**ESTATE TAX AFFIDAVIT**

**Title No.:**

**STATE OF NEW YORK :**

 **: SS.:**

**COUNTY OF :**

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, being duly sworn, deposes and says:

That I am the Executor/Executrix of the Last Will and Testament of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ who died a resident of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ County on the \_\_\_\_\_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, \_\_\_\_\_\_, and had an interest in the premises known as \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_. A copy of the Letters Testamentary granted to me on \_\_\_\_\_\_\_\_\_\_\_\_\_\_ is attached.

 That I am fully familiar with the assets of which the decedent died seized which comprises of the Gross Estate and the Taxable Estate.

1. That the Gross Estate is less than the applicable exclusion amount for the year in which the decedent died, therefore, said Estate is not subject to the Federal Estate Tax. *[OR]* The Estate undertakes to pay any and all Federal Estate tax due or to become due. *(strike if inapplicable)*
2. That the Taxable Estate is less than the applicable exclusion amount for the year in which the decedent died, therefore, the Estate is not subject to New York Estate tax. *[OR]* The Estate undertakes to pay any and all New York Estate tax due or to become due. *(strike if inapplicable)*

Further, that all debts/legacies against the Estate, if any, have been paid or will be paid out of the assets of the Estate.

That this affidavit is executed to induce Stewart Title Insurance Company to issue a Policy of Title Insurance covering said premises, knowing that they will rely on the statements herein made are true.

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

 Printed Name:

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

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

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

Notary Public