

STATE OF INDIANA
LAKE COUNTY
FILED FOR RECORD

2004 042978

2004 MAY 24 10 11 AM

MORNING RECORD
AFFIDAVIT

Comes now the law firm of Feiwell & Hannoy, P.C., by Amy S. Thurmond, Attorney at Law, first being duly sworn, states that:

1. On December 17, 2002, pursuant to a court ordered sheriff sale on Cause Number 45D11-0202-MF-69, wherein Wells Fargo Home Mortgage, Inc. was Plaintiff and Alexander Irizarry was defendant, a Sheriff's Deed was recorded as Instrument Number 2002-116495 conveying the following real estate from the Sheriff of Lake County to Wells Fargo Home Mortgage, Inc.:

Lots 23, 24, 25 and 26, Block 12, the 3rd Addition to New Chicago, as shown in Plat Book 6, page 11, Lake County, Indiana.

More commonly known as: 418 West 37th Avenue, Hobart, IN 46342

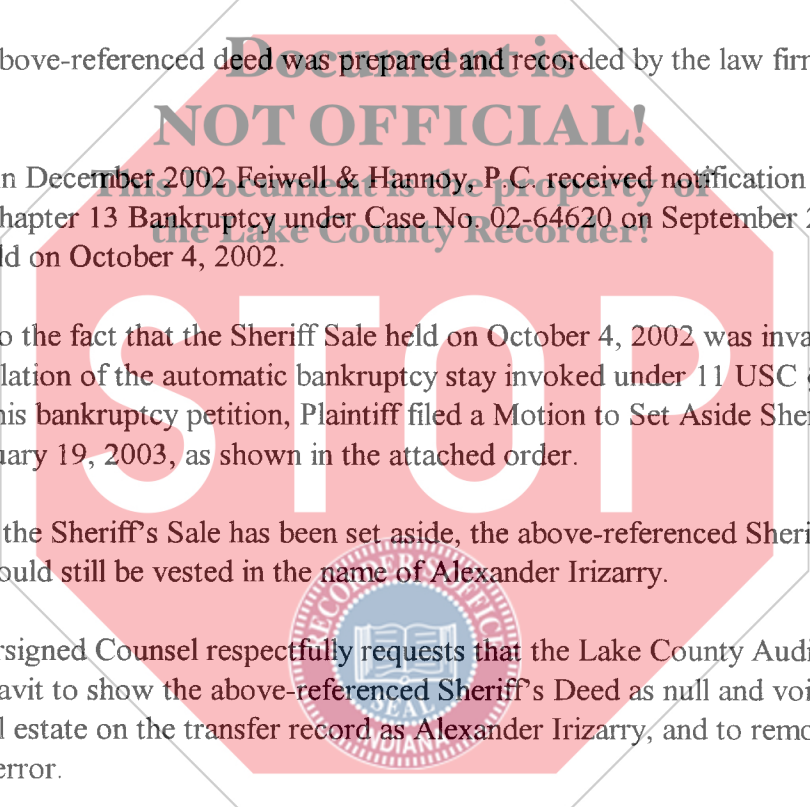
2. The above-referenced deed was prepared and recorded by the law firm of Feiwell & Hannoy, P.C.

3. That in December 2002 Feiwell & Hannoy, P.C. received notification that Alexander Irizarry filed a Chapter 13 Bankruptcy under Case No. 02-64620 on September 26, 2002 prior to the Sheriff's Sale held on October 4, 2002.

4. Due to the fact that the Sheriff Sale held on October 4, 2002 was invalid as it was conducted in violation of the automatic bankruptcy stay invoked under 11 USC §362 when the Defendant filed his bankruptcy petition, Plaintiff filed a Motion to Set Aside Sheriff's Sale which was granted on February 19, 2003, as shown in the attached order.

5. Since the Sheriff's Sale has been set aside, the above-referenced Sheriff's Deed is no longer valid and title should still be vested in the name of Alexander Irizarry.

6. Undersigned Counsel respectfully requests that the Lake County Auditor and Recorder accept this Affidavit to show the above-referenced Sheriff's Deed as null and void, to reflect the proper owner of the real estate on the transfer record as Alexander Irizarry, and to remove any cloud on the title due to said error.



DULY ENTERED FOR TAXATION SUBJECT TO
FINAL ACCEPTANCE FOR TRANSFER

MAY 24 2004

STEPHEN R. STIGLICH
LAKE COUNTY AUDITOR

131DC
168789
26789
001933

I AFFIRM UNDER THE PENALTIES FOR PERJURY THAT THE FOREGOING REPRESENTATIONS ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

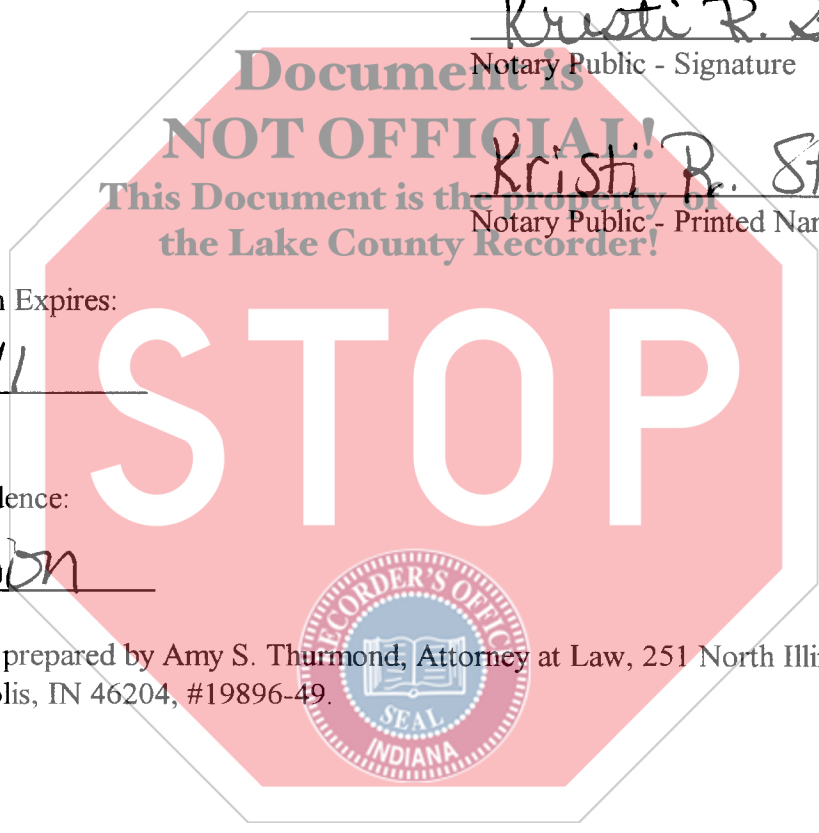
Amy S. Thurmond
Amy S. Thurmond

STATE OF INDIANA)
) SS:
COUNTY OF MARION)

Subscribed and sworn to before me, a Notary Public, this 20th day of May, 2004.

Kristi R. Study
Notary Public - Signature

Kristi R. Study
Notary Public - Printed Name



My Commission Expires:

2-12-11

County of Residence:

Marion

This instrument prepared by Amy S. Thurmond, Attorney at Law, 251 North Illinois Street, Suite 1700, Indianapolis, IN 46204, #19896-49.

STATE OF INDIANA)
)SS: IN THE LAKE SUPERIOR COURT
COUNTY OF LAKE) CAUSE NO. 45D11-0202-MF-69

WELLS FARGO HOME MORTGAGE,)
INC.,)
)
Plaintiff,)
)
vs.)
)
ALEXANDER IRIZARRY,)
)
Defendant.)

Filed in Open Court

FEB 19 2003

Anne M. Anton
CLERK LAKE SUPERIOR COURT

ORDER TO SET ASIDE SHERIFF'S SALE

This matter came before the Court on the Motion of the Plaintiff, Wells Fargo Home Mortgage, Inc. to Set Aside Sheriff's Sale of October 4, 2002, and being duly advised in the premises, now finds that the above referenced Motion should be granted; accordingly it is:

ORDERED, ADJUDGED AND DECREED, that the Sheriff's sale of October 4, 2002, is hereby set aside: **This Document is the property of the Lake County Recorder!**

All of which is ordered this FEB 19 2003 day of FEB 19 2003, 2003.

Jeffrey J. Ryan
JUDGE LAKE SUPERIOR COURT

DISTRIBUTION:

AMY S. THURMOND
FEIWELL & HANNOY
Professional Corporation
P.O. Box 44141
251 N. Illinois St., Suite 1700
Indianapolis, IN 46204
(317)237-2727

