

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 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.

THAT a certain mortgage made by _____, as Mortgagor 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.

THAT the above mortgages were consolidated by Consolidation Agreement made by _____ to _____ dated _____ and recorded in the _____ County Clerk's Office on _____ in Liber _____ page _____ making a single lien in favor of _____ in the amount of \$ _____; which mortgage is now in the reduced amount of \$ _____ and being assigned to _____, which assignment is intended to be recorded simultaneously herewith.

THAT a certain mortgage made by _____, as Mortgagor to _____, its successors and assigns, as Mortgagee, in the principal amount of \$ _____, which mortgage was 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 all being further consolidated by Consolidation 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 Agreement presented for recording herewith is given solely for the purpose of further securing the same principal indebtedness and said Consolidation 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