

**Affidavit of Exemption Under Section 255 Tax Law
(Consolidation, Extension and Modification Agreement)**

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. That a certain Mortgage dated _____ made by _____, Mortgagor, to _____, Mortgagee, securing the original principal amount of \$ _____ was recorded in the Office of the Register/County Clerk, County of _____ on _____ in Reel/Liber _____ at Page/Control#/CRFN _____, upon which mortgage tax was paid in the sum of \$ _____ (the "Mortgage"). Said Mortgage is now in the reduced amount of \$ _____.
3. That the aforementioned Mortgage was assigned by a certain Assignment of Mortgage dated _____ made by _____, as Assignor, to _____, as Assignee, and submitted herewith for recording. (Strike through if not applicable)
4. That a certain Gap Mortgage is also 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.
5. That the above mortgages are consolidated to form a single lien of \$ _____ by a Consolidation, Modification and Extension Agreement dated _____ by and between _____ and _____, and is offered herewith for recording.
6. That said Consolidation, Modification and Extension Agreement is given for the purpose of further securing the same principal indebtedness and said Agreement does not create or secure any new or further indebtedness or obligation other than the principal indebtedness secured by said mortgage. That there have been no reloans or readvances on said mortgages.

WHEREFORE, deponent respectfully requests that such Consolidation, Extension and Modification Agreement tendered herewith for recording may be declared exempt from taxation pursuant to Section 255 of Article XI of the Tax Law of the State of New York.

Sworn to before me this _____
day of _____, 20__

Notary Public