



69 Cascade Drive  
Knowlton Building, Suite 202  
Rochester, NY 14614

**Title No. 10091567**

**MORTGAGE FORECLOSURE CERTIFICATE**

CERTIFIES TO:

Client Ref. No.:

Premises: **311 Pearl Street** County: **Monroe**  
**Rochester, New York 14607**

Tax Map/Parcel ID No.: **Section: 121.57 Block: 2 Lot: 35**

That a search has been made against the premises described in Schedule "A" to the date hereof, and title to said premises is vested of record in **Paul Blair**

Current Deed:

Grantor: **Lyjha Wilton and Jillian Wilton, husband and wife**

Grantee: **Paul Blair**

Dated: **March 21, 2006** Recorded: **April 12, 2006**

Book: **10282** Page: **243**

Prior Chain of Title: **None**

This certificate includes appended schedules, as follows:

- |            |  |
|------------|--|
| Schedule A | Description of Mortgaged Premises            |
| Schedule B | Mortgages and Assignments of Record          |
| Schedule C | Necessary Parties Defendant                  |
| Schedule D | Exceptions, Objections and Other Information |
| Schedule E | Tax Search                                   |

Certified as of **October 19, 2009**



## SCHEDULE A

### DESCRIPTION OF MORTGAGED PREMISES

Title No. 10091567

ALL THAT TRACT OR PARCEL OF LAND, situate in the City of Rochester, County of Monroe and State of New York, being part of Lot 52 of the Johnson and Atkinson Tract as shown on a map thereof filed in Monroe County Clerk's Office in Liber 4 of Maps, page 82 and Liber 1 of Maps, page 8 and more particularly bounded and described as follows:

Beginning at a point in the southerly line of Pearl Street distant 80.0 feet westerly from the intersection of said southerly line of Pearl Street and the westerly line of Meigs Street; thence (1) southerly along the east line of Parcel F shown on a survey recorded in the Monroe County Clerk's Office in Liber 2866 of Deeds at page 339, a distance of 66.0 feet to the southeast corner of said Parcel F; thence (2) easterly along an extension easterly of the southerly line of said Parcel F a distance of 32.0 feet to a point; thence (3) northerly a distance of 66.0 feet to a point in the southerly line of Pearl Street distant 32.0 feet easterly from the point of beginning; thence (4) westerly along said southerly line of Pearl Street a distance of 32.0 feet to the point of beginning.

Being and hereby intending to describe Parcel G as shown on the aforesaid survey.



**SCHEDULE B**

**MORTGAGES AND ASSIGNMENTS OF RECORD**

**Title No. 10091567**

**MORTGAGE TO BE FORECLOSED**

**ONE**

Mortgagor: Paul Blair

Mortgagee: Mortgage Electronic Registration Systems, Inc.,  
as nominee for The New York Mortgage Company, LLC

Amount: \$29,700.00

Dated: April 11, 2006

Recorded: April 12, 2006

Book: 20398

Page: 679

NOTE: Correction Mortgage recorded on August 11, 2006 in Book 20670, Page 427, for the purpose of correcting the maturity date on page 2 of above recorded mortgage.

SAMPLE



**SCHEDULE B - CONTINUED**

**MORTGAGES AND ASSIGNMENTS OF RECORD**

**Title No. 10091567**

**PRIOR MORTGAGES**

**Note: Mortgages contained in this section will not be cut-off in the action**

**NONE**

**SAMPLE**



**SCHEDULE B - CONTINUED**

**MORTGAGES AND ASSIGNMENTS OF RECORD**

**Title No. 10091567**

**SUBORDINATE MORTGAGES**

**Note: Mortgages contained in this section will be cut-off in the action**

**NONE**

**SAMPLE**



SCHEDULE C

NECESSARY PARTIES DEFENDANT

Title No. 10091567

This list of necessary parties defendant is made on the assumption that all parties are to be personally served in the proposed action. If any of the persons hereinafter named are deceased, their legal representatives and successors in interest should be made parties defendant after whose rights are subordinate to the mortgage to be foreclosed, such persons should also be made parties defendant after search has been amended. If any leases, mortgages or other liens are recorded prior to the period covered by this search, but which, by reason of subordination clauses contained therein or otherwise, are in fact subordinate to the lien of the mortgage to be foreclosed, all persons interested in said leases, mortgages or other liens should also be made parties defendant after search has been amended.

If the United States of America, State of New York, City of New York or any of its agencies, are made parties, the complaint must set forth the reason therefore in detail. (See R.P.A. and P.L. Sec 202 and 202A and 28 U.S.C.A. 2410.)

The addresses of parties herein given were obtained from the record and are not represented to be the present addresses of the parties.

Consideration should be given to the desirability of naming as defendants the obligor named in the bond or in any extension, assumption of guaranty agreement.

All occupants of the premises herein described should be made parties defendant.

The Company should be requested to continue searches to the date of filing Lis Pendens.

PARTIES DEFENDANT

INTEREST IN PREMISES

<p>1. Paul Blair 311 Pearl Street Rochester, New York 14607</p>	<p>Record Owner and original obligor under the Bond secured by the Mortgage recorded on April 12, 2006 in Book 20398, page 679 and Correction Mortgage recorded on August 11, 2006 in Book 20670, page 427.</p>
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**SCHEDULE C - Continued**

**NECESSARY PARTIES DEFENDANT**

**Title No. 10091567**

2. John Doe and Mary Doe	Said names being fictitious, it being the intention of Plaintiff to designate any and all occupants, tenants, persons or corporations, if any, having or claiming an interest in or lien upon the premises being foreclosed herein.
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**SAMPLE**



## SCHEDULE D

### EXCEPTIONS, OBJECTIONS AND OTHER INFORMATION

#### Title No. 10091567

1. This report is issued for foreclosure purposes only. For fee insurance, if any, additional searches must be conducted and any questions arising there from, disposed of.
2. Rights of tenants or persons in possession of the subject premises.
3. Any state of facts that an accurate survey may show.
4. Covenants, easements, reservations and restrictions of record, if any.
5. Subject to any state of facts an accurate and full municipal/departmental search would disclose.
6. This Company should be requested to continue its searches at every phase of the foreclosure proceedings.
7. The pertinent sections of the Soldiers and Sailors Civil Relief Act must be conformed with.
8. Note: Compliance with Real Property Actions and Proceedings Law Section 1320 ("Special summons requirement in private residence cases") is required if the property mortgaged contains not more than three units.
9. Note: Compliance with Civil Practice Law and Rules Section 3215(g)(3) ("Default judgment") is required if a default judgment is to be obtained in the foreclosure of a mortgage on residential property.
10. Real Property Actions and Proceedings Law Section 1303 requires that a notice, captioned "Help for Homeowners in Foreclosure", containing required text, be delivered, in a mortgage foreclosure involving residential Real Property which is an owner-occupied one-to-four family dwelling, with the summons and complaint on colored paper that is a color other than that of the paper on which the summons and compliant are printed, and in a specified point type.
11. Real Property Actions and Proceedings Law Section 1304 requires that a notice containing required text in a specified point type be mailed by registered or certified mail and by first class mail to the borrower, and if different, to the residence which is the subject of the mortgage, at least 90 days before legal action is commenced, when the mortgage secures a "high-cost home loan", as defined in Banking Law Section 6-1, or a subprime home loan or a non-traditional home loan, as those terms as defined in RPAPL Section 1304.





## EXCEPTIONS, OBJECTIONS AND OTHER INFORMATION

**Title No. 10091567**

12. Real Property Actions and Proceedings Law Section 1302 requires that any complaint served in the foreclosure of a “high-cost home loan” or a “subprime home loan” commenced on and after September 1, 2008 contain an affirmative allegation that at the time the proceeding is commenced, the plaintiff is the owner and holder of the subject mortgage and note, or has been delegated the authority to institute a mortgage foreclosure action by the owner and holder of the subject mortgage and note, and the plaintiff has complied with all of the provisions of Banking Law Section 595-A, and any rules and regulations promulgated thereunder, Banking Law Sections 6-1 of 6-m, and RPAPL Section 1304.
13. Bankruptcy search against Paul Blair reveals nothing found of record.
14. Surrogates search against Paul Blair reveals nothing found of record.
15. For questions regarding this Certificate, please contact Melissa Gentle/DJK, (585) 454-4770 ext. 240.



## Tax Search

Title No.: **10091567**

Date: October 29, 2009

Client Name:

Client No.:

Assessed Owner: Blair, Paul

Assessed Value: Land: \$3,100.00 Total: \$45,000.00

Tax Address: 311 Pearl Street

City: Rochester

County: Monroe

State: New York

Tax Account No.: Section: 121.570 Block: 2 Lot: 35

School District: Rochester City

Class Code: 210- single family residence

Lot Size: 32 ft. x 66 ft.

### Notes:

- Subject to Future installments of special assessments for improvement, if any.
- New York Real Property Tax Law Section 302 and 520 may affect the real estate tax liability, if the premises described in Schedule "A" have a tax exemption.
- Subject Unpaid Water and/or Sewer Charges, If Any.
- Subject to Any State of Facts an accurate municipal/departmental search would disclose.

### **-Tax Search Continued-**

TAX SEARCH DOES NOT GUARANTEE AGAINST EXISTENCE OR SIDEWALK/CURB ASSESSMENTS WHICH ARE NOT REFLECTED IN REAL ESTATE TAX RECORDS AS OF SAID POSTING DATE. NO LIABILITY SHALL BE INCURRED FOR ERRONEOUS OR INACCURATE INFORMATION PROVIDED BY THE DEPARTMENT OF FINANCE, TREASURER, OR APPLICABLE MUNICIPAL TAXING AUTHORITY, INCLUDING BUT NOT LIMITED TO ERRORS DUE TO LOADING, KEY ENTRY, PROCESSING, DATA COMMUNICATION, HARDWARE AND SOFTWARE PROBLEMS, OR THE BACKDATING OF ANY INFORMATION. RESPONSIBILITY LIMITED TO THOSE ITEMS AND INSTALLMENTS THAT ARE LIENS AS OF THE DATE OF THIS REPORT AND REFLECTED ON THE PUBLIC RECORDS. RECENT PAYMENTS REFLECTED MAY BE SUBJECT TO COLLECTION. TAX SEARCH DOES NOT COVER ANY PART OF THE STREETS ON WHICH THE PREMISES TO BE INSURED ABUT; NOR DOES IT COVER VAULT CHARGES AND ADDITIONAL CHARGES DUE TO BUILDING PURPOSE CHARGES FOR UNFIXED FRONTAGE. TAX EXEMPTIONS MAY BE RESTORED ON THE DATE OF CONVEYANCE OR UPON DEATH OF THE RECORD OWNER. PLEASE REQUEST THE SELLER OR BORROWER TO HAVE RECEIPTED BILLS AVAILABLE AT THE TIME OF CLOSING.



**Tax Search - Continued**

**Property Tax Status:**

LIEN SOLD / TAX -

PAID TO DATE  / UNPAID CURRENT YEAR  / UNPAID ARREARS  / FORECLOSURE PENDING

**Property Tax Summary:**

**2009 county taxes due 2/10/09: (payable to Monroe County)**  
\$596.17                      paid, 2/10/09

**2009/2010 city and school taxes: (payable to Rochester City)**  
1<sup>st</sup> installment due 7/31/09: \$455.52                      paid, 7/30/09  
2<sup>nd</sup> installment due 9/30/09: \$305.00                      paid, 9/29/09  
3<sup>rd</sup> installment due 1/31/10: \$305.00                      open  
4<sup>th</sup> installment due 3/31/10: \$305.00                      open

No arrears.

**Water:** Account #0705960003. Water is payable to the city. Currently has an unpaid balance due of \$194.71.

**Municipal/Departmental Search Summary:**

  X   No Municipal/Departmental Search has been conducted.

**Tax Payment Information:**

Tax Type: City/School	Payee: City of Rochester Treasurer	Payee Address:	City Hall - Treasury 30 Church Street – Room 100A Rochester, NY 14614 (585) 428-6940
Tax Type: County	Payee: Monroe County Treasurer	Payee Address:	County Office Building - Treasury 39 West Main Street, Room B2 Rochester, NY 14614 (585) 753-1200

For questions regarding this report, please call: (888) 250-9056 x. 241                      Adam J. Whiting / MAD

**Please Note: This Company should be contacted in advance of a closing, if tax payoff coordination services will be required.**



A Corporation duly incorporated under the Laws of the State of New York, for a valuable consideration to it paid, does hereby certify to the record owners of an interest in or specific lien upon the premises hereinafter referred to or described, that upon examination of the Grantor and Mortgagor Indexes to the Records in the Office of the Clerk of the County in which subject premises is located, for Deeds of Conveyance, Wills, Powers of Attorney, and Revocations thereof, Mortgages, Indexes for General Assignments, Affidavits of Foreclosure, Assignments of Mortgages, Sheriff's Certificates of Sales, Homestead Exemptions, Lien Book of Welfare Commissioners, Miscellaneous Records, Orders Appointing Receivers, the Mortgage Book of Loan Commissioners of the United States Deposit Fund, Leases, Contracts, Notice of Pendency of Action, State Criminal Surety Bond Liens, Individual Surety Bond Lien Docket, Index of Incompetency, and Surrogate Indexes, against the names disclosed in Schedule D of this Foreclosure Certificate, during the record period of such ownership respectively from and including the date of the mortgage to be foreclosed herein, to the Certification Date herein.

And that it finds the items set forth in the foregoing Foreclosure Certificate, and nothing more, and that said items are correctly set forth, and that there is nothing more in said indexes which appears to affect the premises or any part thereof, described on Certification Page of this Foreclosure Certificate, and Schedule A Description of Mortgaged Premises herein (except liens or encumbrances correctly discharged of record).

And WebTitle Agency further Certifies that no Judgment appears upon the docket books to have been docketed during the last ten years, and no Collector's Bond filed and indexed during the last twenty years, and no Financing Statements affixed to Real Property indexed during the last five years, and no Federal Tax Lien filed during the last ten years and no Mechanic's Lien or Lien Bond filed and indexed during the last year, in said Clerk's Office, against any of the persons who appear from the foregoing Foreclosure Certificate, to have held any title to said premises during said periods, which is a lien on said premises, except as correctly set forth in said Foreclosure Certificate, including those taken from the records and files of the Office of the Surrogate Court, are correctly abstracted.

Searches have not been made for, and this Foreclosure Certificate does not cover, General Assignments, Order Appointing Receivers and Petitions in Bankruptcy against Judgment Creditors and Minor Lienors, Searches for Financing Statements under the Uniform Commercial Code have been made only in the office of the Recording Officer of the County in which the premises are situated, and in counties having a block index system only against the block in which the property is situated.

No inspection of premises, report on streets or searches for violations in Municipal or other governmental departments have been made; nor have searches been made for corporation franchise taxes or license fees, Federal and State inheritance, transfer or estate taxes. Upon request, the company will obtain a report from the State Tax Commission on corporation franchise taxes, license fees or state transfer or estate taxes upon payment of \$1.00 for each name, but no responsibility for the correctness of such reports will be assumed by this company.

This certificate is made for and accepted by the applicant upon the express understanding that: (1) it is to be used only for the foreclosure of the within described mortgage or for the taking of a deed in lieu of foreclosure and for no other purpose; (2) no policy of title insurance is to be issued; (3) if a deed in lieu of foreclosure is taken, the company shall not be liable should the deed be attacked by the grantor, his successors or creditors for inadequacy of consideration or as to the capacity of the record owner to execute such a deed or for any other reason; (4) the company shall not be liable for defects in title, liens, restrictive covenants or any other encumbrance existing or created prior to the date of the aforesaid mortgage to be foreclosed; (5) this certificate shall be null and void if the applicant, his attorney or agent makes any untrue statement with respect to any material fact or suppresses or fails to disclose any material fact or if any untrue answers are given to this company to material inquiries before the issuance of this certificate; (6) any damages hereunder are limited to \$1,000.00, which damages the party for whom this report has been prepared shall sustain by reason of the Company's failure to report a lien or matter junior to the mortgage to be foreclosed.