

PLEASE BE SURE TO CONTACT YOUR CLOSER IF A POWER OF ATTORNEY WILL BE UTILIZED AT CLOSING:

In an effort to protect our customers, all documents must be notarized by an approved notary. Please contact your closing office to schedule an appointment with a Heritage Employee or to have them arrange an approved notary signing for you.

The following are requirements for documents notarized in a foreign country:

Having a Document “Notarized” in a Foreign Country

There are two ways to have a document “notarized” when the signer is in a foreign country.

- First, per **C.R.S. 38-30-126. Acknowledgements before whom taken-** the signer can go to a U.S. Embassy and have the document notarized by embassy personnel. For a list of Embassy locations click here: <http://www.usembassy.gov/> For more information regarding **C.R.S. 38-30-126. Acknowledgements before whom taken-click here: CRS 38-30-126**
- Second, if the country is a signatory to the Hague Convention Treaty of 1961, then, because that country has enacted the Uniform Notarial Act, a “notarization,” or whatever it is called in that particular country, that is performed in accordance with that country’s laws. In this case the signer has the document notarized in accordance with the laws of the country that he or she is in, **and** then attaches an “apostille” to the document. A list of countries that are members of this particular convention can be found at http://www.hcch.net/index_en.php Select HCCH Members found on the left hand side of the home page. A list of the countries appears alphabetically.

What is an Apostille?

- An Apostille is the authentication certification provided for under the Hague Convention. Apostilles may be issued only by a Competent Authority designated by the state in whose territory the document has been executed. To find a Competent Authority select http://www.hcch.net/index_en.php?act=conventions.text&cid=41 found on the page which verifies the country’s participation. Select **Go to the Apostille Section** and then select http://www.hcch.net/index_en.php?act=conventions.authorities&cid=41
- **An Apostille consists of the following:**
 - 1) Name of country from which the document emanates;
 - 2) Name of person signing the document;
 - 3) The capacity in which the person signing the document has acted;
 - 4) In the case of unsigned documents, the name of the authority which has affixed the seal or stamp;
 - 5) Place of certification;
 - 6) Date of certification;
 - 7) The authority issuing the certificate;
 - 8) Number of certificate;
 - 9) Seal or stamp of authority issuing certificate;
 - 10) Signature of authority issuing certificate.



Forms of consular notarization follow:

Consular Notarization for Individuals

_____)
_____) SS.
_____)

I, _____, Consul of the United States of America at _____ duly commissioned and qualified, do hereby certify that on this ____ day of _____, 20____, before me personally appeared _____, to me personally known, and known to me to be the individual described in, whose name is subscribed to, and who executed the annexed instrument, and being informed by me of the contents of said instrument (s)he duly acknowledged to me that (s)he executed the same freely and voluntarily for the uses and purposes therein mentioned.

In witness whereof I have hereunto set my hand and official seal the day and year last written above.

_____)
Consul of the United States of America

Consular Notarization for Corporations

_____)
_____) SS.
_____)

I, _____, Consul of the United States of America at _____, duly commissioned and qualified, do hereby certify that on this ____ day of _____, 20____, before me personally appeared _____ and _____, to me known, who, being by me duly sworn, did depose and say that they are the _____ and _____ of _____, a _____ corporation, the corporation described in the foregoing instrument; that they signed their names thereto with full authority to do so; and that the instrument has been sealed on behalf of the corporation [or, if the case] the corporation has no corporate seal.

In witness whereof I have hereunto set my hand and official seal the day and year last above written.

_____)
Consul of the United States of America

APOSTILLE

(Convention de La Haye du 5 Octobre 1961)

- 1. Country: _____
a. This public document
2. has been signed by _____
3. acting in the capacity of _____
4. bears the seal/stamp of _____
i. CERTIFIED
5. at _____
6. the _____
7. by _____
8. No. _____
9. seal/stamp
10. Signature _____

Persons having questions about the operation and implementation of the Hague Convention may address their inquiries to

Authentications Office
518 23rd Street, NW
Department of State Annex 1
Washington, D.C. 20520

WARRANTY DEED

This Deed, made this _____ **day of** _____, **20** ____
Between

of the County of _____, State of _____,
grantor(s) and

whose legal address is _____

of the County of _____, and State of _____, grantee.

WITNESS, That the grantor, for and in the consideration of the sum of _____ Dollars (\$ _____) the receipt and sufficiency of which is hereby acknowledged, has granted, bargained, sold and conveyed, and by these presents does grant, bargain, sell, convey and confirm, unto the grantee, their heirs and assigns forever, not in tenancy in common but in joint tenancy, the survivor of them, all the real property together with improvements, if any, situate, lying and being in the County of _____, State of _____ described as follows:

also known by street and number as _____

TOGETHER with all and singular hereditaments and appurtenances, thereunto belonging, or in anywise appertaining, and the reversion and reversions, remainder and remainders, rents issues and profits thereof, and all the estate, right, title, interest, claim and demand whatsoever of the grantor, either in law or equity, of, in and to the above bargained premises, with the hereditaments and appurtenances.

TO HAVE AND TO HOLD said premises above bargained and described, with the appurtenances, unto the grantee, his heirs and assigns forever. And the grantor, for himself, his heirs and personal representatives, does covenant, grant, bargain and agree to and with the grantee, his heirs and assigns, that at the time of the ensealing and delivery of these presents, he is well seized of the premises above conveyed, has good, sure, perfect, absolute and indefeasible estate of inheritance, in law, in fee simple, and has good right, full power and lawful authority to grant, bargain, sell and convey the same in manner and form as aforesaid, and that the same are free and clear from all former and other grants, bargains, sales, liens, taxes, assessments, encumbrances and restrictions of whatever kind of nature so ever, **except for taxes for the current year, a lien but not yet due and payable, and those specific Exceptions described by reference to recorded documents as reflected in the Title Documents accepted by Buyer in accordance with section 8a (Title Review) of the contract dated _____, between the parties.**

The grantor shall and will WARRANT AND FOREVER DEFEND the above-bargained premises in the quiet and peaceable possession of the grantee, his heirs and assigns, against all and every person or persons lawfully claiming the whole or any part thereof. The singular number shall include the plural, the plural the singular, and the use of any gender shall be applicable to all genders.

IN WITNESS WHEREOF, the grantor has executed this on the date set forth above.

STATE OF COLORADO
COUNTY OF _____

}ss:

The foregoing instrument was acknowledged, subscribed and sworn to before me **this** _____ **day of** _____, **20** ____ by _____.

Witness my hand and official seal.

Notary Public
My Commission expires: _____