

Issuing Court, Issuing County, Florida

Plaintiff

Case No.

Vs.

Defendant

INSTRUCTIONS FOR LEVY

Date:

To: Sheriff of Charlotte County, Florida

In the matter of an execution of a money judgment, issued out of the _____ Court, _____ County, Florida, in the above-styled cause, you are hereby instructed to levy upon the following described **real/personal** property, as the property of the Defendant _____, (Name of Debtor), to wit:

Description of Property:

Real Property= Legal Description + Physical Address, (With Proof of Ownership: Deed, Title Search)

Personal Property= specifically described property (With Proof of Ownership: Title, Registration)

If levying on a vehicle, boat, motorcycle, trailer, other form of transportation= VIN, Make, Model, Year, Color, Physical location, etc.

Debtors last known address:

Debtors Attorney & Address:

Balance Due on Writ: \$

Interest Due on Writ: ___% from _____ (Date of Final Judgment)

Any Payments Made toward Balance: \$ _____

It is understood and agreed that you as Sheriff of Charlotte County, Florida, and your agents, pursuant to F.S. 30.30, shall be held blameless and further to be held harmless in anyway whatsoever, in executing this Writ and in making a wrongful levy, when acting upon these instructions, and it is further understood and agreed that the levying creditor shall pay all costs incident to this levy, advertisement and sale, including but not limited to, reasonable attorney's fees, should the property to be levied upon for any reason, including but not limited to the debtor

filing for bankruptcy, not be sold or if upon sale should not produce sufficient money to pay said costs unless said costs should have been paid by the debtor.

Note: F.S. 30.30 provides that the Sheriff must levy upon property specifically described in the Writ. It further provides that if the Sheriff attempts to levy upon any property other than that specifically described in the Writ he may require that Plaintiff to furnish a bond for his protection. The bond is conditioned to hold the Sheriff harmless against liability for any loss or damage that might be sustained by anyone by reason of the levy and indemnifying him for any expense incurred.

Note: Pursuant to F.S. 30.30 (3), if the Sheriff, in attempting to execute any Writ describing specific property, shall find it in the possession of anyone, other than the defendant, who is claiming the ownership or the right to the possession thereof, the Sheriff, in his or her discretion, may require the plaintiff suing out of the Writ to furnish a bond, payable to such Sheriff, in a sum not exceeding the reasonable value of the described property, as fixed by such Sheriff.

Note: (If Applicable) Pursuant to F.S. 55.10 (1)-(3), attached hereto and incorporated by reference to this Instructions for Levy is proof of recording a certified copy of the judgment issued after October 1, 1987. It is understood and agreed the failure to record the final judgment does not make the judgment void; however, it ceases to establish a lien on the real property.

Note: On levy of real property, mobile or modular home or any other residence: I, the plaintiff or agent, have made an inquiry of the records of the Circuit Court, Charlotte County, Florida, and have found NO Affidavit of Designation of Homestead on the described Real Property as allowed in FS 222.01. Also, the defendant, _____, is the sole owner. A certified copy of the Final Judgment in the above-styled case was recorded in OR Book ____, Page _____, of the Public Records of Charlotte County, Florida on the ___ day of _____, _____.

Full Signature Block

Affiant's Name

Address

Date

Florida Bar Number

- *Personal Property:* If it cannot be reasonably described on the date of the Instructions for Levy, then the Plaintiff or his/her agent/attorney shall be required to personally accompany the Sheriff or his/her duly appointed deputy to make the levy.