

Return To: S. A. Wileman Orion Financial Group, Inc. 2860 Exchange Blvd. # 100 Southlake, TX 76092

AFFIDAVIT OF LOST ASSIGNMENT

RECORD FIRST

BE IT KNOWN that on this 4/21/2006, before me, the undersigned authority, a Notary Public duly commissioned and qualified in and for the State and County aforesaid, personally came and appeared A. Tucker who, upon being duly sworn, did depose and state as follows:

- 1. That he is the Vice President of for CITIFINANCIAL MORTGAGE COMPANY, INC., ("Affiant") and is duly authorized to execute this Affidavit of Lost Assignment ("Affidavit") in such capacity; and
- 2. That Affiant is the holder, owner and/or servicer of that certain loan or obligation evidenced by a certain promissory note (the "Note") and mortgage, Deed of Trust or Deed to Secure Debt (the "Mortgage") identified as follows:

Date of Note: 3/20/2001

Original Principal Amount: \$ 95,450.00

Original Borrower: FRANK LEATHERWOOD, III, JENNIFER COLEMAN LEATHERWOOD,

HUSBAND AND WIFE

Original Mortgagee: EQUISTAR MORTGAGE COMPANY, LLC

Mortgage/Deed of Trust Recording Date: 4/4/2001

Instrument # 2001-12373

County: Shelby State: AL

Property Address: 112 FLAGSTONE LN, CALERA, AL 35040

3. Based upon a diligent search of the property records, and the records of Affiant, it appears that the Assignment of Mortgage from EQUISTAR MORTGAGE COMPANY, LLC, 6 E. Clementon Road, Gibbsboro, NJ 08026 ("Grantor/Assignor") to CITIFINANCIAL MORTGAGE COMPANY, INC., 1111 Northpoint Drive, Bldg. 4, Suite 100, Coppell, TX 75019 ("Grantee/Assignee") was never recorded and inadvertently not completed, and it is not now obtainable for the following reasons, to wit:

ORIGINAL LOST AND NEVER RECORDED

4. That the purpose of this Affidavit is to establish such facts.

LEATHERWOOD CITI LER *02119177*

LEATHERWOOD CITTLER

CITIFINANCIAL MORTGAGE COMPANY, INC.

A. Tucker, Vice President

State of Texas, County of Tarrant

On the 4/21/2006 before me, the undersigned, a Notary Public in and for said State, personally appeared A. Tucker, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she executed the same in his/her capacity, and that by his/her signature(s) on the instrument, the individual(s), or the person upon behalf of

which individual(s) acted, executed the instrument.

Notary Public, L. Wilson

My Commission Expires: October 13, 2009

L. WILSON
Notary Public, State of Texas
My Commission Expires
October 13, 2009

Witness: Brenda Bohn

Witness: N. Ayers