

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 that 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 _____ ,

Notary Public