

Eagle Abstract Corp. as Agent for Fidelity National Title Insurance Company

# AFFIDAVIT IN CONNECTION WITH REAL PROPERTY LAW 265-A HOME EQUITY THEFT PREVENTION ACT

(Purchaser's Affidavit)

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

Title No.: \_\_\_\_\_  
Exception No.: \_\_\_\_\_  
Dated: \_\_\_\_\_  
Premises: \_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_ ,  
being duly sworn does depose and say:

1. I/we reside at \_\_\_\_\_.
2. I am/we are the purchaser(s) of the Real Property known as \_\_\_\_\_ (the "Real Property").
3. I am/We are familiar with the contract of sale affecting the said Real Property.
4. I/We have no notice or knowledge that any owner(s)/prior owner(s) of the Premises has a continuing right to, or equity in, the Premises.
5. I/We have no notice or knowledge of any violation of the Home Equity Theft Prevention Act by the Seller(s).
6. I/We have been to the Premises and the Premises are now vacant; or, if the Premises are not vacant, the Seller(s) is/are NOT occupying the Premises.
7. The transaction is exempt from the provisions of 265-A of the Real Property Law (the Home Equity Theft Prevention Act) because the Real Property is/was purchased:

**(CHECK THE APPROPRIATE BOX)**

- for use as my primary residence and I will occupy the Real Property as such; or
- from a referee in a foreclosure sale conducted pursuant to Article 13 of the Real Property Actions Proceedings Law; or
- is a sale authorized by statute; or
- is a sale made by order or judgment of a court; or
- from \_\_\_\_\_ who is my \_\_\_\_\_  
(state relationship, i.e. spouse, parent, grandparent, child, grandchild or sibling of such person or person's spouse)
- by a non-for-profit housing organization or a public housing agency.

I/we give this affidavit knowing that Eagle Abstract Corp. and its underwriter, Fidelity National Title Insurance Company will rely upon the truth of the statements made above.

\_\_\_\_\_  
\_\_\_\_\_

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

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

