

# LOST NOTE AFFIDAVIT

STATE OF NEW YORK  
COUNTY OF

ss.:

being duly sworn deposes and says:

1. He/She is the last holder of that certain Promissory Note for the sum of \$ \_\_\_\_\_ executed by \_\_\_\_\_ payable to \_\_\_\_\_ which note was dated \_\_\_\_\_ and secured by a Mortgage made on the same date, recorded in the records of \_\_\_\_\_ County, State of New York, in \_\_\_\_\_ page \_\_\_\_\_, on the property described therein, having a property address of \_\_\_\_\_.
2. Affiant was the last holder in due course of said Note, and that said Note cannot be located by affiant and is presumed to be lost. Affiant does hereby agree that in the event that said Note is found, it will be returned directly to \_\_\_\_\_.
3. Affiant further represents that said Note has not been sold, transferred or assigned to any person or entity, and in the event that said Note is found, it will be marked "Paid in Full" and returned to \_\_\_\_\_.
4. \_\_\_\_\_ shall also indemnify and hold \_\_\_\_\_ harmless from any damage, cost liability or expense, including but not limited to, legal fees either paid to retain legal representation or the fair value of legal services rendered which may be incurred as a result of a breach of the above representation.

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STATE OF NEW YORK, COUNTY OF \_\_\_\_\_

, ss.

On the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, before me, the undersigned, a notary public in and for said State, personally appeared \_\_\_\_\_, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

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Notary Public