SECTION 255 AFFIDAVIT – COLLATERAL MORTGAGE

UNDER SECTION 255 TAX LAW

State of }
} ss:
County of }

, being duly sworn, deposes and says:

1. That he/she resides at , and that he/she is an officer of having its principal office at .

2. That said is the owner and holder of a mortgage made by to to secure the payment of the principal sum of $ dated and recorded on in the Office of the Register/Clerk of the county of in control number covering premises , which mortgage there is now unpaid the sum of $, the mortgage tax thereon having been paid.

3. That as further and additional security for the payment of the said indebtedness mentioned in and secured by the above mentioned mortgage, executed and delivered to a certain indenture of mortgage, dated , covering premises known as , which said mortgage is herewith offered for record in the Office of the Register/Clerk of the County of .

4. That the said additional indenture is given for the purpose of further securing the same principal indebtedness which is or under any contingency may be secured by the above mentioned primary mortgage and that such additional and collateral mortgage does not create or secure any new or further indebtedness or obligation other than the principal indebtedness or obligation secured by or which under any contingency may be secured by the said primary mortgage.

Wherefore, deponent respectfully requests that such additional mortgage may be declared exempt from taxation pursuant to Section 255 of Article XI of the Tax Law of the State of New York.

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Sworn to before me this
day of , 20

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Notary Public