

**Floyd County**  
**Affidavit for Family Subdivision of Property Held in Trust**

Trust Name: \_\_\_\_\_

Trust Beneficiary / Grantor Name/s: \_\_\_\_\_

\_\_\_\_\_

Grantee Name/s: \_\_\_\_\_

\_\_\_\_\_

Relationship of the Trust Beneficiary / Grantor who is the immediate family of the Grantee: Grantee is the (circle appropriate one):

Child      Grandchild      Brother/Sister      Parent      Grandparent      Spouse

of at least one of the Trust Beneficiary / Grantors

Tax Map Number: \_\_\_\_\_ Instrument #\*: \_\_\_\_\_

*\*Instrument/s in which Grantor/s received the property*

We, being the Grantor/s and Grantee/s identified above, after being duly sworn, deposed and said the following, hereby certify these items to be true:

1. That the Grantee identified herein is the true and rightful Grantee of that certain real estate situate in the County of Floyd, Virginia as noted above (the "Parcel"); and
2. That a plat has been submitted by the Trust Beneficiary / Grantor for a proposed subdivision of said real estate and that the lot(s) platted by the above referenced plat will only be transferred to an immediate family member of at least one Trust Beneficiary / Grantor as defined by section 4-2 of the Floyd County Subdivision Ordinance. This subdivision is commonly known as a "Family Subdivision"; and
3. That each and every beneficiary of the above-referenced trust is identified herein as "Trust Beneficiary / Grantor" and has endorsed this document, and that no other beneficiaries of the trust exist; and
4. That each Trust Beneficiary / Grantor identified herein is an "immediate family member" of each other Trust Beneficiary / Grantor as stated above; and
5. That all Grantees are "immediate family members" of each other Grantee as stated above; and
6. For Grantee/s: That I have not within the past five (5) years acquired from the Trust identified herein a lot from this Parcel or any land of which the Parcel was a component; and
7. That this transfer of property is for the purpose of keeping land within the immediate family, and/or passing real property from one generation to another, not for the purpose of circumventing the subdivision requirements; and
8. That once this family lot is created, it may not be conveyed to a person other than a member of the immediate family of at least one Trust Beneficiary / Grantor identified above for a period of at least 15 years from the date of original transference from the Grantor to the Grantee, except for the

***There must be a separate signature page for each Grantor and Grantee***

- purpose of financing purchase and/or improvements to the lot created by the deed of trust or mortgage, or through a waiver of time requirements granted by the Planning Commission; and
9. That I am responsible to ensure that this completed affidavit is recorded with the plat and referenced within all subsequent deeds of conveyance for 15 years from date of this land transfer.

***There must be a separate signature page for each Grantor and Grantee***

**Floyd County Subdivision Trust Beneficiary/Grantor Signature Page**

\_\_\_\_\_ Grantor \_\_\_\_\_ Date

STATE OF \_\_\_\_\_

COUNTY/CITY OF \_\_\_\_\_, to wit.

I, \_\_\_\_\_, a Notary Public of and for the aforementioned State and County do hereby state that \_\_\_\_\_ did appear before me on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, and acknowledge the foregoing document by executing the same.

\_\_\_\_\_

Notary Public

My Commission Expires: \_\_\_\_\_

**Floyd County Subdivision Grantee Signature Page**

\_\_\_\_\_ Grantee                      \_\_\_\_\_ Date

STATE OF \_\_\_\_\_

COUNTY/CITY OF \_\_\_\_\_, to wit.

I, \_\_\_\_\_, a Notary Public of and for the aforementioned State and County do hereby state that \_\_\_\_\_ did appear before me on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, and acknowledge the foregoing document by executing the same.

\_\_\_\_\_

Notary Public

My Commission Expires: \_\_\_\_\_