

COMMON EXCEPTIONS AFFIDAVIT

State of New York)
)ss:
County of _____)

STRIKE OUT ALL PARAGRAPHS OR PROVISIONS WHICH ARE INAPPLICABLE

_____, being duly sworn, deposes and says:

1. That I make this affidavit in respect of real property known as _____ (“the Premises”), and that I make this affidavit in response to certain Exceptions contained in Title Report No. _____ issued by CTI ABSTRACT CORP. (“the Title Report”), knowing that the underwriter will rely upon the truthfulness of the statements herein.
2. The Premises are owned by _____ (the “Fee Owner”). I make this affidavit as the _____ of the Fee Owner.
3. That the Fee Owner acquired title by deed dated _____ and recorded on _____ in Liber/Reel _____ page _____.
4. That none of the (judgments,)(federal tax liens,)(Parking Violation Bureau judgments,)(Environmental Control Board liens,)(State Tax Commission warrants,)(New York City Tax Warrants,) set forth as Exception(s) _____ in the captioned title report are against the Fee Owner; and that the Fee Owner has never resided at or conducted business at any of the addresses set forth in said judgments, warrants, and liens.
5. That there has been no work done upon the Premises by the City of New York, nor has the City of New York made any demand for any such work that may result in charges by the New York City Department of Rent and Housing Maintenance, or charges by the New York City Department of Environmental Protection for water tap closing or any related work, whether or not such charges are liens against the captioned property.
6. That no fees for inspection, re-inspection, examination or services performed by the Department of Buildings have been levied, charged or incurred that may become a lien on the captioned premises.
7. That there are presently _____ tenants in the Premises; and that each of the tenants is _____ In possession under a lease containing a standard subordination clause fully and unconditionally subordinations the lease to all existing and future mortgage; or _____ In possession as tenant only and that there are no options or rights of first refusal contained in the lease or in any separate agreement with any such tenant.
8. That none of the current fee owner(s) has been known by any other name in the past ten years other than: _____
9. That, for purposes of compliance with Section 265-a of the Real Property Law (Home Equity Theft Prevention Act), Affiant states of his/her own knowledge that there are no lawsuits or proceedings pending to foreclose a mortgage or tax lien affecting the Premises; and that the Premises is not subject to a mortgage which is in default (more than two months in arrears).

X _____

Sworn to before me this _____ day of _____ 20_____.

Notary Public