

**SPOUSE'S ESTATE TAX AFFIDAVIT**

**STATE OF NEW YORK** )  
 ) **SS:**  
**COUNTY OF** )

\_\_\_\_\_, being duly sworn, deposes and says:

1a. I am the surviving spouse of \_\_\_\_\_, deceased, the record owner of the property set forth in Schedule A of the above referenced title.

or

1b. I am the surviving spouse of \_\_\_\_\_, deceased, who along with myself is one of the record owners, as tenants by the entirety, of the property described in Schedule A of the above referenced title.

2. I am an American citizen.

3. The Last Will and Testament of my spouse was duly admitted to probate on \_\_\_\_\_ in the Surrogate's Court of the County of \_\_\_\_\_. Under the terms of the Will, I received all property owned by my spouse, both real and personal.

4. My spouse owned no property, real or personal, jointly with any person other than myself. Additional, my spouse owned no life insurance, had no bank account, had no beneficial interest in any pension, profit-sharing or other retirement plan, owned no other assets of any nature which, upon my spouse's death, passed to a person or entity other than to me. My spouse had no power of appointment over any assets which passed to any person or entity other than myself.

5. I am the sole recipient of all assets includable in my spouse's Federal gross estate.

6. I make this affidavit with the knowledge that \_\_\_\_\_ Title Insurance Company and its agent A.R.S. Abstract Ltd. are relying upon the truth of the statements herein in issuing its policies of title insurance and omitting therein as exceptions to title both New York and Federal Estate Taxes on the Estate of my spouse.

Sworn to before me this  
day of \_\_\_\_\_, 20\_\_\_\_\_.