

Order No: \_\_\_\_\_

## CHICAGO TITLE INSURANCE COMPANY

### AFFIDAVIT and AGREEMENT

The undersigned, the owner of certain real estate located at: \_\_\_\_\_ (the "Premises"), which property is this date being conveyed to \_\_\_\_\_.

In consideration of said conveyance, and to induce Chicago Title Insurance Company to issue a title insurance policy without exception for parties in possession or mechanic's/materialman's liens, the undersigned hereby represent and agree as follows:

1. The property now being sold or mortgaged is owned by the undersigned, and the enjoyment thereof has been peaceable and undisturbed and the title to said property has never been disputed or questioned, nor are there any facts by reason of which the title to, or possession of, said property might be disputed or questioned, or by reason of which any claim to any of said property might be asserted adversely to said undersigned.
2. That at the date hereof there are no tenants or other parties in possession of the Premises or who have a right to be in possession of the Premises other than those tenants listed on Exhibit A hereto, and there are no other unrecorded leases, tenancies at will or other agreements outstanding with respect to the Premises.
3. That there has been no work performed within the last 200 days on the above captioned property, and that no person, firm or corporation would have any basis upon which to claim a mechanic's lien, nor are there any other unrecorded statutory liens outstanding with respect to said parcel.
4. The undersigned hereby agrees to indemnify and hold harmless Chicago Title Insurance Company from any damage, loss, claim, cost or expense, including reasonable attorneys' fees, incurred by Chicago Title Insurance Company in connection with or arising out of the assertion or claim or any right of possession by reason of any lease or agreement, or claiming an interest by reason of a mechanic's lien or statutory lien with respect to said parcel.

IN WITNESS WHEREOF, the undersigned have executed this Affidavit and Agreement this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

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