

STATE OF INDIANA  
LAKE COUNTY  
FILED FOR RECORD

2013 091636

2013 DEC 16 AM 11:15

~~EXHIBIT "B"~~  
**MESTOPPEL AFFIDAVIT**  
RECORDER

Fidelity National Title  
File# 121305503

STATE OF INDIANA  
COUNTY OF LAKE

**Katherine J. Kucharski, formerly known as Katherine J. Hupke**, being first duly sworn, depose and say: "That they are the identical parties who made, executed, and delivered that certain Deed in Lieu of Foreclosure to **Kondaur Capital Corporation, as separate trustee of Matawin Ventures Trust Series 2013-2**, dated the 18 day of October, 2013, conveying the following described property, to-wit:

LOT 9 IN BLOCK 4 IN HOLTON HILL ADDITION TO THE CITY OF CROWN POINT, AS PER PLAT THEREOF, RECORDED IN PLAT BOOK 20, PAGE 55, IN THE OFFICE OF THE RECORDER OF LAKE COUNTY, INDIANA.

Parcel ID # **23-09-0039-0009**

That the aforesaid deed was intended to be and was an absolute conveyance of the title to said premises to **Kondaur Capital Corporation, as separate trustee of Matawin Ventures Trust Series 2013-2**, and was not and is not now intended as a mortgage, trust conveyance, or security of any kind; that it was the intention of affiants as grantors in said deed to convey, and by said deed these affiants did convey to **Kondaur Capital Corporation, as separate trustee of Matawin Ventures Trust Series 2013-2**, therein all their right, title, and interest absolutely in and to said premises; that possession of said premises has been surrendered to **Kondaur Capital Corporation, as separate trustee of Matawin Ventures Trust Series 2013-2**;

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

That aforesaid deed was not given as a preference against any other creditor or the deponents or either of them; that at the time it was given there was no other person or persons, firms or corporations, other than **Kondaur Capital Corporation, as separate trustee of Matawin Ventures Trust Series 2013-2**, who have interest, either directly or indirectly, in said premises; that these deponents are solvent and have not other creditors whose rights would be prejudiced by such conveyance, and that deponents are 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.

DEED# 2013-091635

That the consideration for said deed was and is payment to affiants of the sum of \$1.00 by **Kondaur Capital Corporation, as separate trustee of Matawin Ventures Trust Series 2013-2**, and **Kondaur Capital Corporation, as separate trustee of Matawin Ventures Trust Series 2013-2**, agreement to forbear taking any action against affiants 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 affiants in such foreclosure action. The mortgage referred to herein, document dated by the undersigned to **PNC Mortgage, a division of PNC Bank, National Association**, bearing the date of December 8, 2009, and recorded December 17, 2009 as Doc. No. 2009-083559 real property records of Lake County, Indiana. 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.

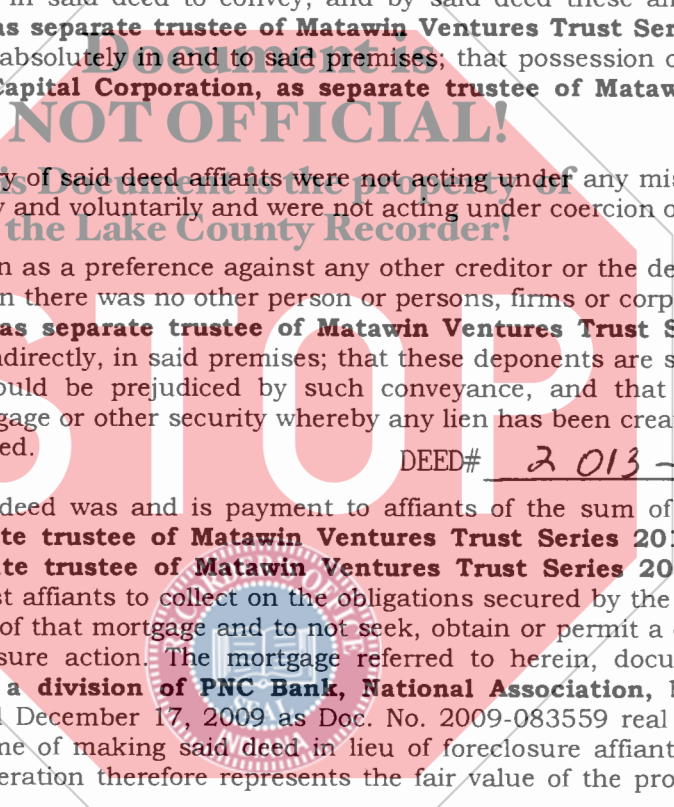
This affidavit is made for the protection and benefit of **Kondaur Capital Corporation, as separate trustee of Matawin Ventures Trust Series 2013-2**, its successors and assigns, and all other parties hereafter dealing with or who may acquire an interest in the property herein described.

DEC 13 2013

PEGGY HOLINGA KATON  
LAKE COUNTY AUDITOR

28467

AMOUNT \$ 16<sup>00</sup>  
CASH \_\_\_\_\_ CHANGE \_\_\_\_\_  
CHECK # 25008413058  
OVERAGE \_\_\_\_\_  
COPY \_\_\_\_\_  
NON-COM \_\_\_\_\_



That affiants, and each of them 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.

**WE (THE BORROWERS) UNDERSTAND THAT WE HAD A RIGHT TO OBTAIN LEGAL ADVICE BEFORE SIGNING THE AFORESAID DEED. WE HAVE EITHER DONE SO OR HAVE ELECTED TO PROCEED WITHOUT LEGAL ADVICE.**

IN WITNESS whereof, Grantor has executed this deed this 18 day of October, 2013

Katherine J. Kucharski  
f/k/a Katherine J. Hupke  
Katherine J. Kucharski f/k/a  
Katherine J. Hupke

**ACKNOWLEDGMENT**

STATE OF Indiana  
COUNTY OF Lake ) ss

Before me, a Notary Public in and for said County and State, personally appeared **Katherine J. Kucharski f/k/a Katherine J. Hupke** who acknowledged the execution of the foregoing Quitclaim Deed this 18<sup>th</sup> day of October, 2013.



Notary Public (Signature) Katie Banske  
Notary Public (Printed Name)  
My Commission Expires: 2-1-2017  
County of Residence: Lake

Prepared By:  
Leila Hansen, Esq.  
9041 South Pecos Road, Suite 3900  
Henderson, Nevada 89074

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 \_\_\_\_\_.

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 Leila Hansen.

