

2010 057905

2010 OCT -6 AM 10:01

MICHELLE D. FAJMAN  
RECORDER

**ESTOPPEL AFFIDAVIT**

This AFFIDAVIT, made this 10 day of June 2010, by **Caleb Smith & Stephanie Best**,

WITNESSETH:

That, **Caleb Smith & Stephanie Best**, who claim title by or through a deed recorded on **October 14, 2004** as **Instrument No. 2004-087869**, in the **Lake County, Indiana Recorder's Office**, the full satisfaction of the **BAC Home Loans Servicing LP**, whose **TAX MAILING ADDRESS** will be **7105 Corporate Drive PTXC-35, Plano, TX 75024** has Given, Granted, Remised, Released, and Forever Warranted unto said Grantee, its successors and assigns forever, all such right and title as she, said Grantor(s), has or ought to have in and to the following described place or parcel of land:

**SEE ATTACHED LEGAL DESCRIPTION**

**PARCEL NUMBER: 45-07-36-277-012.000-001**

**PROPERTY ADDRESS: 4816 Orchard Dr, Griffith, IN 46319**

That said Grantors, **Caleb Smith & Stephanie Best**, are the parties who executed that certain Warranty Deed to **BAC Home Loans Servicing LP** ("Grantee"), conveying the above described property. That said Grantor hereby acknowledges, agrees, and certifies that the aforesaid deed was an absolute conveyance of the Grantors' rights, title, and interest in and to said real estate, together with all buildings thereon and appurtenances thereunto belonging and appertaining with release of all dower and homestead rights in and to said real estate, also convey, transfer and assign the Grantors' rights of possession, rentals and equity of redemption in and to said premises.

Said Warranty Deed was given voluntarily by Grantors **Caleb Smith & Stephanie Best**, to Grantee, in good faith on the part of Grantor and Grantee, without any fraud, misrepresentation, duress, or undue influence whatsoever, or any misunderstanding on the part of Grantors or Grantee and was not given as a preference against any other creditors of said Grantors. Said Deed of conveyance shall not restrict the right of Grantee to institute foreclosure proceedings if Grantee desires, but the conveyance by said Deed shall be and is hereby intended and understood to be an absolute conveyance and an unconditional sale, with full extinguishments of Grantors' equity of redemption and with full release of all Grantors' rights, title and interest of every character in and to said property.

Said delivery, acceptance and recording of said Warranty Deed shall not, in any way or manner whatsoever, result in a merger of the interest of the **BAC Home Loans Servicing LP** of the Real Estate

**FILED**  
**OCT 05 2010**  
**PEGGY HOLINGA KATONA**  
**LAKE COUNTY AUDITOR**

**029673**

AMOUNT \$ 18.00  
CASH \_\_\_\_\_ CHARGE \_\_\_\_\_  
CHECK # 159596  
OVERAGE \_\_\_\_\_  
COPY \_\_\_\_\_  
NON-COM \_\_\_\_\_  
CLERK cd

**E**

and as the holder of the rights, title, and interests formerly held by **Caleb Smith & Stephanie Best**, in and to the Real Estate. The acceptance of the underlying Agreement and Warranty Deed shall not be deemed a waiver by the **BAC Home Loans Servicing LP** of its claims of priority under the Mortgage over any other liens, mortgages, security interests or encumbrances of any kind or nature now existing or hereafter placed upon the Real Estate, or any part thereof.

IN WITNESS WHEREOF, Grantor has hereunto set his/her hand this 10 day of June 2010

Caleb Smith

**Caleb Smith**

STATE OF Indiana )  
COUNTY OF Lake )

Before me a notary public in and for said County and State, personally appeared **Caleb Smith, unmarried**, the Grantor of the foregoing and acknowledged that he did sign the foregoing instrument, and that the same is his free act and deed.

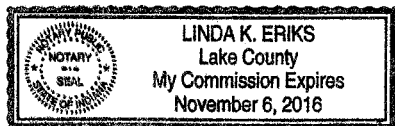
Executed before me on this 10 day of June 2010, who under penalty of perjury, represented to me to be said persons.

Linda K. Eriks  
NOTARY PUBLIC (Signature)

Printed Name: Linda K. Eriks

County of Residence Lake

My Commission Expires On 11/6/2016



IN WITNESS WHEREOF, Grantor has hereunto set his/her hand this 10 day of June 2010

Stephanie Best Smith

Stephanie Best

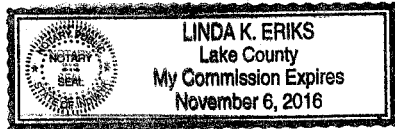
STATE OF Indiana )  
COUNTY OF Lake )

Before me a notary public in and for said County and State, personally appeared **Stephanie Best, unmarried**, the Grantor of the foregoing and acknowledged that she did sign the foregoing instrument, and that the same is her free act and deed.

Executed before me on this 10 day of June 2010, who under penalty of perjury, represented to me to be said persons.

Linda K E  
NOTARY PUBLIC (Signature)

Printed Name: Linda K. Eriks



County of Residence Lake

My Commission Expires On 11/6/2016

This Document was prepared by: Sallie A Conyers (28907-15), 3962 Red Bank Road, Cincinnati, OH 45227

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I affirm, under the penalties for perjury, that I have taken reasonable care to redact each Social Security Number in this document, unless required by law. - Sallie A Conyers (28907-15)

GRANTEE'S TAX MAILING ADDRESS: 7105 Corporate Drive PTXC-35, Plano, TX 75024

## EXHIBIT "A"

Part of Lot 6 and all of Lot 7, being more particularly described as follows: Beginning at the Southeast corner of Lot 6; thence Northeasterly 142.96 feet to a point on the North line of Lot 6, which is 20 feet West of the Northeast corner of Lot 6; thence East 54.05 feet along the North property line of Lots 6 and 7 to the Northeast corner of Lot 7; thence South along the East line of Lot 7, a distance of 168 feet to the Southeast corner of Lot 7; thence Southwesterly along the South property line of Lot 7, to the place of beginning, all in Hartog Subdivision, as per plat thereof, recorded in Plat Book 31, page 77, in the Office of the Recorder of Lake County, Indiana.