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How to Complete Your New York Mortgage

Mortgage (New York Real Property Law)

INSTRUCTIONS — KEEP FOR YOUR RECORDS. DO NOT ATTACH THIS PAGE TO YOUR DOCUMENT.

About this form. In New York, real estate loans are secured by a **mortgage** (not a deed of trust). Use this form for a private, family, or seller-financed loan. The borrower signs it, and it is recorded.

1. **Record and return to (top of Page 1)**
   Enter who should receive the recorded original, and the tax map Section, Block, and Lot. Leave the space above the dotted line blank for the County Clerk.
2. **Fill in the parties, loan, and premises (Pages 1–2)**
   Name the mortgagor (borrower) and mortgagee (lender), the loan amount, and the full legal description.
3. **Sign before a notary (Page 3)**
   Each borrower signs. Bring a current, government-issued photo ID. Signing outside New York? The notary attaches an out-of-state acknowledgment (RPL § 309-b). We can handle that.

After It's Signed

- Record the original with the County Clerk of the county where the property is located (in New York City, the City Register through ACRIS).
- New York charges a mortgage recording tax when the mortgage is recorded. A mortgage affidavit may be required.
- Pair it with a signed Promissory Note. Consumer and residential loans have additional rules; talk to an attorney.

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New York-Commissioned Notaries

SCAN TO BOOK

Questions about this document? Talk to an attorney. Gavrilov & Brooks Law Firm has attorneys licensed in New York and other states. Phone and video consultations are available. **(916) 504-0529** · **www.gavrilovlaw.com**

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YOUR FORM BEGINS ON THE NEXT PAGE

RECORD AND RETURN TO:

SPACE ABOVE RESERVED FOR THE COUNTY CLERK / CITY REGISTER

Tax map: Section / District Block Lot County / Town

MORTGAGE

(New York Real Property Law)

THIS MORTGAGE, made the

day of month and year
BETWEEN

MORTGAGOR (borrower): name(s) and address
AND

MORTGAGEE (lender): name and address

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WITNESSETH, that to secure the payment of an indebtedness in the principal sum of

Amount ($)	under a note dated	Final payment due

with interest as provided in the note, the mortgagor hereby **mortgages to the mortgagee**:

ALL that certain plot, piece or parcel of land, with the buildings and improvements thereon, situate, lying and being in the

City / Town / Village of	County of

State of New York, described as follows:

Legal description (attach Schedule A if more space is needed)

Premises known as (street address)

1. The mortgagor will pay the indebtedness as provided in the note, keep the buildings insured for the benefit of the mortgagee, and pay all taxes and assessments when due.
2. The whole principal shall become due at the option of the mortgagee after default in payment, as provided in the note and in Section 254 of the Real Property Law.
3. The mortgagor warrants title to the premises, subject only to matters of record.

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IN WITNESS WHEREOF, this mortgage has been duly executed by the mortgagor.

X _____
Mortgagor

Printed name

X _____
Mortgagor

Printed name

ACKNOWLEDGMENT IN NEW YORK (RPL § 309-a)

STATE OF NEW YORK)
) ss.:
COUNTY OF)

On the day of _____ in the year (month and year) _____

before me, the undersigned, personally appeared _____

name(s) of mortgagor(s)

personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

X _____
Notary Public

(Notary seal)

Notary's printed name _____

Registration No. _____ Qualified in (county) _____ Commission expires _____

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