AFFIDAVIT UNDER SECTION 255 TAX LAW

To Be Used In Connection with Consolidation & Extension (Spreader) Agreement

STATE OF NEW YORK)
)
COUNTY OF)

_____ being duly sworn, deposes and says:
That I am familiar with the facts set forth herein.

(a) Mortgage made by_____to _____in the original principal sum of _____ dated_____recorded_____ in the (Office of the Register/Clerk) (County of _____) in Liber/Reel:_____Page:_____, on which a mortgage tax was paid in the amount of _____.
That there is presently owing on said mortgage the principal sum of _____.

(b) Mortgage made by_____to _____in the original principal sum of_____dated_____recorded_____ in the Office of the Register/Clerk (County of _____) in Liber/Reel:_____ Page:_____, on which a mortgage tax was paid in the amount of _____.
That there is presently owing on said mortgage the principal sum of _____.

(c) Mortgage made by_____to _____in the original principal sum of_____dated_____recorded_____ in the Office of the Register/Clerk (County of _____) in Liber/Reel:_____ Page:_____, on which a mortgage tax was paid in the amount of _____.
That there is presently owing on said mortgage the principal sum of _____.

(d) Mortgage made by_____to _____ in the original principal sum of _____dated_____and intended to be recorded simultaneously herewith and in connection with a mortgage tax in the sum of _____is being paid.

That _____and_____have entered into a Consolidation and Extension Agreement (Spreader Agreement) dated _____which consolidates (spreads) the lien of the aforementioned mortgages into a single lien of _____.
The said Consolidation and Extension Agreement (Spreader Agreement) which is herewith tendered for recording is given for the purpose of securing the unpaid principal indebtedness owing on the aforesaid mortgages, and said Consolidation and Extension Agreement (Spreader Agreement) does not create or secure any new or further indebtedness or obligation other than the unpaid principal indebtedness in the sum of _____which is secured by the aforesaid mortgages or which under contingency may be secured by the aforesaid mortgages.

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

_____

Sworn to before me this_____day of _____, 20_____.

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