

AFFIDAVIT OF TITLE

STATE OF NEW JERSEY
COUNTY OF _____

} ss.

_____, Manager/Member of _____, a Limited Liability Company, says under oath:

1. **Members.** I am the Member/Manager of _____. The limited liability company will be called the "company" and sometimes "it" or "its". I am fully familiar with the business of the company. I am a citizen of the United States and at least 18 years old.

2. **Representations.** The statements contained in this affidavit are true to the best of our knowledge, information and belief.

3. **Corporate Authority.** The company is the only owner of property located at _____, _____ County, New Jersey, called "this property." This property is to be mortgaged by this company to _____. The company is legally authorized to transact business in New Jersey. It has paid all state franchise taxes presently due. Its charter, franchise and corporate powers have never been suspended or revoked. It is not restrained from doing business, nor has any legal action been taken for that purpose. It has never changed its name or used any other name. A true copy of the operating agreement, any amendments thereto, and the resolution authoring the sale of the premises is attached hereto.

4. **Approval by Shareolders.** (check only one)
 Shareholder approval is not required.
 This is a sale of all or substantially all of the assets of the company. The sale is not made in the regular course of the business of the company. A copy of the authorization and approval of the shareholders is attached.

5. **Ownership and Possession.** It has owned this property since _____. Since then, no one has questioned its right to possession or ownership. The company has sole possession of this property. There are no tenants or other occupants of this property. Except for its agreement with the Lender, its has not signed any agreements to encumber this property. It has not given anyone else any rights concerning the purchase or lease of this property. It has never owned any property which is next to this property.

6. **Improvements.** No additions, alternations or improvements are now in progress or have been made to this property since _____. No one has any security interest in any personal property or fixtures on this property. It has always obtained all necessary permits and certificates of occupancy. All charges for municipal improvements such as sewers, sidewalks, curbs or similar improvements benefiting this property have been paid in full. No building, addition, extension of alteration on this property has been made or worked on within the past four months. The company is not aware that anyone has filed or intends to file a mechanic's lien or building contract relating to this property. No one has notified it that money is due and owing for construction or repair work on this property.

7. **Liens or Encumbrances.** It has not allowed any interests (legal rights) to be created which affect its ownership or use of this property. No other persons have legal rights in this Property, except the rights of utility companies to use this property along the road or for the purpose of serving this Property. The company does not have any pending lawsuits or judgments against it or other legal obligations that may be enforced against this property. It does not owe any disability, unemployment, corporate franchise, social security, municipal or alcoholic beverage tax payments. No bankruptcy or insolvency proceedings have been started by or against it, nor has it ever been declared bankrupt. All liens (legal claims, such as judgments) listed on the attached judgments or lien search are not against the company, but against others with similar names.

8. **Exceptions.** The following is a complete list of exceptions to any of the above statements. This includes all liens or mortgages which are not being paid as a result of this transaction.

9. **Reliance.** The company makes this affidavit in order to induce the Lender to accept its mortgage. It is aware that the Lender will rely on the statements made in this affidavit and on its truthfulness.

Signed and sworn to before me on _____

By: _____

Notary Public