

**AFFIDAVIT PURSUANT TO SECTION 255 OF THE TAX LAW  
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. The Mortgage(s) set forth in Exhibit \_\_\_ of the modification and extension agreement are being Extended and Modified by the terms of a said certain Extension and Modification Agreement between \_\_\_\_\_ [name of borrower/mortgagor], in favor of \_\_\_\_\_ [name of lender] dated \_\_\_\_\_, to form a single lien in the principal sum of \_\_\_\_\_ (insert new mortgage amount), now due and owing, which said agreement is being recorded herewith.

"THAT SAID AGREEMENT DOES NOT SECURE ANY ADVANCES MADE BY THE MORTGAGEE TO THE MORTGAGOR, NOR DOES IT EVIDENCE ANY FURTHER INDEBTEDNESS ON THE PART OF THE MORTGAGOR TO THE MORTGAGEE, THERE BEING NO OTHER MONEY ADVANCED BY THE MORTGAGEE TO THE MORTGAGOR UNDER THE AFOREMENTIONED MORTGAGE OR EXTENSION AND MODIFICATION AGREEMENT EXCEPT THE SUM OF \$0.00."

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