

STATE OF NEW YORK )

COUNTY OF \_\_\_\_\_ )

TITLE NO.: \_\_\_\_\_

DATE: \_\_\_\_\_

\_\_\_\_\_ and \_\_\_\_\_ (each) being  
duly sworn, deposes and says:

1. That (I am/we/are) (the/a) (owner) (Shareholder/member/partner of \_\_\_\_\_), the (grantor/mortgagor/lesser) of the property known as \_\_\_\_\_ to \_\_\_\_\_.
2. There are presently \_\_\_\_\_ tenants in said premises. Each of said tenants either (a) are in possession under a lease containing a standard subordination clause fully and unconditionally subordinating said lease to all existing and future mortgages, or (b) are a statutory tenant. All persons in possession are in possession pursuant to written leases as tenants only. There are no options to purchase or rights of first refusal either pursuant to written leases or by separate agreements.
3. That your deponent(s)(has/have) not been known by any other name(s), married or single, during the past ten years except \_\_\_\_\_.
4. That the bankruptcies, judgments, federal tax liens, State and City Tax Warrants, and other liens, if any, set forth in the above captioned report of title are not against your deponent(s) but against other(s) having the same or similar name(s), and that your deponent(s) (has/have) never resided at or done business, maintained an office, or registered a motor vehicle at any of the addresses listed in connection therewith.
5. That your deponent (is/are) the same person(s) who acquired title to the premises herein by deed recorded in the \_\_\_\_\_ County Clerk's Office on \_\_\_\_\_ in (Liber) (Reel) \_\_\_\_\_ at page \_\_\_\_\_, or as Control Number \_\_\_\_\_.
6. That there has been no change in the membership of the (partnership/limited liability company) known as \_\_\_\_\_ since its organization, nor has there been any change in its (partnership agreement/operating agreement). That the person(s) executing the closing instruments have the authority to bind the (corporation/partnership/limited liability company).
7. That the charter of said corporation is in full force and effect and no proceeding is pending for its dissolution or annulment. Any unpaid New York State franchise tax will be paid.
8. Real estate taxes, water charges, sewer rents and other assessments, if any, shown on the tax search as "subject to collection" have been paid.
9. Except as set forth in the title report issued under the above-referenced number, (I/We) have no actual knowledge of any liens or encumbrances on the property, such as judgments against (me/ us) or mortgages, deeds executed in connection with the property, or lawsuits, administrative hearings or court proceedings involving the property.
10. During (my/our) ownership of the property, no person has at any time claimed any right to use any portion of the property for any purpose.
11. (I am not/neither of us are) a party in any matrimonial action brought to obtain separation, a divorce, an annulment, a declaration of the validity, nullity, or dissolution of my marriage, or for the purpose of obtaining maintenance or a distribution of marital property. (Strike if the closing

instruments are not by a natural person or if they are being executed by a natural person and his or her spouse) (DRL Section 236)

12. (I/We) have not received a notice to install or repair sidewalks or curbs on the premises, and the Town has not done any such work which would result in an assessment for the same.

13. (I/We) will after the date hereof be residing at

\_\_\_\_\_

That (I/We) make this affidavit to induce the **American Dream Abstract, Inc.** and **First American Title Insurance Company of New York** to insure title free and clear of the aforesaid, knowing that it will rely on the truth of the statements herein made.

\_\_\_\_\_

\_\_\_\_\_

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

\_\_\_\_\_  
Notary Public

\_\_\_\_\_ [Enter name of Entity] agrees to indemnify and hold harmless  
**American Dream Abstract, Inc.** and **First American Title Insurance Company of New York** which is  
insuring title under its Title No. \_\_\_\_\_ in reliance on the representations contained in the above  
affidavit.

\_\_\_\_\_ [Name of Entity]

By: \_\_\_\_\_ [Name]

Its: \_\_\_\_\_ [Title]

Dated: \_\_\_\_\_

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