

**AFFIDAVIT PURSUANT TO SECTION 255 OF THE TAX LAW  
CONSOLIDATION, EXTENSION AND/OR MODIFICATION AGREEMENT  
TO BE SIGNED BY MORTGAGEE OR ATTORNEY FOR MORTGAGEE**

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

Title No.: \_\_\_\_\_

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

1. I am the \_\_\_ mortgagee or \_\_\_ attorney for the mortgagee in a transaction with [name of mortgagee \_\_\_\_\_] for the property located at \_\_\_\_\_ and I am familiar with the facts and circumstances set forth herein.

2. That on [date of first mortgage] a mortgage in the amount of \$\_\_\_\_\_ was made and delivered by [name of borrower/mortgagor \_\_\_\_\_] as Mortgagor, to \_\_\_\_\_ [name of lender \_\_\_\_\_] as Mortgagee, which said mortgage was thereafter recorded and/or filed in the Clerk's/Register's Office of the County of \_\_\_\_\_ in Liber/Reel/CRFN \_\_\_\_\_ Page and mortgage tax in the amount of \$\_\_\_\_\_ was duly paid. [Strike if not applicable]. See Exhibit "A" attached hereto for mortgage chain.

4. That presented herewith is a new mortgage and consolidation, extension and modification agreement dated and made between [name of borrower/mortgagor \_\_\_\_\_], as Mortgagor(s) and [name of lender \_\_\_\_\_], as Mortgagee, in the sum of \$ \_\_\_\_\_ which represents the only new money involved in this transaction. Mortgage tax of \$\_\_\_\_\_ is being paid and a new lien in the principal amount of \$ \_\_\_\_\_ is being created.

5. That such agreement does not create or secure any new or further indebtedness or obligation other than the principal being advanced herewith.

WHEREOF, the undersigned respectfully requests that such agreement be declared exempt from taxation pursuant to the provisions of Section 255, Article II of the Tax Law.

Sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

\_\_\_\_\_  
Notary Public