

**AFFIDAVIT AND ESTOPPEL CERTIFICATE OF CORPORATION  
GIVING DEED IN LIEU OF FORECLOSURE**

STATE OF NORTH CAROLINA  
COUNTY OF \_\_\_\_\_

\_\_\_\_\_ and \_\_\_\_\_, being first duly sworn, each for himself, deposes and says:

That they are the \_\_\_\_\_ and \_\_\_\_\_ respectively, of \_\_\_\_\_, the Corporation, which made, executed, and delivered that certain deed to dated \_\_\_\_\_, conveying the property described by Exhibit A (herein the "Property").

That the aforesaid deed is intended to be and is an absolute conveyance of the title to the premises to the Grantee therein named and was not and is not intended as a mortgage, trust conveyance, or security of any kind; that it is the intention of the Corporation as Grantor in the deed to convey to Grantee all of their right, title, and interest in the property absolutely and that possession has been surrendered to the Grantee.

That, in the execution and delivery of said deed, Corporation was not acting under any misapprehension as to the effect thereof, acted freely and voluntarily and was not acting under coercion or duress.

That the aforesaid deed was not given as a preference against any other creditors of the Corporation.

That at the time the conveyance was given there was no other person, firm, or corporation other than Grantee interested, either directly or indirectly in the Property.

That the Corporation is solvent and have no other creditors whose right would be prejudiced by this conveyance.

That the Corporation is not obligated under any bond or other mortgage whereby any lien has been created or exists against the Property described in said deed.

That the consideration for said deed was and is payment to the Corporation of the sum of \_\_\_\_\_ by Grantee and the full cancellation of the promissory note secured by that certain deed of trust executed by the undersigned to \_\_\_\_\_ as trustee for \_\_\_\_\_ as beneficiary, dated the \_\_\_\_<sup>th</sup> day of \_\_\_\_\_, \_\_\_\_\_ and recorded in Book \_\_\_\_\_, Page \_\_\_\_\_, \_\_\_\_\_ County Registry, for which said deed was given in lieu of foreclosure of the deed of trust for the release of the deed of trust.

That the Affiants, on behalf of the Corporation, believe that the consideration represents the fair value of the Property so deeded.

That this Affidavit and Estoppel Certificate is made for the protection and benefit of the Grantee in the deed, its successors and assigns, and all other parties hereafter dealing with or who may acquire an interest in the Property herein described, and particularly for the benefit of \_\_\_\_\_

Title Insurance Company which is about to insure the title to said Property in reliance thereon, and any other title company which may hereafter insure the title to said Property.

That Affiants, and each of them will testify, declare, depose, or certify before any competent tribunal, officer, or person, in any case now pending or which may hereafter be instituted, to the truth of the particular facts hereinabove set forth.

The Affiants have executed this Affidavit and Estoppel Certificate as individuals and on behalf of the Corporation.

\_\_\_\_\_, Corporation

By: \_\_\_\_\_  
\_\_\_\_\_, President / Affiant

By: \_\_\_\_\_  
\_\_\_\_\_, Secretary/Affiant

STATE OF NORTH CAROLINA  
COUNTY OF \_\_\_\_\_

I certify that the following person(s) personally appeared before me this day, each acknowledging to me that he or she signed the foregoing document and that said document was signed and sworn to (or affirmed) before me this day by:

\_\_\_\_\_ and \_\_\_\_\_

Date: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_, Notary Public

*(Official Seal)*

My commission expires: \_\_\_\_\_