

**AFFIDAVIT UNDER SECTION 255 OF THE TAX LAW**

STATE OF NEW YORK )

COUNTY OF \_\_\_\_\_ )ss:

\_\_\_\_\_, being duly sworn, deposes and says that he/she/they is the (agent of the attorney) for the owner and holder of the hereinafter described mortgage(s) and is familiar with the facts set forth herein.

THAT a certain mortgage made by \_\_\_\_\_, as Mortgagors to \_\_\_\_\_, its successors and assigns, as Mortgagee, which mortgage was dated \_\_\_\_\_ and recorded in the \_\_\_\_\_ County Clerk's Office on \_\_\_\_\_ in Liber \_\_\_\_\_ page \_\_\_\_\_ in the principal sum of \$\_\_\_\_\_; at which time mortgage tax in the amount of \$\_\_\_\_\_ was duly paid; which Mortgage is now in the reduced amount of \$\_\_\_\_\_;

THAT a certain mortgage made by \_\_\_\_\_, as Mortgagors to \_\_\_\_\_, its successors and assigns, as Mortgagee, in the principal amount of \$\_\_\_\_\_, which mortgage is dated \_\_\_\_\_ and is intended to be recorded in the \_\_\_\_\_ County Clerk's Office simultaneously herewith; at which time mortgage tax in the amount of \$\_\_\_\_\_ will be duly paid.

THAT the above mortgages are now being consolidated by Consolidation, Extension and Modification Agreement made by \_\_\_\_\_ to \_\_\_\_\_ dated \_\_\_\_\_ to be recorded in the \_\_\_\_\_ County Clerk's Office simultaneously herewith making a single lien in favor of \_\_\_\_\_ in the amount of \$\_\_\_\_\_.

THAT the Consolidation, Extension and Modification Agreement presented for recording herewith is given solely for the purpose of further securing the same principal indebtedness and said Consolidation, Extension and Modification Agreement does not create or secure any new or further indebtedness or obligation other than the principal indebtedness secured by said mortgages. There have been no re-loans or re-advances on said mortgages.

WHEREFORE, deponent respectfully requests that the Consolidation Agreement tendered herewith for recording be declared exempt from taxation pursuant to the provisions of Section 255, Article II of the Tax Law of the State of New York.

Sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_

\_\_\_\_\_  
NOTARY PUBLIC

