

STATE OF INDIANA
LAKE COUNTY
FILED FOR RECORD

2011 069517

2011 DEC -2 PM 1:53

MICHELLE D. FAJMAN
RECORDER

Commitment Number: 181717

Mail Tax Statements To:

Deutsche Bank National Trust Company, as Trustee for, Ameriquest Mortgage Securities Inc. Asset-Backed Pass-Through Certificates, Series 2004-R8, under the Pooling and Servicing Agreement dated August 1, 2004

American Home Mortgage Servicing 4875 Belfort Road, Suite 130, HRF Jacksonville, Florida 32256

After Recording Mail/Return To:

PowerLink Settlement Services	<input checked="" type="checkbox"/>
345 Rouser Road. Building 5	
Coraopolis PA 15108	
866-412-3636	

DEED IN LIEU OF FORECLOSURE

(Parcel Number: 45-02-36-482-022.000-024)

KNOWN ALL MEN BY THESE PRESENTS, that Rosalio D. Martinez, whose mailing address is 11314 South Avenue G Chicago, IL 60617, hereinafter called grantor, for \$1.00 and the consideration hereinafter stated, do hereby grant, bargain, sell and convey unto **Deutsche Bank National Trust Company, as Trustee for, Ameriquest Mortgage Securities Inc. Asset-Backed Pass-Through Certificates, Series 2004-R8, under the Pooling and Servicing Agreement dated August 1, 2004, c/o American Home Mortgage Servicing 4875 Belfort Road, Suite 130, HRF Jacksonville, Florida 32256**, hereinafter called grantee, and unto grantee's successors and assigns all of that certain real property with the tenements, hereditaments and appurtenances thereto belonging or in any way appertaining, situated in **Lake County, Indiana**, described as follows:

The following described real estate situated in the County of Lake, in the State of Indiana, to wit: **24, West Sohl's Second Addition to the City of Hammond, as shown in Plat Book 2, Page 17, in Lake County, Indiana, be the same more or less, but subject to all legal highways.**

Tax ID Nos. 45-02-36-482-022.000-024

For informational purposes only - Property is also known as: **5651 Sohl Avenue, Hammond, IN 46320-2016**

DULY ENTERED & TAXATION SUBJECT
FINAL ACCEPTANCE FOR TRANSFER

This being the identical property conveyed to the GRANTOR herein by Deed from recorded in 2003046114

DEC 02 2011

057385

PEGGY HOLINGA KATONA
LAKE COUNTY AUDITOR

26.00
32 3556
2.00 OVER
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To have and to hold the same unto the said grantee and grantee's successors and assigns forever.

This deed is absolute in effect and conveys fee simple title of the premises above described to the grantee and does not operate as a mortgage, deed of trust or security of any kind.

This deed does not effect a merger of the fee ownership and the lien of the mortgage described below. The fee and lien shall hereafter remain separate and distinct. By acceptance and recording of this deed, grantee covenants and agrees that it shall forever forebear taking any action whatsoever to collect against grantor on the obligations which are secured by the mortgage/deed of trust (referred to herein as "mortgage") described below, other than by foreclosure of that mortgage; and, that in any proceedings to foreclosure that mortgage, grantee shall not seek, obtain or permit a deficiency judgment against grantors, their heirs, successors or assigns, such right being hereby waived. This paragraph shall be inapplicable in the event that grantor attempts to have this deed set aside or this deed is determined to transfer less than fee simple title to grantee.

Grantor does hereby assign and transfer to grantee any equity of redemption and statutory rights of redemption concerning the real property and the mortgage described below.

Grantor is not acting under any misapprehension as to the legal effect of this deed, nor under duress, undue influence or misrepresentation of grantee, its agent, attorney or any other person. Grantor declares that this conveyance is freely and fairly made.

The true and actual consideration for this transfer consists of grantee's waiver of its right to bring an action against Grantor based on the promissory note secured by the mortgage hereinafter described and agreement not to name the grantor as a party to a foreclosure action stated above with respect to that certain mortgage signed on **June 9, 2004**, by grantor in favor of Ameriquest Mortgage Company, and recorded at property records of **Lake County, Indiana** on **July 9, 2004** at **Document Number 2004 057690** and later assigned to **Deutsche Bank National Trust Company, as Trustee for, Ameriquest Mortgage Securities Inc. Asset-Backed Pass-Through Certificates, Series 2004-R8, under the Pooling and Servicing Agreement dated August 1, 2004** as shown in the Assignment of Mortgage recorded February 18, 2009 in Document 2009 009336 of Lake County Indiana records.

In construction this deed and where the context so requires, the singular included the plural and the plural includes the singular and all grammatical changes shall be implied to make the provisions hereof apply equally to corporations and to individuals.

WITNESS the hand of said Grantor this 26 day of October, 2011.

Rosalio D. Martinez
Rosalio D. Martinez

STATE OF INDIANA
COUNTY OF LAKE

The foregoing instrument was acknowledged before me on October 26, 2011 by Rosalio D. Martinez, who is personally known to me or has produced DRIVERS LICENSE identification, and furthermore, the aforementioned person has acknowledged that his/her signature was his/her free and voluntary act for the purposes set forth in this instrument.

William J. O'Connor
Notary Public

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.

This Document is the property of the Lake County Recorder!

William J. O'Connor
Signature

WILLIAM J. O'CONNOR
Printed Name

This instrument prepared under the supervision of Michael A. Galasso, Attorney at Law, Indiana Bar No. 23576-15.

This instrument prepared by:
Jay A. Rosenberg, Esq., Rosenberg LPA, Attorneys At Law, 7367A E. Kemper Road, Cincinnati, Ohio 45249 (513) 247-9605 Fax: (866) 611-0170

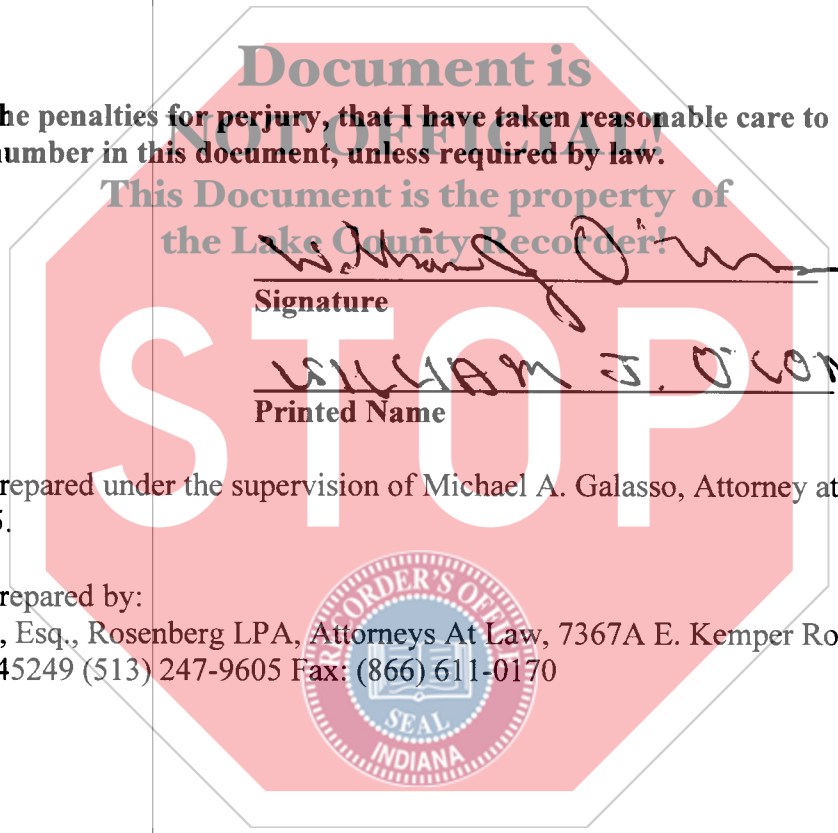


EXHIBIT "B"
ESTOPPEL AFFIDAVIT

STATE OF INDIANA
COUNTY OF LAKE

Rosalio D. Martinez, being first duly sworn, depose and say: That she is the identical party who made, executed, and delivered that certain Deed in Lieu of Foreclosure to Deutsche Bank National Trust Company, as Trustee for, Ameriquest Mortgage Securities Inc. Asset-Backed Pass-Through Certificates, Series 2004-R8, under the Pooling and Servicing Agreement dated August 1, 2004, dated the 25th day of OCTOBER, 2011, conveying the following described property, to-wit:

The following described real estate situated in the County of Lake, in the State of Indiana, to wit: Lot 24, West Sohl's Second Addition to the City of Hammond, as shown in Plat Book 2, Page 17, in Lake County, Indiana, be the same more or less, but subject to all legal highways.

Tax ID Nos. 45-02-36-482-022.000-024

For informational purposes only - Property is also known as: 5651 Sohl Avenue Hammond, IN 46320-2016

That the aforesaid deed was intended to be and was an absolute conveyance of the title to said premises to Deutsche Bank National Trust Company, as Trustee for, Ameriquest Mortgage Securities Inc. Asset-Backed Pass-Through Certificates, Series 2004-R8, under the Pooling and Servicing Agreement dated August 1, 2004, and was not and is not now intended as a mortgage, trust conveyance, or security of any kind; that it was the intention of affiant as grantor in said deed to convey, and by said deed affiant did convey to Deutsche Bank National Trust Company, as Trustee for, Ameriquest Mortgage Securities Inc. Asset-Backed Pass-Through Certificates, Series 2004-R8, under the Pooling and Servicing Agreement dated August 1, 2004, therein all right, title, and interest absolutely in and to said premises; that possession of said premises has been surrendered to Deutsche Bank National Trust Company, as Trustee for, Ameriquest Mortgage Securities Inc. Asset-Backed Pass-Through Certificates, Series 2004-R8, under the Pooling and Servicing Agreement dated August 1, 2004;

That in the execution and delivery of said deed affiant was not acting under any misapprehension as to the effect thereof, and acted freely and voluntarily and was not acting under coercion or duress;

That aforesaid deed was not given as a preference against any other creditor; that at the time it was given there was no other person or persons, firms or corporations, other than **Deutsche Bank National Trust Company, as Trustee for, Ameriquest Mortgage Securities Inc. Asset-Backed Pass-Through Certificates, Series 2004-R8, under the Pooling and Servicing Agreement dated August 1, 2004**, who have interest, either directly or indirectly, in said premises; that affiant is solvent and has no other creditors whose rights would be prejudiced by such conveyance, and that affiant is not obligated upon any bond or mortgage or other security whereby any lien has been created or exists against the premises described in said deed.

That the consideration for said deed was and is payment to affiant of the sum of \$1.00 by **Deutsche Bank National Trust Company, as Trustee for, Ameriquest Mortgage Securities Inc. Asset-Backed Pass-Through Certificates, Series 2004-R8, under the Pooling and Servicing Agreement dated August 1, 2004**, and its agreement to forebear taking any action against affiant to collect on the obligations secured by the mortgage described below, other than by foreclosure of that mortgage and to not seek, obtain or permit a deficiency judgment against affiant in such foreclosure action. The mortgage referred to herein was executed by the undersigned on **June 9, 2004**, by grantor in favor of Ameriquest Mortgage Company, and recorded at property records of Lake County, Indiana on **July 9, 2004** at **Document Number 2004 057690** and later assigned to **Deutsche Bank National Trust Company, as Trustee for, Ameriquest Mortgage Securities Inc. Asset-Backed Pass-Through Certificates, Series 2004-R8, under the Pooling and Servicing Agreement dated August 1, 2004** as shown in the Assignment of Mortgage recorded February 18, 2009 in Document 2009 009336 of Lake County Indiana records. At the time of making said deed in lieu of foreclosure affiants believed and now believe that the aforesaid consideration therefore represents the fair value of the property so deeded, or more.

This affidavit is made for the protection and benefit of **Deutsche Bank National Trust Company, as Trustee for, Ameriquest Mortgage Securities Inc. Asset-Backed Pass-Through Certificates, Series 2004-R8, under the Pooling and Servicing Agreement dated August 1, 2004**, its successors and assigns, and all other parties hereafter dealing with or who may acquire an interest in the property herein described.

That affiant will testify, declare, depose, or certify before any competent tribunal, officer, or person, in any case now pending or which may hereafter be instituted, to the truth of the particular facts hereinabove set forth.

I UNDERSTAND THAT I HAD A RIGHT TO OBTAIN LEGAL ADVICE BEFORE SIGNING THE AFORESAID DEED. I HAVE EITHER DONE SO OR HAVE ELECTED TO PROCEED WITHOUT LEGAL ADVICE.

Dated: 26th of October 2011

Rosalio D. Martinez
Rosalio D. Martinez

STATE OF INDIANA
COUNTY OF LAKE

The foregoing instrument was acknowledged before me on OCTOBER 26, 2011 by Rosalio D. Martinez, who is personally known to me or has produced DIVERS LLC as identification, and furthermore, the aforementioned person has acknowledged that his/her signature was his/her free and voluntary act for the purposes set forth in this instrument.

