**FREDDIE MAC MULTIFAMILY**

**BAILEE ACKNOWLEDGMENT**

**DATE: \_\_\_\_\_\_\_\_ \_\_, 2020**

**TO: Federal Home Loan Mortgage Corporation**

**RE: Freddie Mac Loan Number: \_\_\_\_\_\_\_\_\_\_\_\_\_**

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (“**Bailee**”), in its capacity as document custodian and bailee, hereby acknowledges receipt and possession of the documents evidencing the above referenced Loan, which documents are set forth on Schedule I attached hereto and made a part hereof (collectively, the “**Bailee Documents**”). Simultaneously as of the date and time of Freddie Mac’s transfer of the Loan purchase proceeds to Seller or Seller’s warehouse lender, as applicable, Bailee agrees it is holding the Bailee Documents in trust as custodian and bailee for the exclusive benefit of Freddie Mac and no other person. Bailee shall maintain continuous custody and control of the Bailee Documents and Bailee represents and warrants that it shall hold the Bailee Documents in a safe and secure manner, i.e., to the extent available and practicable, in a locked, fireproof vault, safe or equivalent. Notwithstanding the foregoing requirement to hold the Bailee Documents in a safe and secure manner, in the event that any of the Bailee Documents are lost, misplaced or destroyed, Bailee shall cause Borrower and/or Seller, as applicable, to re-execute the Bailee Documents. Bailee will as promptly as reasonably practicable deliver the Bailee Documents to Freddie Mac as Freddie Mac directs in writing. Bailee’s status and obligations as bailee shall automatically terminate, without any further action by any party, upon the delivery of the Bailee Documents to Freddie Mac.

Freddie Mac will have no responsibility for any of Bailee’s costs and expenses associated with the bailment and document custodial services or the delivery of the Bailee Documents to Freddie Mac.

As a condition precedent to Freddie Mac’s purchase of the Loan referenced above secured by the property set forth on Schedule I, Bailee acknowledges and agrees that Bailee must deliver, or cause to be delivered, to Freddie Mac, a copy of the executed Bailee Acknowledgment for this Loan to the Bailee Acknowledgement document type in the Final Delivery section of DMS for the Loan.

[\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_],

a [State] [Entity type]

By: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Name: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Title: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**Schedule I**

**Property Name**: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**Property Address**: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**Borrower**: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**Seller/Servicer**: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**Freddie Mac Loan Number**: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**Bailee e**-**mail address(es) to receive** **Discontinuance of Contingency Plan Notification and other Bailee notices from Freddie Mac: *[list all]***

**List of Documents held by Bailee:**

**[*Check as applicable; add additional documents as applicable*]**

**[ ] Multifamily Note dated \_\_\_\_\_\_\_\_\_\_\_ in the amount of $\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**[ ] Guaranty [*list each Guaranty and identify by Guarantor*]**

**[ ] Multifamily Loan and Security Agreement**

**[ ] Multifamily Loan and Security Agreement – Seniors Housing**

**[ ] Multifamily Loan and Security Agreement – SBL**

**[ ] Insurance Agreement**

**[ ] Cross Collateralization**

**[ ] Intercreditor Agreement**

**[ ] Letter of Credit in the amount of $\_\_\_\_\_\_\_\_\_\_\_\_**

**[ ] [*List other original documents required to be delivered by the Commitment/ERLA or being held, as applicable*]**

**[ ]**

**[ ]**