

255 AFFIDAVIT

STATE OF \_\_\_\_\_ }  
COUNTY OF \_\_\_\_\_ } ss.

\_\_\_\_\_ being duly sworn, deposes and says:

That he resides at \_\_\_\_\_ ("Premises"), that he is a Manager of ("Mortgagor") a New York limited liability company having its principal office at \_\_\_\_\_ and is familiar with the facts set forth herein.

1. Mortgage dated \_\_\_\_\_ made by Owner to \_\_\_\_\_ in the principal amount of \$ \_\_\_\_\_ recorded in the Office of the Register/County Clerk, \_\_\_\_\_ County ("Register") on \_\_\_\_\_ in Reel/Liber \_\_\_\_\_ page \_\_\_\_\_, on which mortgage tax was paid in the sum of \$ \_\_\_\_\_;
2. References is made to the following mortgages:
  - a. Mortgage dated \_\_\_\_\_ made by Owner to \_\_\_\_\_ in the principal amount of \$ \_\_\_\_\_ recorded in the Office of the Register/County Clerk, \_\_\_\_\_ County ("Register") on in (Liber/Reel/CRFN#) \_\_\_\_\_ page \_\_\_\_\_, on which mortgage tax was paid in the sum of \$ \_\_\_\_\_;
  - b. Mortgage dated \_\_\_\_\_ made by Owner to \_\_\_\_\_ in the principal amount of \$ \_\_\_\_\_ recorded in the Office of the Register/County Clerk on \_\_\_\_\_ in (Liber/Reel/CRFN#) \_\_\_\_\_ page \_\_\_\_\_.
3. Mortgage dated \_\_\_\_\_ made by Owner to \_\_\_\_\_ in the principal amount of \$ \_\_\_\_\_ to be recorded prior hereto in the office of the Register/County Clerk of \_\_\_\_\_ County, on which mortgage tax was paid in the sum of \$ \_\_\_\_\_.

That the Mortgage Consolidation, Extension and Modification Agreement ("Consolidation Agreement") dated \_\_\_\_\_ executed by Owner and \_\_\_\_\_ tendered for recording is given for the purpose of further securing the same principal indebtedness as the above listed mortgages and said consolidation and/or extension agreement does not create or secure any new or further indebtedness or obligation other than the principal indebtedness secured by said mortgage. That there have been no re-loans or re-advances on said mortgages.



***First American  
Title Insurance Company  
of New York***

WHEREFORE, deponent respectfully requests that the Consolidation Agreement tendered herewith for recording be declared exempt from taxation pursuant to the provisions of Section 255 of Article 11 of the Tax Law of the State of New York.

\_\_\_\_\_

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

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



***First American  
Title Insurance Company  
of New York***