

# AFFIDAVIT OF TITLE

## (Limited Liability Company)

STATE OF NEW JERSEY, COUNTY OF OCEAN

JARRETT SUTTON says under oath:

Manager(s) and/or Member(s). We are Manager(s) and/or Member(s) of 13 ESSEX E ORANGE LLC, a Limited Liability Company of the State of New Jersey, N.J.S.A. 42:2B-1 et seq. The Limited Liability Company will be called the "Limited Liability Company" and sometimes simply "LLC", "it" or "its". The Manager/Member of the Limited Liability Company is JARRETT SUTTON and resides at 10 Evergreen Road, Somerset, NJ 08873

We are fully familiar with the business of the Limited Liability Company. We are citizens of the United States and at least 18 years old.

1. **Representations.** The statements contained in this affidavit are true to the best of our knowledge, information and belief.

2. **Powers and Privileges.** The Limited Liability Company is the only owner of property located at 264 Girard Avenue, Township of Franklin, Somerset County, New Jersey called "this property". This property is to be financed by the Limited Liability Company to TVC FUNDING, II, LLC.

This action, and the making of this affidavit of title, has been duly authorized by a proper resolution of the Limited Liability Company. A copy of this resolution of the Limited Liability Company is attached and made a part of this affidavit. The Limited Liability Company is legally authorized to transact business in the State of New Jersey. It has paid all state taxes presently due. Its charter, franchise and corporate powers have never been suspended or revoked. It is not restrained from doing business nor has any legal action been taken for that purpose. It has never changed its name or used any other name.

3. **Approval by Manager(s)/Member(s).** (check one only)

Manager and/or Member approval is not required if so stated in the Operating Agreement.

This is a sale of all or substantially all of the assets of the Limited Liability Company. The sale is not made in the regular course of the business of the Limited Liability Company. A copy of the authorization and approval of the Manager(s) and/or Member(s) is attached.

4. **Ownership and Possession.** It has owned this property since 10/2/2023. Since then no one has questioned its right to possession or ownership. The Limited Liability Company has sole possession of this property. There are no tenants or other occupants of this property. Except for its agreement with the Buyers (if this is a sale) its has not signed any contracts to sell this property. It has not given anyone else any rights concerning the purchase or lease of this property. It has never owned any property which is next to this property.

5. **Improvements.** No additions, alternations or improvements are now in progress or have been made to this property since @. It has always obtained all necessary permits and certificates of occupancy. All charges for municipal improvements such as sewers, sidewalks, curbs or similar improvements benefiting this property have been paid in full. No building, addition, extension of alteration on this property has been made or worked on within the past four months. The Limited Liability Company is not aware that anyone has filed or intends to file a mechanic's lien or building contract relating to this property. No one has notified it that money is due and owing for construction or repair work on this property.

6. **Liens or Encumbrances.** It has not allowed any interests (legal rights) to be created which affects its ownership or use of this property. No other persons have legal rights in this property, except the rights of utility companies to use this property along the road or for the purpose of serving this property. The Limited Liability Company does not have any pending lawsuits or judgments against it or other legal obligations which may be enforced against this property. It does not owe any disability, unemployment, corporate franchise, social security, municipal or alcoholic beverage tax payments. No bankruptcy or insolvency proceedings have been stated by or against it, nor has it ever been declared bankrupt. No one has any security interest in any personal property or fixtures on this property. All liens (legal claims, such as judgments) listed on the attached judgments or lien search are not against the Limited Liability Company, but against others with similar names.

7. **Exceptions.** The following is a complete list of exceptions to any of the above statements. This includes all liens or mortgages which are not being paid as a result of this transaction.: n/a

We have been advised that recognizance and/or abstracts or recognizance of bail are not being indexed among the records of the SOMERSET County Clerk/Register's office and that the Title Company, Buyer(s) and/or Mortgagee will rely on the truthfulness of this statement. The undersigned hereby certify that there are no recognizance filed against the undersigned as either principal or surety on the property which is the subject of this transaction. There are no unpaid fines or surcharges levied against us by the New Jersey Motor Vehicle Commission.

8. **Reliance.** The Limited Liability Company makes this affidavit in order to induce the Buyer(s) or the Lender to accept its deed or mortgage. It is aware that the Buyer(s) or Lender will rely on the statements made in this affidavit and on its truthfulness.

Signed and sworn to before me on

October 02, 2023

Eileen Nicosia  
Notary Public

13 ESSEX E ORANGE LLC

Jarrett Sutton  
JARRETT SUTTON

**EILEEN NICOSIA**  
Notary Public - State of New Jersey  
My Commission Expires 8/4/2024  
Commission #51308