

# TRUST AFFIDAVIT by ATTORNEY

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

\_\_\_\_\_ being duly sworn, do/does hereby depose and state as follows:

- (1) I am an attorney duly licensed to practice law in the State of New York.  
My office address is \_\_\_\_\_.
- (2) That I represent \_\_\_\_\_, the Seller(s) of the above mentioned premises.
- (3) That by deed dated \_\_\_\_\_ recorded \_\_\_\_\_ in Liber \_\_\_\_\_ page \_\_\_\_\_ of the \_\_\_\_\_ County Clerk's office, title to the above premises was conveyed to \_\_\_\_\_ as Trustee(s) of the \_\_\_\_\_ Trust Agreement dated \_\_\_\_\_.
- (4) (a) That I have read and am fully familiar with the terms of the Trust Agreement made by \_\_\_\_\_ as Settlor(s)/Grantor(s), dated \_\_\_\_\_.  
There have been no amendments to said trust agreement, except: \_\_\_\_\_.
- (b) A true and accurate copy of the entire Trust Agreement (together with any amendments thereto, if any) is not currently available for presentation and/or review by Eagle Abstract Corp. for the following reason(s): \_\_\_\_\_.
- (c) That I undertake and agree to deliver a true and accurate copy of the entire Trust Agreement (together with any amendments thereto, if any) to Eagle Abstract Corp. no later than \_\_\_\_\_.
- (5) That the above named Settlor(s)/Grantor(s) of the above referenced Trust Agreement, has/have not revoked said Trust and the Trust is still in full force and effect as of the date of the conveyance of premises known as \_\_\_\_\_ and more particularly described in Schedule "A" in the above-mentioned title report to the purchaser(s).
- (6) \_\_\_\_\_, the Trustee(s) under the above said Trust Agreement has/have the authority to act as Trustee(s) and to make the conveyance to the purchaser(s), pursuant to the terms of the Trust and that no trust provision will be violated by said transfer/conveyance by the Trustee(s). The above named Settlor(s)/Grantor(s) are fully aware that the subject premises are being sold and he/she/they authorize(s) said sale. He/She/They no longer reside at the subject premises and have relocated/will be relocating to the following address: \_\_\_\_\_.
- (7) That I agree to indemnify and hold Eagle Abstract Corp. and its underwriter harmless from any loss, claim or damage (including but not limited to attorney's fees and court costs) which may arise by reason of the Trustee(s) of the above referenced Trust Agreement not having the authority to act.
- (8) That I make this affidavit to induce Eagle Abstract Corp. and its underwriter to issue its policy of title insurance to the property knowing that they are relying upon the truth of the statements made by me in this affidavit. The statements made herein are based upon my actual knowledge of the facts.

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

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