AFFIDAVIT UNDER SECTION 255, FOR ASSIGNMENT OF LEASES AND RENTS

State of New York)
ss:
County of)

_____, being duly sworn, depose(s) and say(s):

I am/We are the Mortgagors of a certain Mortgage dated _____ and am/are familiar with the facts and circumstances set forth herein.

A certain Mortgage dated of even date herewith made by me/us to _____ in the principal amount of $_____ is about to be recorded in the Office of _____ and upon which Mortgage a mortgage tax of will be paid thereon upon the presentation for recording thereof. Simultaneously herewith, I/ we also executed a Collateral Assignment of Leases and Rents in favor of _____, affecting the same Premises as those subject to the Mortgage. This Assignment is now offered for recording.

The Collateral Assignment of Leases and Rents herewith tendered for recording is given for the purpose of further securing the same principal indebtedness and said Collateral Assignment of Leases and Rents does not create or secure any new or further indebtedness or obligation other than the principal indebtedness secured by said mortgage.

WHEREFORE, deponent(s) respectfully requests that the Collateral Assignment of Leases and Rents tendered herewith for recording be declared exempt from taxation pursuant to Article 11 of the Tax Law of the State of New York.

_____

_____

Sworn to before me this _____ day of _____, 20___.

_____
Notary Public