

**Affidavit of Exemption Under Section 255 Tax Law  
(Assignment of Leases and Rents)**

TITLE #:

DATE:

State of New York     )  
County of \_\_\_\_\_ ) ss:

\_\_\_\_\_, being duly sworn, disposes and says:

1. (a) That I am the \_\_\_\_\_ of \_\_\_\_\_, the holder of the mortgage hereinafter described, which is a lien on the premises known as \_\_\_\_\_, Section \_\_\_\_\_, Block \_\_\_\_\_, Lot \_\_\_\_\_, (the "Premises").  
(b) That I am the attorney for \_\_\_\_\_ the owner of the premises encumbered by the mortgage hereinafter described, which is a lien on the premises known as \_\_\_\_\_, Section \_\_\_\_\_, Block \_\_\_\_\_, Lot \_\_\_\_\_, (the "Premises"), which mortgage is held by \_\_\_\_\_ ("Mortgagee").
2. The Mortgagor(s) has/have entered into the following mortgage herewith offered for recording dated \_\_\_\_\_ made by \_\_\_\_\_, as Mortgagor, to \_\_\_\_\_, as Mortgagee, in the amount of \$ \_\_\_\_\_ on which mortgage tax in the amount of \$ \_\_\_\_\_ will be paid.
3. 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 of \_\_\_\_\_.
4. That said Assignment of Leases and Rents does not secure any advances made by the Mortgagee to the Mortgagor, nor does it evidence any further indebtedness on the part of the Mortgagor to the Mortgagee, there being no other money advanced by the Mortgagee to the Mortgagor under the aforementioned Mortgage or Assignment of Leases and Rents except the sum of \$0.00.

WHEREFORE deponent respectfully requests that the Assignment of Leases and Rents tendered herewith for recording be declared exempt from taxation pursuant to the provisions of Section 255 of Article 11 of the Tax Law of the State of New York

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

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