

**ENHANCED COVERAGE**  
**OWNER'S/SELLER'S AFFIDAVIT**

**GEORGIA**

**FULTON COUNTY**

The undersigned deponent(s) personally appeared before the undersigned officer duly authorized to administer oaths, and after being sworn on oath make the within statements with respect to the following described property address:

**101 MAIN STREET, ATLANTA, GEORGIA 30341**

and further described by a legal description:

**SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF.**

That said property is owned by **JOHN SMITH** and that deponent is/are over 18 years of age.

That the lines and corners of said property are clearly marked and there are no disputes concerning the location of the lines and corners and I/we have no actual knowledge of any encroachments of improvements onto adjoining properties including but not limited to walls and/or fences nor do I/we have any actual knowledge of the encroachment of improvements into drainage and utility easement areas and that the property does not lie in any special flood hazard area as designated under the National Flood Insurance Act.

That no person other than the deponent, or those persons claiming under and through the deponent, claims the right to possession of said property.

That no agreement or contract of sale or deed, conveyance, written lease, or any other writing whatsoever is in existence which would adversely affect my/our title to said premises, except that in connection with which this affidavit is given.

That there are no unpaid bills, either for labor or material furnished or placed upon the property within the past 90 days and that no claims for unpaid labor or material for improvements placed on said property have been made against deponent or that if improvements or repairs have been performed, made or delivered during such 90 day period, then they have been fully completed and the agreed price or reasonable value of the labor, services and materials incorporated in any improvements on said property has been paid including any services of architects, surveyors, or engineers. That there is not of record a preliminary notice or claim of lien.

That, except as provided herein, this property is free and clear of any lien or encumbrance and that no chattel mortgages or conditional bills of sale have been given or are now outstanding as to any material, appliances, fixtures, or furnishings placed upon or installed on said premises, except: **SEE EXHIBIT "B" ATTACHED HERETO AND MADE A PART HEREOF.**

That there are no unpaid taxes or bills for street improving against this property, that there are no unpaid or delinquent water or sewer or service charges against this property within the last (7) seven years nor is there any pending suit against affiant in any court, including but not limited to voluntary or involuntary bankruptcy proceedings, which would in any way affect this property or be a lien thereon and that no judgment, decree or lien exists against him or against this property.

That I/we have no actual knowledge of any violation by me/us or any prior owners of any restrictive covenants affecting this property.

That I/we have never had my/our access (whether vehicular or pedestrian) to and from a public street disputed or limited in any way.

That I/we have no actual knowledge of any problems relating to either the issuance of a building permit or the failure to obtain one for any improvements to the property.

That I/we have not received notice of nor have any actual knowledge of any recent or future planned improvements (such as street or alley paving, sidewalks, street lighting, surface drainage, etc.) that will or might result in a special assessment against this property.

Additionally, I/we have no actual knowledge of any unpaid homeowners, condominium, or other related special assessments regarding the property.

That deponent has complied with all laws, ordinances, rules and regulations of all local, state and federal governments, has no actual knowledge of any violations of state or local subdivision laws or ordinances, and deponent has not received any notice from any municipal, county, state or other governmental agency or body having jurisdiction over the property of any zoning, fire, health, environmental or building violation or violations of any laws, ordinances, statutes or regulations relating to pollution, wet lands control, hazardous waste disposal, environmental standards, real estate forfeiture or employment practices which have not heretofore either been corrected or disclosed in writing by deponent to the Buyer or other interested parties contemplated herein.

Section 1045 of the Internal Revenue Code provides that a transferee ("Buyer") of a U.S. real property interest must withhold tax at a rate of 10% of the amount realized on the disposition if the transferor ("Seller") is a foreign person. To inform the Buyer that withholding of tax is not required upon the disposition of a U.S. real property interest by the Seller, the undersigned deponent hereby swears, affirms and certifies as or on behalf of the Seller that the Seller is not a

non-resident alien (if individual) or a foreign corporation, foreign partnership, foreign trust or foreign estate (as those terms are defined in the Internal Revenue Code and Income Tax Regulations).

Deponent further deposes and says that the statements made in this Affidavit are given knowing that the same will be relied upon by certain purchasers, lenders, attorneys and title companies interested in title to the said real estate. That I/we understand that this Affidavit is made to induce the Title Company to issue an enhanced coverage owner and/or loan policy on the property without exception to any adverse matters that would be disclosed by this affidavit. This Affidavit is made under the full understanding of the law regarding liability for any misrepresentation herein.

WITNESS the deponent(s) hand and seal this **6th** day of **December, 2000**.

\_\_\_\_\_(SEAL)  
Deponent: JOHN SMITH  
Social Security: \_\_\_\_\_

\_\_\_\_\_(SEAL)  
Deponent:  
Social Security: \_\_\_\_\_

Sworn to and subscribed before me,  
this 6th day of December, 2000.

\_\_\_\_\_  
Unofficial Witness

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

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 278 OF THE 18TH DISTRICT, DEKALB COUNTY, GEORGIA, BEING LOT 4, BLOCK I OF SECTION TWO OF ASHFORD VILLAGE SUBDIVISION, AS PER PLAT RECORDED IN PLAT BOOK 18, PAGE 20, DEKALB COUNTY RECORDS, WHICH PLAT IS INCORPORATED HEREIN AND MADE A PART HEREOF BY REFERENCE.

NONE