



755 Jefferson Road, Suite 300, Rochester, NY 14623 P: (888-250-9056 / F: 888-250-9057) www.webtitle.us

MORTGAGE FORECLOSURE CERTIFICATE

WebTitle File No.: ###-##-####

Certified as of 6/20/2018

CERTIFIES TO: **Foreclosing Attorney**

Client Ref. No.: **12345678**

Owners: **George Washington and Martha Washington**

Premises: **123 Main Street, Rochester, NY 14614**

County: **Monroe**

Tax Parcel ID No.: **Section: 12.34 Block: 4 Lot: 18**

That a search has been made against the premises described in Schedule "A" to the date hereof, and title to said premises is vested of record in **George Washington and Martha Washington, husband and wife**

This certificate includes appended schedules, as follows:

Schedule A	Chain of Title & Description of Mortgaged Premises
Schedule B	Mortgages and Assignments of Record
Schedule C	Necessary Parties of Defendant
Schedule D	Exceptions, Objections and Other Information
Schedule E	Tax Search – To Follow

Summary of Findings:

Deed(s):	2
Mortgage(s):	1
Prior MTG(s):	None
Subordinate MTG(s):	None

**SCHEDULE A
CHAIN OF TITLE INFORMATION**

Source Quitclaim Deed:

Grantor: Tomorrowland Properties, LLC
Grantee: George Washington and Martha Washington, husband and wife
Dated: 12/3/1993 Recorded: 12/9/1993
Book: 1100 Page: 1432

This Company has utilized software available to us which uses a combination of Name(s), Social Security Number(s) and Parcel Address(es), and finds evidence that George Washington may have died on 12/03/2017.

This Company has utilized software available to us which uses a combination of Name(s), Social Security Number(s) and Parcel Address(es), and finds evidence Martha Washington aka Mary Washington may have died on 07/04/2016.

Prior Warranty Deed:

Grantor: Calvin W. Hobbes and John C. Garfield
Grantee: George Washington
Dated: 7/26/1999 Recorded: 8/31/1999
Book: 1956 Page: 1223

**SCHEDULE A
DESCRIPTION OF MORTGAGED PREMISES**

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Tonawanda, County of Erie and State of New York, being part of Lot No. 28, Township 12, Range 8 of the Holland Land Company's Survey and according to map filed in Erie County Clerk's Office under Cover No. 305, is known as the east eighteen (18) feet of subdivision lot number sixty-five (65) and the west thirty-seven (37) feet of subdivision lot number sixty-six (66) in Block "E".

Premises: 1234 Main St, Rochester, NY 14614
Tax Parcel ID No.: Section: 12.34 Block: 4 Lot: 18

**SCHEDULE B
MORTGAGES AND ASSIGNMENTS OF RECORD**

MORTGAGE TO BE FORECLOSED (1)

Mortgagor: George M. Washington and Martha T. Washington

Mortgagee: First Presidential Federal Credit Union

Amount: \$45,000.00 Purchase Money Mortgage: Yes

Dated: 8/31/1999 Maturity: 9/1/2029

Recorded: 8/31/1999

Book: 12345 Page: 6789

ASSIGNMENT OF MORTGAGE (1)

Assignor: First Presidential Federal Credit Union,

Assignee: Bank of America, N.A.

Dated: 9/13/2016

Recorded: 12/19/2016 Book: 4321 Page: 6543

SCHEDULE C
NECESSARY PARTIES DEFENDANT

This list of necessary parties defendant is made on the assumption that all parties are to be personally served in the proposed action. If any of the persons hereinafter named are deceased, their legal representatives and successors in interest should be made parties defendant after whose rights are subordinate to the mortgage to be foreclosed, such persons should also be made parties defendant after search has been amended. If any leases, mortgages or other liens are recorded prior to the period covered by this search, but which, by reason of subordination clauses contained therein or otherwise, are in fact subordinate to the lien of the mortgage to be foreclosed, all persons interested in said leases, mortgages or other liens should also be made parties defendant after search has been amended.

If the United States of America, State of New York, City of New York or any of its agencies, are made parties, the complaint must set forth the reason therefore in detail. (See R.P.A. and P.L. Sec 202 and 202A and 28 U.S.C.A. 2410.)

The addresses of parties herein given were obtained from the record and are not represented to be the present addresses of the parties.

Consideration should be given to the desirability of naming as defendants the obligor named in the bond or in any extension, assumption of guaranty agreement.

All occupants of the premises herein described should be made parties defendant.

The Company should be requested to continue searches to the date of filing Lis Pendens.

PARTIES DEFENDANT

- 1. George Washington and Martha Washington**
123 Main St, Rochester, NY 14614

Interest in Premises

Record Owner(s) and original obligor under the Bond secured by the Mortgage recorded on 08/31/1999 in Book 12853 Page 2876 as assigned in Book 13794 Page 1025.

- 2. United Nations Bank**
1000 United Nations Parkway, Washington, DC 12345

Interest in Premises

Record Owner(s).

- 3. "JOHN DOE" AND "JANE DOE"**

Interest in Premises

Said names being fictitious, it being the intention of Plaintiff to designate any and all occupants, tenants, persons or corporations, if any, having or claiming an interest in or lien upon the premises being foreclosed herein.

Caption: **George Washington; Martha Washington; "JOHN DOE" AND "JANE DOE"** said names being fictitious, it being the intention of Plaintiff to designate any and all occupants of premises being foreclosed herein.

SCHEDULE D

EXCEPTIONS, OBJECTIONS AND OTHER INFORMATION

1. This report is issued for foreclosure purposes only. For fee insurance, if any, additional searches must be conducted and any questions arising there from, disposed of.
2. Rights of tenants or persons in possession of the subject premises.
3. Any state of facts that an accurate survey may show.
4. Covenants, easements, reservations and restrictions of record, if any.
5. Subject to any state of facts an accurate and full municipal/departmental search would disclose.
6. This Company should be requested to continue its searches at every phase of the foreclosure proceedings.
7. The pertinent sections of the Soldiers and Sailors Civil Relief Act must be conformed with.
8. **Note:** Compliance with Real Property Actions and Proceedings Law Section 1320 ("Special summons requirement in private residence cases") is required if the property mortgaged contains not more than three units.
9. **Note:** Compliance with Civil Practice Law and Rules Section 3215(g)(3) ("Default judgment") is required if a default judgment is to be obtained in the foreclosure of a mortgage on residential property.
10. Real Property Actions and Proceedings Law Section 1303 requires that a notice, captioned "Help for Homeowners in Foreclosure", containing required text, be delivered, in a mortgage foreclosure involving residential Real Property which is an owner-occupied one-to-four family dwelling, with the summons and complaint on colored paper that is a color other than that of the paper on which the summons and complaint are printed, and in a specified point type.
11. Real Property Actions and Proceedings Law Section 1304 requires that a notice containing required text in a specified point type be mailed by registered or certified mail and by first class mail to the borrower, and if different, to the residence which is the subject of the mortgage, at least 90 days before legal action is commenced, when the mortgage secures a "high-cost home loan", as defined in Banking Law Section 6-1, or a subprime home loan or a non-traditional home loan, as those terms as defined in RPAPL Section 1304.
12. Real Property Actions and Proceedings Law Section 1302 requires that any complaint served in the foreclosure of a "high cost home loan" or a "subprime home loan" commenced on and after September 1, 2008 contain an affirmative allegation that at the time the proceeding is commenced, the plaintiff is the owner and holder of the subject mortgage and note, or has been delegated the authority to institute a mortgage foreclosure action by the owner and holder of the subject mortgage and note, and the plaintiff has complied with all of the provisions of Banking Law Section 595-A, and any rules and regulations promulgated thereunder, Banking Law Sections 6-1 of 6-m, and RPAPL Section 1304.
13. If the mortgage being foreclosed secures a "home loan", as defined in Real Property Actions and Proceedings Law Section 1304, proof of compliance with the notice requirements of RPAPL Section 1304 may be required for a policy to issue without an exception for the failure to comply with said notice requirements.
14. If the mortgage being foreclosed secures a "home loan", as defined in Real Property Actions and Proceedings Law Section 1303, proof of compliance with the notice requirements of RPAPL Section 1303 may be required for a policy to issue without an exception for the failure to comply with said notice requirements.
15. Proof of compliance with RPAPL 1306 is required.
16. If the mortgage to be foreclosed is a mortgage owned or securitized by Fannie Mae and MERS is the mortgagee of record, Fannie Mae requires an assignment into the servicer to be recorded prior to the commencement of the foreclosure action.
17. Right of the United States of America to redeem the premises within one year (federal judgments/mortgages) or 120 days (federal tax liens) from the date of the sale in the foreclosure action.

18. The assignment into the lender conducting the foreclosure action must be of record before the date on which the Court entered the judgment of foreclosure and sale.
19. The assignment into the foreclosing lender must have been dated and acknowledged before the date on which the foreclosing lender filed its notice of pendency.
20. If the mortgage to be foreclosed is currently held by Mortgage Electronic Registration Systems, Inc., an assignment from MERS, Inc. into the current Plaintiff will be necessary.
21. For informational purposes:

If this company is asked to insure this property out of foreclosure, proof is required that an Affirmation by the attorney for the foreclosing lender has been filed in the action pursuant to Administrative Order A0/548/10 dated October 20, 2010 of the Chief Administrative Judge New York State's Courts.
22. For Information Only, affecting properties in Manhattan, Bronx, Brooklyn, Queens and Staten Island: Local Law #4 of 2012, Administrative Code §27-2109.1, requires that the New York City, Department of Housing and Preservation be notified by the Plaintiff upon ANY of the following events: 1) commencement of a foreclosure action, 2) discontinuance of a foreclosure action, 3) issuance of the judgment of foreclosure and sale, or 4) when the property is sold. Said code applies to residential property only. Notice must be given within 15 days for all actions after 6/15/2012, or within 30 days for actions between 2/13/2010 to 6/15/2012. For further information, or notice requirements, please refer to the details of Administrative Code §27-2109.1, or call our office for a copy.
23. **KINGS COUNTY ONLY:** Policy excepts the consequences of the failure to comply with the requirements of **RPAPL 1303(1)(b)**. Real Property Actions and Proceedings Law Section 1303(1)(b) requires that a notice, captioned "Notice to Tenants in Buildings in Foreclosure", be delivered to said tenants if the premises includes one or more tenants-occupied dwelling units.
24. This Company has been provided with what is purported to be the correct social security number(s) of parties holding an interest in the subject premises certified herein, for clearance and certification purposes. If the social security number(s) provided is in fact inaccurate, this Company shall assume no liability for any loss associated with the use of said social security number(s) herein.
25. National Bankruptcy Search against George Washington, SS# xxx-xx-1234, reveals the following:

Bankruptcy proceedings filed on 02/20/2003 under Bankruptcy No. 1-02-34567-ABC, against George Washington, SS# xxx-xx-1234, and Martha Washington, SS# xxx-xx-4567 Chapter 13. Attorney of Record: Paul E. Piper. Discharged 07/14/2008 and terminated 08/21/2008.
26. Western District(s) of New York Bankruptcy Search against Martha Washington reveals the following:

Bankruptcy proceedings filed on 02/20/2003 under Bankruptcy No. 1-02-34567-ABC, against George Washington, SS# xxx-xx-1234, and Martha Washington fka Mary C. Washington, SS# xxx-xx-4567 Chapter 13. Attorney of Record: Paul M. Pocheban. Discharged 07/14/2008 and terminated 08/21/2008.
27. Surrogates Search against George Washington and Martha Washington reveals nothing found of record.

NOTE: This Company has utilized software available to us which uses a combination of Name(s), Social Security Number(s) and Parcel Address(es), and finds evidence that George Washington may have died on 12/03/2017 and Martha Washington may have died on 07/05/2016.
28. Notice of Pendency search has been conducted against the mortgage chain being foreclosed and reveals nothing found, including any prior/expired and/or dismissed actions.

NOTE: Any other open Lis Pendens against the subject premises have also been set out herein.

29. Martha Washington is also known as Mary Washington and should be served under both names.

For questions regarding this Certificate, please contact (contact name here) /ST, (585) 123-4567 ext. 7890.



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A Corporation duly incorporated under the Laws of the State of New York, for a valuable consideration to it paid, does hereby certify to the record owners of an interest in or specific lien upon the premises hereinafter referred to or described, that upon examination of the Grantor and Mortgagor Indexes to the Records in the Office of the Clerk of the County in which subject premises is located, for Deeds of Conveyance, Wills, Powers of Attorney, and Revocations thereof, Mortgages, Indexes for General Assignments, Affidavits of Foreclosure, Assignments of Mortgages, Sheriff's Certificates of Sales, Homestead Exemptions, Lien Book of Welfare Commissioners, Miscellaneous Records, Orders Appointing Receivers, the Mortgage Book of Loan Commissioners of the United States Deposit Fund, Leases, Contracts, Notice of Pendency of Action, State Criminal Surety Bond Liens, Individual Surety Bond Lien Docket, Index of Incompetency, and Surrogate Indexes, against the names disclosed in Schedule D of this Foreclosure Certificate, during the record period of such ownership respectively from and including the date of the mortgage to be foreclosed herein, to the Certification Date herein.

And that it finds the items set forth in the foregoing Foreclosure Certificate, and nothing more, and that said items are correctly set forth, and that there is nothing more in said indexes which appears to affect the premises or any part thereof, described on Certification Page of this Foreclosure Certificate, and Schedule A Description of Mortgaged Premises herein (except liens or encumbrances correctly discharged of record).

And WebTitle Agency further Certifies that no Judgment appears upon the docket books to have been docketed during the last ten years, and no Collector's Bond filed and indexed during the last twenty years, and no Financing Statements affixed to Real Property indexed during the last five years, and no Federal Tax Lien filed during the last ten years and no Mechanic's Lien or Lien Bond filed and indexed during the last year, in said Clerk's Office, against any of the persons who appear from the foregoing Foreclosure Certificate, to have held any title to said premises during said periods, which is a lien on said premises, except as correctly set forth in said Foreclosure Certificate, including those taken from the records and files of the Office of the Surrogate Court, are correctly abstracted.

Searches have not been made for, and this Foreclosure Certificate does not cover, General Assignments, Order Appointing Receivers and Petitions in Bankruptcy against Judgment Creditors and Minor Lienors, Searches for Financing Statements under the Uniform Commercial Code have been made only in the office of the Recording Officer of the County in which the premises are situated, and in counties having a block index system only against the block in which the property is situated.

No inspection of premises, report on streets or searches for violations in Municipal or other governmental departments have been made; nor have searches been made for corporation franchise taxes or license fees, Federal and State inheritance, transfer or estate taxes. Upon request, the company will obtain a report from the State Tax Commission on corporation franchise taxes, license fees or state transfer or estate taxes upon payment of \$1.00 for each name, but no responsibility for the correctness of such reports will be assumed by this company.

This certificate is made for and accepted by the applicant upon the express understanding that: (1) it is to be used only for the foreclosure of the within described mortgage or for the taking of a deed in lieu of foreclosure and for no other purpose; (2) no policy of title insurance is to be issued; (3) if a deed in lieu of foreclosure is taken, the company shall not be liable should the deed be attacked by the grantor, his successors or creditors for inadequacy of consideration or as to the capacity of the record owner to execute such a deed or for any other reason; (4) the company shall not be liable for defects in title, liens, restrictive covenants or any other encumbrance existing or created prior to the date of the aforesaid mortgage to be foreclosed; (5) this certificate shall be null and void if the applicant, his attorney or agent makes any untrue statement with respect to any material fact or suppresses or fails to disclose any material fact or if any untrue answers are given to this company to material inquiries before the issuance of this certificate; (6) any damages hereunder are limited to \$1,000.00, which damages the party for whom this report has been prepared shall sustain by reason of the Company's failure to report a lien or matter junior to the mortgage to be foreclosed.



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Tax Search

Date: June 21, 2018

Client Name: Client Name, LLP.

Client No.: 12345678

Assessed Owner: George and Martha Washington

Assessed Value: Land: \$375.00 Total: \$6,436.00

Tax Address: 123 Main Street

Town: Rochester SWIS Code: 123456

County: Monroe

State: New York

Tax Account No.: District: 0100 Section: 12.34 Block: 04.00 Lot: 018.000

School District: Henrietta

Class Code: 210 – Single Family Residence

Lot Size: .32 Acres

Notes:

- Subject to Future installments of special assessments for improvement, if any.
- New York Real Property Tax Law Section 302 and 520 may affect the real estate tax liability, if the premises described in Schedule "A" have a tax exemption.
- Subject to Unpaid Water and/or Sewer Charges, If Any.
- Subject to Any State of Facts an accurate municipal/departamental search would disclose.

- Tax Search Continued -

TAX SEARCH DOES NOT GUARANTEE AGAINST EXISTENCE OF SIDEWALK/CURB ASSESSMENTS WHICH ARE NOT REFLECTED IN REAL ESTATE TAX RECORDS AS OF SAID POSTING DATE. NO LIABILITY SHALL BE INCURRED FOR ERRONEOUS OR INACCURATE INFORMATION PROVIDED BY THE DEPARTMENT OF FINANCE, TREASURER, OR APPLICABLE MUNICIPAL TAXING AUTHORITY, INCLUDING BUT NOT LIMITED TO ERRORS DUE TO LOADING, KEY ENTRY, PROCESSING, DATA COMMUNICATION, HARDWARE AND SOFTWARE PROBLEMS, OR THE BACKDATING OF ANY INFORMATION. RESPONSIBILITY LIMITED TO THOSE ITEMS AND INSTALLMENTS THAT ARE LIENS AS OF THE DATE OF THIS REPORT AND REFLECTED ON THE PUBLIC RECORDS. RECENT PAYMENTS REFLECTED MAY BE SUBJECT TO COLLECTION. TAX SEARCH DOES NOT COVER ANY PART OF THE STREETS ON WHICH THE PREMISES TO BE INSURED ABUT; NOR DOES IT COVER VAULT CHARGES AND ADDITIONAL CHARGES DUE TO BUILDING PURPOSE CHARGES FOR UNFIXED FRONTAGE. TAX EXEMPTIONS MAY BE RESTORED ON THE DATE OF CONVEYANCE OR UPON DEATH OF THE RECORD OWNER. PLEASE REQUEST THE SELLER OR BORROWER TO HAVE RECEIPTED BILLS AVAILABLE AT THE TIME OF CLOSING.



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Tax Search – Continued

Property Tax Status:

PAID TO DATE / UNPAID CURRENT YEAR / UNPAID ARREARS / LIEN SOLD / TAX FORECLOSURE PENDING

Property Tax Summary (figures as reported on date of this search):

2018 combined town/county/school taxes: (payable to Smithtown Town)

(Fiscal Year: 12/1-11/30)

1st installment due 1/10/18: \$6,568.35 Paid, 12/29/17
2nd installment due 5/30/18: \$6,568.35 Paid, 5/18/18
Star Savings, \$975.00

No Arrears

Water: Access to account info is restricted. **Monroe County Water Authority, (585) 123-4567** services, and can be contacted for further information. Please arrange to obtain bills and/or paid receipts prior to closing. A final reading may be required.

Municipal/Departmental Search Summary:

No Municipal/Departmental Search has been conducted.

Tax Payment Information:

Tax Type: T/C/S Payee: **Town of Henrietta
Receiver of Taxes** Payee Address: 123 Jefferson Rd
Rochester, NY 14623
(585) 123-4567

Tax Type: County Payee: Monroe County
Comptroller Payee Address: County Center
123 County Drive
Rochester, NY 14623
(585) 234-5678

For questions regarding this report, please call: (888) 250-9056 x9876 *Tax Manager Name / Searcher Initials*

Please Note: This Company should be contacted in advance of a closing, if tax payoff coordination services will be required