

**AFFIDAVIT OF TITLE - REFINANCE  
(Outside of NYC, Nassau, & Suffolk)**

TITLE #:

DATE:

State of New York        )  
County of \_\_\_\_\_) ss:

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

1. That (I am/we are) (the/a) (owner) (shareholder/member/partner of \_\_\_\_\_  
\_\_\_\_\_) the (mortgagor/lesser) executing the (deed/mortgage/lease) of the property known as \_\_\_\_\_  
\_\_\_\_\_ to \_\_\_\_\_.
  
2. There are presently \_\_\_\_\_ tenants in said premises. Each of said tenants either (a) is in possession under a lease containing a standard subordination clause fully and unconditionally subordinating said lease to all existing and future mortgages, (b) is a statutory tenant, or (c) is a month-to-month 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 deponent is the same person(s) which acquired title to the premises herein by deed recorded in the \_\_\_\_\_ County Register's Office on \_\_\_\_\_ in Liber/Reel \_\_\_\_\_ page \_\_\_\_\_.
  
4. I/We have not been known by any other name for the past ten (10) years, except as \_\_\_\_\_  
\_\_\_\_\_.
  
5. In the absence of special water meter readings on the premises, the deponent agrees to pay any charges from the date of the last reading.
  
6. There are no Bankruptcies, Judgments, Federal Tax Liens, State and City Tax Warrant, and other liens against deponent in any jurisdiction nor are there any liens, executions, notices of attachments for the benefit of creditors against me or proceedings in bankruptcy court against me.
  
7. None of the bankruptcies, judgments, federal tax liens, or state tax warrants, set for in Exception(s) \_\_\_\_\_ are against deponent(s). Deponent has (have) never resided or maintained an office at any of the addresses in the federal tax liens, parking violation judgments, environmental control fire liens, transit adjudication liens, state tax warrants listed above.
  
8. 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).
  
9. 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
  
10. Real estate taxes, water charges, sewer rents and other assessments, if any, shown in the tax search as "subject to collection" have been paid.
  
11. That during (my/our) ownership of the property, no person has at any time claimed any rights to use any portion of the property for any purpose.

12. That we have executed no other mortgages encumbering the premises other than those set forth in the above title report.

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

14. I am/We are not a party in any matrimonial action brought to obtain a 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 martial 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)

15. Deponent shall indemnify \_\_\_\_\_ for any damages or costs resulting from any unpaid water & sewer charges as of this date.

16. Water and sewer charges are paid and up to date.

That I make this affidavit to induce the \_\_\_\_\_ and \_\_\_\_\_  
(underwriter) 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