

**AFFIDAVIT OF TITLE BY AN INDIVIDUAL OWNER FOR PREMISES
LOCATED IN NEW YORK CITY (FIVE BOROUGHS)**

STATE OF NEW YORK)
) ss:
COUNTY OF _)

I, _____ being duly sworn, deposes and says:

1. That I reside at _____ and I am conveying/mortgaging _____ (“the Premises”) described in Title Report No. _____ (the “Report”) of Sutton Land Title Agency as agent for _____ (together “the Insurers”).
2. (a) **(Delete if not applicable)** A complete list of all parties in possession of any portion of the Premises is attached hereto and made a part hereof. There are no other tenancies, leases, parties in possession or other occupancies of the Premises and each of the parties disclosed on the attached list occupies the premises or has a right to such occupancy either as a tenant from month to month without lease or pursuant to the terms of an unrecorded lease and that none of said leases contains an Option to Purchase or a Right of First Refusal.
(b) **(Delete if not applicable)** There are no tenancies, leases, occupancies or parties in possession of the Premises.
3. No work has been done on the above premises by the City of New York nor has any demand been made by the City of New York for any such work that would result in charges by the City of New York Department of Rent and Housing Maintenance Emergency Services or charges by the New York City Department of Environmental Protection for water tap closings or any related work or charges by the New York City Department of Health, nor any unpaid inspection fees or permit fees.
4. In the absence of special water meter readings on the Premises, I agree to pay any charges from the date of the last reading and any (revised) frontage charges, i.e. water rents and sewer charges entered and billed subsequent to the closing for the periods prior to closing not shown in the City Collector's records at or prior to closing.
5. That there are/(are no)* streets vaults adjoining or in front of the Premises and that I agree to indemnify the Insurers for any unpaid vault charges(s) which have been or may be levied by the City of New York. I have not received any notice of any pending assessments for capital, street or sidewalk improvements.
6. That I have not been known by any other name for the past ten years (except _____).
7. That there are no judgments against me in any court of this state or any other state except as set forth in the Report.
8. That there are no Federal or State Tax Liens against me in this state or any other state.
9. **(Delete if Premises are not a condominium unit)** That all charges levied against the condominium unit for the maintenance of the common elements as provided in the Declaration of Condominium have been paid.
10. That no proceeding in bankruptcy has ever been instituted by or against me in any court or before any officer of any state or of the United States, nor have I at any time made any assignment for the benefit of creditors, nor any assignment, now in effect, of the rents of said premises or any part thereof.
11. That I have carefully examined the judgments, liens, Federal Tax Liens, State Tax Warrants, Parking Violations Bureau Judgments, Environmental Control Board Judgments and Transit Adjudication Bureau Judgments listed in exception(s) [_____] in the abovementioned report, and state that they are not against me, but against individuals of the same or similar name. I have never resided at, done business at, nor had a motor vehicle registered at the addresses shown.
12. That I am the same person as the grantee in the deed recorded in Liber/Reel/CRFN _____ Page _____.
13. That I am currently residing at the address shown above and have not been, at any time, a patient in a nursing facility, facility for the mentally retarded, or medical institution, while receiving medical aid from the Department of Social Services.
14. That I have not executed any instruments or taken any actions which would create an interest in or affect the title to the Premises or any portion thereof which remain unrecorded as of the date hereof (such as **new mortgages, credit line mortgages or home equity loans**), and will not execute any such instrument or take any such action prior to the recording of the instrument(s) to be insured by the Insurers.

THIS AFFIDAVIT IS EXECUTED TO INDUCE THE INSURERS TO ISSUE THEIR TITLE POLICY COVERING THE PREMISES FREE AND CLEAR OF THE AFORESAID, KNOWING THAT THEY WILL RELY UPON THE STATEMENT HEREIN MADE.

I SHALL INDEMNIFY INSURERS FOR ANY LOSS, CLAIM, COSTS OR DAMAGES WHICH MAY ENSUE FROM THE RELIANCE UPON THESE STATEMENTS.

Sworn before me this _____ day of _____, 200_ _____

[Name]

* Strike out inaplicable part.