

AFFIDAVIT FOR USE WHERE THERE'S EVIDENCE THAT THE PROPERTY IS / WAS UNDER
CONSTRUCTION
(TO BE SIGNED BY GENERAL CONTRACTOR)

STATE OF NEW YORK)
COUNTY OF _____)

Owner:
Property:
Lender:
General Contractor:
Title No.

The undersigned ("General Contractor"), being first duly sworn, deposes, states and warrants that:

1. General Contractor has caused to be constructed certain improvements on the Property ("Project").
2. General Contractor employed various contractors, subcontractors and suppliers who furnished services, labor and materials for the Project.
3. The Project was fully completed on or before _____, 20_____, and all charges and costs for services and labor performed, and materials supplied, for the Project have been paid in full.
4. The Property is free and clear of all lienable claims arising under and by virtue of the Project, and to the best of General Contractor's knowledge no contractor, subcontractor or supplier has a right to file a lien against the Property because of services or labor performed or materials supplied for the Project, except (*if none, so state*):

_____.

5. This affidavit is made, in part, for the purpose of inducing _____, as title insurance agent, and _____, underwriter, to insure the Property without exception to possible construction liens.
6. General Contractor agrees to indemnify and hold _____, as title insurance agent, and _____ harmless from and against any and all loss, costs, damage and expense of every kind, including attorney's fees, which Executive Abstract Group Inc. and Old Republic National Title Insurance Company shall or may suffer under a title policy or policies now to be issued, or any reissue, renewal or extension thereof, or new policy at any time issued upon the Property, arising directly or indirectly out of or on account of: (i) any liens filed against the Property for services, labor or materials performed or provided for the Project, or (ii) any misrepresentations, inaccuracies and/or omissions in this affidavit.
7. General Contractor hereby releases and waives ALL rights, claims and interest for liens on the Property for all labor, services, materials, plans, or specifications performed, furnished, or procured, or to be performed, furnished, procured, or contracted, for the erection, construction, alteration or repair of said building and appurtenances by General Contractor on the Property.

Dated: _____, 20_____.

GENERAL CONTRACTOR

Subscribed and sworn to before me this

By:

_____ day of _____, 20_____.

Name:

Notary Public, _____ County, New York
My commission (expires) _____

Title:
