



Corporate Headquarters 400 Skokie Blvd., Suite 380, Northbrook, IL 60062

Order Number:

Form Date: June, 2008

CREDITORS' RIGHTS AFFIDAVIT

1. Describe the nature and purpose of the transaction.

2. What is the amount of the consideration for the transfer, if the transaction involves of sale of the land?
\$ _____

3. What is the present use of the land? (i.e. shopping center, apartment building)

4. What is the approximate age of the improvements that are presently located on the land?
_____ Years _____ Months

5. What is the value of the land? (Please attach a current independent appraisal of the land if available).
\$ _____

6. What is the monthly income derived from the land and from where does it come (i.e. rents)?
\$ _____ from _____

7. If the property is leased, what percentage of the property is occupied? _____%

8. Will the loan proceeds (or if the transaction involves a mortgage modification, any additional proceeds to be disbursed) be used for any other purpose other than for the purchase of or improvements to the property? If yes, please describe.



9. Is the purchaser/borrower a real estate holding company? If so, does it own land other than this land?

10. What is the monthly mortgage payment for the new mortgage?

\$ _____ per month

11. On what date is the mortgage due?

_____ (Month/Day/Year)

12. Describe the relationship between the buyer and the seller. (Answer "yes" or "no" to all that apply):

a. _____ Is the buyer a creditor of the seller?

b. _____ Is the buyer related in any way to the seller? If so, describe.

c. _____ Is the buyer a good faith purchaser for value?

13. Are there any other related corporate transactions that are occurring prior to or at the same time as this transaction? If so, describe.

14. What control, if any, will the lender have over the property after this transaction is complete? (If there will be lender control, include a copy of the loan agreement with this affidavit).

15. (If the answer to any of the following questions is "yes," then the transaction should be more fully described in question #1 above).

Is the transaction:

_____ A leveraged buyout?

_____ A mortgage of partnership assets to pay a partner?

_____ A mortgage of corporate assets to pay a stockholder?

_____ Upstream financing?



- _____ Cross-stream financing?
- _____ Downstream financing?
- _____ A mortgage to secure an antecedent debt?
- _____ A deed in lieu of foreclosure?
- _____ Recapitalization of a corporation?
- _____ Involving a partner acting as a mortgagee?
- _____ A modification of an existing mortgage?
- _____ An arms length transaction for reasonably equivalent value?
- _____ Title coming through a mortgage foreclosure?
- _____ A refinance?
- _____ A purchase money mortgage?
- _____ A guarantee or indemnity mortgage?
- _____ A construction mortgage?

16. If the transaction involves a deed in lieu of foreclosure, is the cancelled indebtedness less than the fair market value of the land?

NOTE: The Company reserves the right to either request additional materials, such as 2 years of audited financial statements, or declines to issue its creditors' rights coverage after its review of the contents of this affidavit.

Dated: _____

Signature and Title (To be signed by the party requesting the coverage)

Name: (print)