**TRUST AFFIDAVIT**

**(Settlor’s Death)**

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

STATE OF NEW YORK :

: ss:

COUNTY OF \_\_\_\_\_\_\_\_\_ :

I, \_\_\_\_\_\_\_\_\_\_, being duly sworn, depose and state the following to be true under the penalty of perjury:

1. I am over the age of eighteen (18) and reside at: \_\_\_\_\_\_\_\_\_\_
2. I am the Trustee under the \_\_\_\_\_\_\_\_\_\_ (the “Trust”) (a copy of which is annexed hereto and made a part hereof).
3. The Trust is not affected by a right of election exercised by the Settlor’s surviving spouse.
4. I represent that the Trust remains in full force and effect and that I am presently authorized to act as Trustee hereunder.
5. The Trustees named hereunder are presently qualified to act and there has been no change in composition of the Trustees since the formation of the Trust.
6. I make this Affidavit knowing the same will be relied upon by:
   1. \_\_\_\_\_\_\_\_\_\_, in connection with the purchase of certain real estate owned by the Trust, known as \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_; and
   2. Stewart Title Insurance Company, which is issuing a policy of title insurance in connection with the purchase of the aforementioned premises.

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

STATE OF NEW YORK :

: ss.:

COUNTY OF \_\_\_\_\_\_\_\_\_\_ :

On the \_\_\_\_\_\_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_, 20\_\_ before me, the undersigned, personally appeared \_\_\_\_\_\_\_\_\_\_, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is(are) subscribed to within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted executed the instrument.

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

Notary Public