

SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF \_\_\_\_\_

-----X

In the Matter of the Continuance of  
the public improvement lien claimed by  
\_\_\_\_\_, lienor, on the  
Proceeds of the Contract of \_\_\_\_\_  
\_\_\_\_\_, Contractor,  
with the STATE OF NEW YORK, and the  
DEPARTMENT OF TRANSPORTATION  
OF THE STATE OF NEW YORK,

Contract No. \_\_\_\_\_

ATTORNEY'S  
AFFIRMATION TO  
CONTINUE OR EXTEND  
PUBLIC LIEN  
SUBSEQUENT TO  
EXTENSION PROCEDURE

Index No. \_\_\_\_\_

(Justice \_\_\_\_\_)

-----X

\_\_\_\_\_, pursuant to CPLR 2106, affirms as follows:

1. I am an attorney-at-law associated with the firm of \_\_\_\_\_,  
attorneys for \_\_\_\_\_ and as such am fully familiar with the facts of this  
matter.

2. On [date], a public improvement lien on behalf of \_\_\_\_\_ in the  
sum of \$ \_\_\_\_\_ was duly filed with the Comptroller of the State of New York and the  
Department of Transportation of the State of New York. A copy of said lien is annexed as  
Exhibit A hereto.

3. Within one year of the filing of said public improvement lien, said lien was extended by  
the filing of an extension of lien with the Comptroller of the State of New York in accordance  
with Lien Law § 18 as amended. A copy of said extension is annexed as Exhibit B hereto.

4. An action to foreclose upon the said lien has not been instituted pending the negotiations  
of possible payment of the sums due to the lienor by the lienee.

5. No action has been commenced to foreclose said lien and the time to institute such action  
will expire on [date],<sup>1</sup> pursuant to the Extension of Lien unless the lien is continued by an order  
of this Court.

6. No previous application has been made for the relief sought herein.

WHEREFORE, your affirmant respectfully requests an order of this Court continuing the  
public improvement lien for the period of one year as provided by statute (Lien Law § 18) and  
set forth in the accompanying order.

\_\_\_\_\_  
<sup>1</sup> The extension of lien is valid for one year from the filing thereof pursuant to Lien Law § 18.