



*First American Title*

FIRST AMERICAN TITLE INSURANCE COMPANY

GENERAL AFFIDAVIT (New York City)

STATE OF NEW YORK                    }  
  } ss:                   TITLE NO.: 3008-353730NY1  
COUNTY OF NEW YORK                }                   DATE: June 25, 2012

Claude Simon, being duly sworn, deposes and says:

1. That I am the President of 160 Madison Avenue Owners Corporation, the grantor executing the deed of the property known as 160 Madison Avenue, New York, New York to 160 Madison Ave LLC.

2. There are presently no tenants in said premises. There are no options to purchase or rights of first refusal either pursuant to written leases or by separate agreements that have been granted to any other party other than the purchaser set forth above.

3. No work has been done upon the above premises by the City of New York nor has any demand been made by the City of New York for any such work that may result in charges by the New York City Department of Rent and Housing Maintenance, Emergency Services or charges by the New York City Department for Environmental Protection for water tap closings or any related work.

4. No inspection fees, permit fees, elevator(s), sign, boiler or other charges have been levied, charged, created or incurred that may become tax or other liens pursuant to Title 28 ("New York City Construction Codes"), Chapter 1, Article 112, Section 112.9.2 of the Administrative Code of the City of New York, and Title 29 ("New York City Fire Code"), Chapter 2, Chapter 1, Section FC 117.4 of the Administrative Code of the City of New York or any other section of law. The undersigned, or the entity signing below, agrees to indemnify First American Title Insurance Company ("First American") for any loss, cost or damage resulting from any unpaid fee or charge claimed by the Department of Buildings and entered in the records of the City Collector after the date of closing.

5. That the bankruptcies, judgments, federal tax liens, Parking Violation Bureau judgments, Environmental Control Board liens, Environmental Control Board fire liens, Transit Adjudication Bureau liens, New York State and City tax warrants, and other liens set forth in the above captioned report of title, if any, are not against your deponent(s), but against other(s) having the same or similar name(s), and that your deponent(s) (has/have) never resided or done business, maintained an office, or registered a motor vehicle at any of the addresses listed in connection therewith.

6. That there has been no work performed by any agency of the City of New York to cure problems under the New York City Hazardous Substances Emergency Response Law, nor can any lien be incurred pursuant to the aforementioned statute. The undersigned agrees to indemnify First American from any loss, cost or damage for any lien incurred up to the date of this affidavit, whether filed or unfiled.

7. Real estate taxes, water charges, sewer rents and other assessments, if any, shown on the tax search as "subject to collection" have been paid.

633 Third Avenue, New York, NY 10017


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[www.firstamny.com](http://www.firstamny.com)

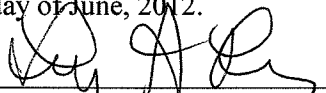
8. That there has been no change in the by-laws of 160 Madison Avenue Owners Corporation since its formation. That the person(s) executing the closing instruments are authorized to bind the corporation.

9. That the charter of said corporation is in full force and effect and no proceeding is pending for its dissolution or annulment. Any unpaid New York State Franchise Tax and New York City Corporate Business Tax will be paid

That I make this affidavit to induce the First American Title Insurance Company to insure title free and clear of the aforesaid, knowing that it will rely on the truth of the statements herein made.

  
\_\_\_\_\_  
CLAUDE SIMON

Sworn to before me this 25  
day of June, 2012.

  
\_\_\_\_\_  
NOTARY PUBLIC

**LUCY H LEW**  
Notary Public, State of New York  
Qualified in New York County  
No. 01LE4850840  
Commission Expires May 8, 2015

160 Madison Avenue Owners Corporation agrees to indemnify and hold harmless First American Title Insurance Company which is insuring title under its Title No. 3008-353730NY1 in reliance on the representations contained in the above affidavit.

160 Madison Avenue Owners Corporation

By:  [Name]

Its: President [Title]

Dated: June 25, 2012