20060706000323000 1/1 $13.00
Shelby Cnty Judge of Probate, AL
07/06/2006 12:07:27PM FILED/CERT

AFTER RECORDING, RETURN TO:

T.D. Service Company
1820 E. First Street, Suite 300
Santa Ana, CA 92705

EMC Loan # 0011659497 Svc 3060687DT1

AFFIDAVIT OF ERRONEOUS RELEASE OF MORTGAGE/DEED OF TRUST

STATE OF California
COUNTY OF Orange

Before me, the undersigned authority, personally appeared Julie A. Yates who, being first duly sworn, deposes and says:

1. My name is Julie A. Yates; I have personal knowledge of the facts herein stated and I make this affidavit on behalf of **Mortgage Electronic Registration Systems, Inc.** in my capacity as Vice President.

2. That on 5/8/2006 a Release of Mortgage/Deed of Trust was recorded in the Register of Deeds Office of the County of Shelby, Alabama as Instrument #20060508000214990 that purported to satisfy a mortgage from **Roy K. Jones and Ann M. Jones, Husband and Wife** as Trustors and **Mortgage Electronic Registration Systems, Inc.**, said to be dated July 8, 2005 and recorded on July 25, 2005 as Instrument # 20050725000371670 and Re-recorded on August 24, 2005, as Instrument #20050824000437340 of the Register of Deeds Office of the County of Shelby, said mortgage securing a note in the amount of $42,240.00 Said mortgage encumbers the following described real property:

1001 STONECREEK DRIVE, SHELBY AL 35080-0000

3. That the execution of the Release of Mortgage/Deed of Trust occurred through an administrative error and as a mistake. The Note and Mortgage described above in Paragraph 2 have not been paid in full and have not been released by the holder of said Note and Mortgage, Mortgage Electronic Registration Systems, Inc.

4. This Affidavit is being recorded to give notice to the public that the Release of Mortgage/Deed of Trust recorded in the Register of Deeds Office of the County of Shelby as Instrument #20060508000214990 is a nullity and, as such, should not be relied upon by any third parties.

FURTHER, AFFIANT SAYETH NAUGHT.

Mortgage Electronic Registration Systems, Inc.

Julie A. Yates, Affiant

K. Tran
Witness: **K. Tran**

SWORN TO AND SUBSCRIBED before me by Laurence F. Lim
On June 26, 2006

Laurence F. Lim
Notary Public

LAURENCE F. LIM
COMM. # 1498875
NOTARY PUBLIC CALIFORNIA
ORANGE COUNTY
My comm. expires July 6, 2008
WMD2