AFFIDAVIT CLAIMING EXEMPTION FROM MORTGAGE TAX AGGREGATION WHEN MORTGAGOR/BORROWER IS AN INDIVIDUAL

STATE OF NEW YORK }
} ss:
COUNTY OF }

, being duly sworn, disposes and states that:

1. I am a representative of Benchmark Title Agency and am fully familiar with the facts of this transaction.

2. The Mortgagor/Borrower, entered into a Mortgage dated ("New Mortgage") in the principle amount of $ made to (Mortgagee/Lender) on property with an address of (the "Property"), identified on the tax map of the City of , County, Block , Lot .

3. Within the last twelve months there was recorded against the Property a mortgage dated ("Prior Mortgage") in the principle amount of $ made by the Mortgagor/Borrower of the New Mortgage or a "related" mortgagor/borrower as defined in Tax Law Section 253-a(2)(b), to , (Mortgagor/Lender of Prior Mortgage) which Prior Mortgage was recorded on in CRFN# .

4. The Prior Mortgage has been paid and satisfied and the Satisfaction of the Prior Mortgage has been requested for recording in the Office of the Register, County and is therefore not part of the same or a related transaction.

5. Affiant therefore respectfully requests that the New Mortgage and Prior Mortgage not be subject to aggregation for purposes of determining the applicable rate of mortgage recording tax.

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Sworn to before me
this day of ,

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Notary Public