

CLOSING AFFIDAVIT

STATE OF NEW YORK
County of

I(We), _____ being duly sworn, deposes and say as follows:

1. That I am a(n) owner of real property located at _____ and described in the annexed title report;
2. That I am not a "foreign person" as that term is defined in Section 1445(f) of the Internal Revenue Code; my Social Security Number is _____; I am not subject of backup withholding;
3. That I have not been known by any other name(s) married or single, during the ten years last past, except: _____;
4. That there are no Judgments or Federal Tax Liens against me unsatisfied of record in the Courts of this State or of the United States and the Judgments set forth in the annexed title report, in any, are not against me but a person of similar name and I have never resided or conducted business at the premises indicated against the judgment debtor;
5. That no proceedings in bankruptcy have ever been instituted by or against me in any court or before any officer of any state, or the United States, nor have I at any time made an assignment for the benefit of creditors, nor an assignment, now in effect of the rents of said premises or any part thereof;
6. That I have owned and occupied the property now being sold or mortgaged by me for _____ years last past, and my enjoyment thereof has been peaceable and undisturbed and the title to the property has never been disputed or questioned to my knowledge, nor do I know of any facts by reason of which the title to, or possession of said property might be disputed or questioned, or by reason of which any claim to any of said property might be asserted adversely to me; my possession was uninterrupted and continuous, open, notorious, hostile and adverse to all others and exclusive of the right or claim of any other person or persons;
7. That there has been no buildings or improvements constructed on the property within the past two years;
8. That there are no present tenants, lessees or other parties in possession of said premises, except (if none, state "none"): _____, and the premises are used solely for residential purposes;
9. That during the time of ownership of the premises I have conveyed no portion thereof nor done any act or allowed any act to be done which has changed the boundaries of the premises;
10. That I have allowed no encroachments on the premises by any adjoining land owners nor have I encroached upon any property of any adjoining land owner;
11. That I have allowed no easements, rights of way, continuous driveway usage, drain, sewer, gas, or oil pipeline or other rights or passage to others over the premises and have no knowledge of such adverse rights unless specifically set forth in the annexed title report;
12. That I have no knowledge of any springs, streams, rivers, ponds or lakes bordering or running through the premises;
13. That I have no knowledge of any violation of any covenants, restrictions or agreements affecting the premises except as set forth in the annexed title report;
14. That there are no credit line mortgages open affecting the property. In the event that there are any open credit line mortgages affecting the property I hereby cancel my right to draw against said credit line and direct that such mortgage be satisfied of record.
15. That I have examined a certain survey or plot plan of the premises made by _____ dated / / and I certify that no exterior alterations or additions have been made to the building shown on said survey, no additional buildings have been constructed on the premises since the date of said survey, and that said survey reflects the current status of the premises. A copy of said survey is hereto attached;
16. That there are no actions pending in any court that could affect the title to the premises or cause a lien thereon;
17. That this affidavit is given to the transferee of the property, to Real Property Abstract & Title Services, LLC, The Security Title Guarantee Corporation of Baltimore and may be relied on for establishing the truth of all matters set forth herein and for documenting the nonforeign affidavit exemption to the withholding requirements of Section 1445 of the Internal Revenue Code.
18. That, for the purposes of compliance with Real Property Law 265-a (Home Equity Theft Protection Act), deponent(s) states of his/her/their actual knowledge that a) I/we am/are not in default of any mortgage affecting the Real Property by reason of there being payments due and unpaid on any mortgage for two months or more, b) there are no actions pending against the Real Property to foreclose a mortgage, c) the Real Property is not shown on any active property tax lien sale list and all real estate taxes are paid through the next lien date;
19. That I am not party in any "Matrimonial Action" brought under New York Domestic Relations Law Section 236.
20. Deponent states that he has read the foregoing affidavit and knows of his own knowledge that the facts therein stated are true.

Subscribed and Sworn before me this _____ day of _____ 20 _____

Real Property Abstract & Title Services, LLC