

**AFFIDAVIT PURSUANT TO SECTION 255 OF THE TAX LAW
(Assignment of Lease and/or Rents)
To be signed by Mortgagee**

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

Title No.: _____

_____, being duly sworn does hereby depose and state as follows:

1. That I am the mortgagee attorney for mortgagee and holder of the hereinafter described Assignment of Leases and/or Rents and I am familiar with the facts set forth herein.

2. That a certain Assignment of Leases and/or Rents dated _____ was made by _____ residing at _____ to _____ with principal place of business at _____ [lender].

3. That said Assignment of Leases and/or Rents does not in any manner impose a lien on or affect the title to real property and therefore does not constitute a mortgage as defined in Section 250 of Tax Law.

WHEREFORE deponent respectfully requests that such Assignment of Leases and/or Rents be declared exempt from taxation pursuant to the provisions of Section 255, Article 11 of the New York Tax Law.

Sworn to before me this _____
day of _____, _____

Notary Public