

§317 Affidavit

Title No.:

Property Address:

STATE OF New York

COUNTY OF _____ SS.

I, _____, do hereby depose, affirm and state as follows:

1. I am the referee / foreclosing lender / purchaser, attorney for the referee / foreclosing lender/ purchaser / real estate broker or _____ in the transaction covered by the title number referenced above and as such, I am familiar with the Property referenced above.
2. As of the date hereof, the Property is vacant and the former foreclosed-out fee owner(s) are no longer in possession thereof.
3. I give this Affidavit to induce _____ (hereinafter, the "Companies") to issue their title policy without raising the "Tenants and parties in possession" exception or objection to title in the loan or mortgagee title policy. I realize that the Companies are relying upon the truth of the statements herein made as a basis for the issuance of the title policy and I acknowledge that the Companies are entitled to so rely.

Given under my hand and seal this _____ day of _____, 20__ .

Signature of Representative

Sworn to and subscribed before me on this _____ day of _____, 20__ .

Notary Public
My Commission Expires: