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AFFIDAVIT

We, Samuel D. Smith and Emma L. Smith, first being duly sworn upon our oath, do allege and state as follows:

1. That we are the owners of the following described real estate:

Lot Three (3) in Block Four (4) in Gary Land Company's Fifth Subdivision in the City of Gary, Lake County, Indiana, as per plat thereof, recorded in Plat Book 15, page 3-1/2 in the Office of the Recorder of Lake County, Indiana, more commonly known as 615 Rutledge Street, Gary, Indiana.

2. That on July 2, 1974, we signed a mortgage to Associated Surety Agents, Inc., and Daniel Yaksich, which mortgage was recorded on July 3, 1974 as Document No. 257836, to secure a bond for Emma L. Smith's brother, Defendant Mitchell M. Calhoun, the United States District Court, Criminal Division, under Cause No. HCR 75-52;

FILED
FEB 20 1981
WILLIAM BIELSKI, JR.
RECORDER

3. That on July 12, 1974, we signed a mortgage to American Surety Underwriters, Inc. and Teola Jackson, which mortgage was recorded on July 16, 1974, as Document No. 259512, to secure a bond for Emma L. Smith's brother, Defendant Mitchell M. Calhoun, in the United States District Court, Criminal Division, under Cause No. HCR 75-52;

4. That Defendant Mitchell M. Calhoun was found guilty and sentenced on March 21, 1974, to the United States Penitentiary in Terre Haute, Indiana, under Cause No. HCR 75-52;

5. That the case was appealed and said appeal was decided by the United States Court of Appeals on January 25, 1975;

6. That the said bonds which were secured by the second and third mortgages described in rhetorical paragraphs #2 and #3 of this affidavit on the real estate described in rhetorical paragraph #1 of this affidavit were released by the United States District Court, Criminal Division on January 27, 1975, but said release was not properly recorded;

FILED

FEB 19 1981

James D. [Signature]
JUDGE, LAKE COUNTY

H. Jean Robinson
ATTORNEY AT LAW
206 WEST RIDGE ROAD
MUNSTER, INDIANA 46321
TELEPHONE (219) 638-1413

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7. That Associated Surety Agents, Inc. and American Surety Underwriters, Inc. are no longer doing business;

8. That Samuel D. Smith is not the same Sam Smith against whom a judgment was rendered in the amount of One Thousand (\$1,000.00) Dollars on July 11, 1978, in Case No. Hammond 2752, United States of America vs. Sam Smith, which judgment was recorded in Volume 45, page 23, and wrongfully appears as a lien upon the real estate described in rhetorical paragraph #1 of this affidavit;

9. That this affidavit is made to induce the Lake County Recorder's Office to release the respective second and third mortgages and judgment lien described in rhetorical paragraphs #2, #3 and #8 of this affidavit on the real estate described in rhetorical paragraph #1 of this affidavit.

Further affiants sayeth not.

Samuel D. Smith
SAMUEL D. SMITH

Emma L. Smith
EMMA L. SMITH

SUBSCRIBED and SWORN to before me a Notary Public in the State of Indiana, County of Lake, this 16 day of February, 1981.

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My Commission expires:

June 21 1982

Emma L. Smith
Notary Public

H. Jess Harrison
ATTORNEY AT LAW
108 WEST RIDGE ROAD
MUNSTER, INDIANA 46311
TELEPHONE CUM 828-1413