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# **INTERIM AFFIDAVIT & AGREEMENT**

STATE OF ,

COUNTY/CITY OF ; TO-WIT:

On this \_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 20\_\_\_\_, before me personally appeared,

1. Owner and developer of the property hereinafter described, the
2. Owner and general contractor in connection with the development or improvements of the property hereinafter described, or the
3. Owner and a contractor or subcontractor furnishing labor or material in connection with the development or improvement of the property hereinafter described;

to me personally known, or satisfactorily proven, who, being duly worn on his/her oath, did say that all of the persons, firms and corporations, including the general contractor and all subcontractors who have furnished services, labor or materials according to plans and specifications, or extra items, used in the construction or repair of buildings and improvements on the real estate hereinafter described, will be paid in full from the first draw of the construction loan, and that such work has been performed to satisfaction and accepted by owner as of date herein.

Affiant further says that no claims have been made to affiant by, nor is any suit pending against affiant by any contractor, subcontractor, laborer or materialmen, and further that no chattel mortgages, conditional bills of sale, retention of title agreements, security agreements, financing statements, or personal property leases have been given or are outstanding as to any fixtures, appliances, equipment which are now installed in or upon said real property or on the improvements thereon.

Affiant on behalf of said Owner of the Property and General Contractor does for a valuable consideration hereby agree and guarantee to hold First National Title Insurance Company(in consideration of its issuance of a draw endorsement to the construction lender), harmless against any lien, claim or suit of or by any general contractor, contractor, subcontractor, laborer or materialmen, and against any chattel mortgages, conditional bills of sale, retention of title agreements, security agreements, financing statements, or personal property leases in connection with the construction or repairs of such building or improvements on the real estate.

The real estate and improvements referred to herein are situated in the State of Virginia, County/City of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ and described as follows:

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WITNESS the following signatures and seals:

OWNER OF PROPERTY OWNER OF PROPERTY

GENERAL CONTRACTOR

Subscribed and sworn to before me this \_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 20\_\_\_\_ by

 .

Notary Public

My commission expires: .