Estoppel Affidavit

State of * )
       ) SS
County of * )

*, first duly sworn on oath, depose and state as follows:

That the undersigned made, executed and delivered that certain deed to *, dated the * day of *, [year], conveying the following described property, to wit:

[legal description]

That the aforesaid Deed was an absolute conveyance of the title to said premises to the grantee named therein, in effect as well as in form and was not and is not now intended as a mortgage, trust, or conveyance for security of any kind, and that possession of said premises has been surrendered to the said grantee; that the consideration in the aforesaid deed was and is the full cancellation of all debts, obligations, costs and charges heretofore existing under and by virtue of the terms of a certain mortgage heretofore existing on the property therein and hereinafter executed by *, as mortgagors, to *, as mortgagee, and recorded the * day of *, [year], as Document No. * in the Recorder’s Office of * County, [state] (and assigned to * on the * day of *, [year] in the Recorder’s Office of * County, [state]); and the cancellation of record by said grantee of said mortgage, and the delivery to this affiant of the note or other evidence of debt secured by said mortgage duly cancelled, receipt of which is hereby acknowledged.

That the aforesaid deed and conveyance was made by the undersigned as the result of their request that the grantee accept such deed and was their free and voluntary act; that at the time of making said deed, these deponents believed and still believe that the mortgage indebtedness above-mentioned represented a fair value of the property so deeded; that said deed was not given as a preference against any other creditors of these deponents; that at the time it was given there were no persons, firms, or corporations other than the grantee therein named interested either directly or indirectly in said premises; that these deponents are solvent and have no other creditors whose rights would be prejudiced by such conveyance, and that these deponents are not obligated upon any bond or other mortgage whereby any lien has been created or exists against the premises described in said deed; and that these deponents are offered to execute the aforesaid deed to the grantee therein, and in executing same, were not acting under any duress, undue influence, misapprehension or misrepresentation by the grantee in said deed, or the agent or attorney or any other representative of the grantee in said deed, and that it was the intention of these deponents as grantors in said deed to convey and by said deed these deponents do convey to the grantee therein all their right, title and interest absolutely in and to the premises described in said deed.

This affidavit is made for the protection and benefit of the aforesaid grantee in said deed, its successors and assigns, and all other parties hereafter dealing with or who may acquire an interest in the property described therein and particularly for the benefit of Attorneys’ Title Guaranty Fund, Inc., which is about to insure the title to said property in reliance thereon, and shall bind the respective heirs, executors, administrators and assigns to the undersigned.

Subscribed and sworn before me this * day of *, [year].

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Notary Public