

**SELLER'S AFFIDAVIT
SINGLE FAMILY BOND PROGRAM
OR MCC PROGRAM**

ISSUER: Montana Board of Housing ("Board")

SELLER'S NAME _____

SELLER'S ADDRESS _____

(forwarding address when applicable)

MORTGAGOR'S NAME _____

PROPERTY ADDRESS _____

The undersigned (jointly and severally the "Seller"), as Seller of a Residence which is subject to a Mortgage Loan provided by the above-referenced Programs, being first duly sworn (or affirmed) under oath hereby states and certifies that:

1. Select (a), (b), (c) or (d) as appropriate:
 - (a) The Seller is more than eighteen (18) years of age and a citizen of the United States.
 - (b) The Seller is a corporation duly organized and in good standing under the laws of _____ (corporate jurisdiction), and the persons executing this affidavit and the deed on behalf of the Seller are duly elected officers of the Seller and have been fully empowered by proper resolution of the board of directors of the Seller to execute and deliver this affidavit and the deed; and the Seller has full corporate capacity to convey the real estate described herein and all necessary corporate action for the making of such conveyance has been taken and done.
 - (c) The Seller is a Montana _____ and the persons executing this affidavit and deed on behalf of the Seller are fully empowered to execute and deliver this affidavit and deed.
 - (d) Other (provide explanation) _____
2. The Seller has executed a deed to the above-indicated Purchaser, conveying the Residence described and located at the Property Address indicated above.
3. The Seller has taken no action which would adversely affect the title to this property.
4. The Seller has not, either as principal or surety, executed any appeal bond or recognizance bond which is or might become a lien on the Residence. There are no suits pending or judgments in any court by or against the Seller affecting the Residence or in which a judgment lien could be acquired on the Residence. There are no bankruptcy proceedings pending by or against the Seller.
5. The Seller has taken no action which would create a lien or charge against the Residence, fixtures or property under the Uniform Commercial Code or otherwise.

6. The Seller further says _____. (Disclose any other items which adversely affect title to the Residence.)
7. The Acquisition Cost of the Residence to the Mortgagor as indicated on the Mortgagor's Affidavit is \$_____. I hereby certify the information indicated to calculate the Acquisition Cost to be true, correct and complete.
8. The contract of sale between the Seller and the Mortgagor represents all agreements between the parties involved in the real estate transaction.
9. I further certify that () I AM or () I AM NOT an employee, officer, director or member of the Montana Board of Housing (the "Board"), the Trustee or the Participant acting on behalf of the Board through which the Mortgagor is making the Mortgage Loan Application, or State Official, and that () I AM or () I AM NOT related by blood, marriage or adoption to any such persons. My position and/or relationship (if applicable) is _____.
10. The Seller voluntarily makes this affidavit to induce the purchaser to accept the deed to the Residence and to induce mortgagees, heirs, successors, assigns and all others to rely on the statements and representations herein made.
11. The Seller has not directly or indirectly provided funds or collateral to Mortgagor to cover, directly or indirectly, all or any part of Mortgagor's down payment for the purchase of the Residence.
12. The Seller has not attempted, directly or indirectly, to prohibit the Mortgagor from seeking financing from any particular lender, or attempted to require the Mortgagor to seek financing from a specific lender.
13. I hereby authorize the closing/settlement agent to provide the Montana Board of Housing with copies of the HUD-1 Settlement Statement and any related closing documents.
14. I fully understand that each of the above statements is material and required, and declare under penalty of perjury, fraud and misrepresentation, which are felony offenses, that the above statements are true, accurate and complete.

 Seller Signature Date

 Seller Signature Date

 Seller's Printed Name

 Seller's Printed Name

STATE OF MONTANA]
] ss.
COUNTY OF _____]

On this ____ day of _____, 20____, before me, a notary public for the State of Montana, personally appeared _____, known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.

In witness whereof, I have hereunto set my hand and affixed my notarial seal on the day and year first-above written.

[NOTARIAL SEAL]

(Print Name) _____
Notary Public for the State of Montana
Residing at: _____
My Commission expires: _____