AFFIDAVIT REGARDING OUT OF POSSESSION (with Acknowledgment)
To be signed by Adjoining Property Owner(s)

State of New York): Title No.: _____
County of_____): ss.:

_____and _____being duly sworn, do/does hereby depose and state as follows:

1. I am/We are the owner(s) of premises known as _____
Said property is located directly _____[North, South, East, West] of the premises known as _____[Seller's Property] and owned by _____[Seller(s)]. My/our _____ [Side, Rear] yard abuts the Seller(s) _____[Side, Rear] yard.

2. The above named Seller(s) own(s) a _____ [fence, hedge, etc.] which is set inside his/her/their property, approximately _____feet along the _____ [Northerly, Southerly, Easterly, Westerly] boundary of his/her/their property.

3. I/We have not, in the past, nor do I/we now, nor will I/we in the future, make any claim of ownership, actually or by adverse possession, to any of the property owned by the above named Seller(s) and as shown on the survey attached hereto, which I/we have reviewed and made a part hereof, more particularly being the land that lies between the Seller(s)' _____ [Northerly, Southerly, Easterly, Westerly] line and said _____[fence, hedge, etc.] located up to _____ feet _____ [North, South, East, West] of Seller(s)' _____ [Northerly, Southerly, Easterly, Westerly] line.

4. The statements made herein are based upon my/our actual knowledge of the facts and it is covenanted and agreed that this affidavit shall be binding upon my/our successors, heirs, and/or assigns.

5. This affidavit is made to induce Eagle Abstract Corp. and its underwriter (the "companies") to insure title to the above referenced premises knowing that they are relying upon the truth of the statements made herein.

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

On the _____ day of _____ in the year _____before me, the undersigned, personally appeared _____personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

_____
(signature and office of individual taking acknowledgment)