**AFFIDAVIT AND INDEMNITY**

This Affidavit is executed for the benefit of M.S. Title Agency, LLC and/or First American Title Insurance Company, their successors and/or assigns (collectively, the “Company”) with respect to property located in       County, Michigan, more particularly described in the Company’s Commitment for title insurance No.       (the “property”).

Affiants hereby state and acknowledge as follows:

Affiants acknowledge receipt of commissions and all monies due that relate to the real estate described in the title commitment referenced above, and hereby waive all lien rights, including, but not limited to those that may arise under the Commercial Real Estate Broker’s Lien Act, Michigan Public Act 201 of 2010.

Affiants acknowledge that the Company is relying on the representations contained in this Affidavit in issuing its policy or policies of title insurance covering the property, and that the Company would not issue such policy or policies without exception to a Broker’s right to lien unless these representations were made. In consideration of the Company’s issuance of such policy or policies of title insurance, Affiants, jointly and severally agree to defend, hold harmless and indemnify the Company against all loss, damage or liability, including liability for reasonable attorneys’ fees incurred under Conditions of its policy or policies resulting from the recording, enforcement or attempted enforcement of our right to a commercial broker’s lien recorded pursuant to the Commercial Real Estate Broker’s Lien Act, Michigan Public Act 201 of 2010.

Affiant: (Listing Broker) Dated:

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

By:

Its:

STATE OF )

 )SS.

COUNTY OF )

Subscribed and sworn to before me, a notary public, this       day of      , 20     , by      , its Agent.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 Notary Public,       County, State of Michigan

Acting in       County

Affiant: (Selling Broker) Dated:

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

By:

Its:

Subscribed and sworn to before me, a notary public, this       day of      , 20     , by      , its Agent.

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Notary Public,       County, State of Michigan

Acting in       County