**AFFIDAVIT IN CONNECTION WITH REAL PROPERTY ACTIONS AND PROCEEDINGS LAW §1302-a**

STATE OF NEW YORK )

)

COUNTY OF \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ )

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ being duly sworn and deposed, hereby states the following to be true under penalty of perjury:

1. I/we are the attorney(s) of record representing \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (the “Foreclosing Lender”) in the mortgage foreclosure action filed in \_\_\_\_\_\_\_\_\_\_\_\_ County on \_\_\_\_\_\_\_\_\_\_\_\_, under Index No.:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, captioned \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ v. \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (the “Foreclosure Action”) to foreclose a mortgage on real property located at \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (the “Premises”).
2. As a result of the Foreclosure Action, the Premises are being sold (whether through the referee appointed in the Foreclosure Action or by an entity owned and operated by the Foreclosing Lender) to \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (the “Purchaser”).
3. The Foreclosing Lender is the holder of the promissory note and mortgage that were the subject of the Foreclosure Action and was in possession of the promissory note and mortgage at the time of the commencement of the Foreclosure Action.
4. I/we give this affidavit knowing that \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ and Stewart Title Guaranty Company will rely upon the truth of the statements made above in issuing a policy or policies of title insurance.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Sworn to before me this \_\_\_\_\_\_

day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

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NOTARY PUBLIC