

LOST NOTE AFFIDAVIT

(Individual)

Title No.: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Title Agent: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Premises: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

State of New York

 ss:

County of \_\_\_\_\_\_\_\_

I, \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, being duly sworn, depose and say:

1. I am the Lender, payee, beneficial owner and holder of a promissory note (the “Note”), in the amount of $\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ , executed by the borrower(s) \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, which Note was dated \_\_\_\_\_\_\_ and secured by a mortgage made on the same date, recorded in the \_\_\_\_\_\_\_\_\_\_\_\_ County Clerk’s Office in \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.
2. The Note has not been forgiven, discharged, satisfied, cancelled, assigned, subordinated, sold, transferred, encumbered, pledged, hypothecated by Lender or paid in full.
3. The original Note cannot be located and is presumed to be lost. In the event that the Note is found, Lender agrees that it will not hereafter assign, transfer, pledge, hypothecate, encumber or otherwise dispose of the Note or any interest therein; it will mark the Note “Paid in Full” and promptly deliver the Note to the following address:

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

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

1. Lender hereby indemnifies and agrees to hold the Title Agent and WFG National Title Insurance Company harmless from and against all liabilities, demands, claims, actions or causes of action, losses and damages, including all reasonably incurred costs and expenses, including reasonable attorneys’ fees.
2. I make this statement knowing full well that the Title Agent, as policy issuing agent for WFG National Title relies on the accuracy thereof for the purpose of issuing its policy of title insurance free and clear of the exceptions as shown in the title report.

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

Sworn to before me this

\_\_\_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_, 20\_\_\_\_

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