK.**
- **RETAIN COPIES OF ALL FORMS FILED FOR YOUR OWN RECORDS.**
- **DOCUMENTS MUST BE LEGIBLE, TYPE WRITTEN OR LEGIBLY HANDWRITTEN IN BLACK OR BLUE INK.**
- **IT IS IMPORTANT TO REMEMBER THAT A DELAY CAN OCCUR AS A RESULT OF ANY ERRORS ON YOUR PAPERWORK.**
- **THIS DOES NOT CONSTITUTE LEGAL ADVICE.**
- **CIVIL COURT INFORMATION & FORMS PROVIDED BY THE SANTA ROSA COUNTY CLERK OF THE CIRCUIT COURT SHOULD BE CONSIDERED INFORMATIONAL ONLY, AND MAY NOT BE APPLICABLE IN EVERY SITUATION.**
- **THE INFORMATION IS NOT INTENDED TO BE USED AS LEGAL ADVICE.**
- **SPECIFIC GUIDANCE AS TO HOW TO PROCEED WITH FILING OR ANSWERING A LAWSUIT AND QUESTIONS ABOUT YOUR PARTICULAR SITUATION SHOULD BE DIRECTED TO A QUALIFIED ATTORNEY.**

IN THE COUNTY COURT OF _____ COUNTY, FLORIDA

_____,

Plaintiff(s),

vs. CASE NO. _____

_____,

Defendant(s).

COMPLAINT TO QUIET TITLE BASED ON FRAUDULENT CONVEYANCE UNDER SECTION 65.091, FLORIDA STATUTES

The plaintiff(s), _____, sue(s) defendant(s), _____, defendant's unknown spouse, heirs, devisees, grantees, judgment creditors, and all other parties claiming by, through, under, or against defendants or parties or claiming to have any right, title, or interest in the property described in this complaint, and alleges:

1. This is an action to quiet and confirm title of plaintiff in and to lands located in _____ County, Florida.
2. Plaintiff owns the following real property:
   _____
   _____
   _____
   _____
3. Plaintiff shows entitlement to (deraigns) title as follows (must show chain of title for at least the past 7 years):
   Plaintiff obtained ownership by deed or instrument dated _____, recorded on _____, in official records book _____, page _____ of the public records of _____ County, Florida. The property description in that deed is as follows:
   _____
   _____
   _____
   _____
4. The deed or instrument purported to have been signed by plaintiff(s), or purporting to convey the property to defendant(s), dated _____, recorded _____, in official records book _____, page _____of the public records of _____ County, Florida, is fraudulent.

5. Plaintiff did not execute the deed and has not conveyed the property to any person since obtaining the conveyance(s) described in paragraph (3).
6. The deed or instrument described in paragraph (4) did not convey title to defendant because the grantor had no title, but the recording of the deed casts a cloud on plaintiff's title.

WHEREFORE, the plaintiff(s) respectfully request (requests) the court to enter an order to quiet title in and award the plaintiff(s) with the same title and rights to the land that the plaintiff enjoyed before the attempted conveyance.

Date: _____

_____
Plaintiff

_____
Address

_____
City, State, Zip Code

_____
Phone

_____
Email

(Include Signature for each Plaintiff)

_____
Plaintiff Signature

_____
Plaintiff Signature

_____
Plaintiff Signature