

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.



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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



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