

# AFFIDAVIT REGARDING OUT OF POSSESSION

## To be Signed by Adjoining Property Owner(s)

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

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

\_\_\_\_\_  
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, and is located approximately \_\_\_\_\_ feet \_\_\_\_\_ [North, South, East, West] of 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 \_\_\_\_\_ 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.

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

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