

**Affidavit under section 255 Tax Law**

(Assignment of Leases and Rents)

STATE OF NEW YORK }  
COUNTY OF }

, being duly sworn deposes and says that he/she is/are the Mortgagor(s), and is familiar with the facts set forth herein.

The Mortgagor(s) has/have entered into the following mortgages:

Mortgage dated \_\_\_\_\_ made by \_\_\_\_\_ (“mortgagor”) to \_\_\_\_\_ (“mortgagee”) in the principal sum of \$ \_\_\_\_\_ and recorded on \_\_\_\_\_ in Control No/CRFN No. \_\_\_\_\_ in the office of the City Clerk’s/Register’s Office for the County of \_\_\_\_\_ upon which mortgage tax was paid at the time of recording in the amount of \$ \_\_\_\_\_ ;

Which Mortgage is further secured by an Assignment of Leases and Rents between mortgagor and mortgagee dated \_\_\_\_\_ and to be recorded simultaneous herewith in the Clerk’s/Register’s Office in the amount of \$ \_\_\_\_\_ .

That the Agreement herewith submitted for recording does not create or secure any new of further indebtedness other than the principal indebtedness which under any contingency is or may be secured by the primary mortgages referred to above.

That this Affidavit is made pursuant to Section 255 of the Tax Law of the State of New York for the purpose of claiming exemption from any additional mortgage recording tax on the recording of the Assignment of Leases and Rents herewith submitted for recording.

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

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

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