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This instrument prepared by & return to:

Hannah C. Davenport, Esq. Rubin Lublin, LLC 3145 Avalon Ridge Place Suite 100 Peachtree Corners, Georgia 30071

Please cross-reference to:

Instrument No. 20030807000513830

Instrument No. 20100611000186850

Instrument No. 20130204000048610

Instrument No. 20180416000126510

Instrument No. 20180416000126520

Instrument No. 20190812000290270

Instrument No. 20190812000290280

Shelby County, Alabama records

## AFFIDAVIT AFFECTING TITLE

STATE OF TEXAS
COUNTY OF DALLAS

BEFORE ME, the undersigned Notary who is authorized to administer oaths and take testimony in the aforesaid jurisdiction, personally appeared undersigned Affiant, who swears under oath as follows:

- 1. I, the deponent, serve as the AVP for BSI Financial Services ("BSI"), attorney-in-fact for U.S. Bank Trust National Association, as Trustee of the SCIG Series III Trust ("SCIG Series III Trust"), and am competent in all respects to make this Affidavit.
- 2. I have examined the business records of BSI, as attorney-in-fact for SCIG Series III Trust and have personal knowledge of the facts contained herein.
- 3. On July 30, 2003, Sharon J. Fink obtained a loan from First Federal Bank, FSB in the original principal amount of \$174,500.00 (the "Loan"). In connection with the Loan, Sharon J. Fink executed a promissory note in favor of First Federal Bank, FSB (the "Note").
- 4. To further evidence repayment of the Loan and Note, Sharon J. Fink executed a Mortgage to Mortgage Electronic Registration Systems, Inc. ("MERS") as nominee for First Federal Bank, FSB, dated July 30, 2003, recorded August 7, 2003, at Instrument No. 20030807000513830, Shelby County, Alabama probate records (the "Mortgage"), encumbering the Property located at 2021 Sweetgum Drive, Birmingham, AL 35244 (the "Property"), more accurately described in **Exhibit "A"** attached hereto.

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- 5. On June 3, 2010, the Mortgage was assigned from MERS as nominee for First Federal Bank, FSB to CitiMortgage, Inc. ("Citi") via Assignment of Mortgage recorded June 11, 2010, at Instrument No. 20100611000186850, Shelby County, Alabama probate records (the "First Assignment").
- 6. On January 25, 2013, the Mortgage was assigned by MERS as nominee for First Federal Bank, FSB to Bayview Loan Servicing, LLC ("Bayview") via Corporate Assignment of Mortgage recorded February 4, 2013, at Instrument No. 20130204000048610, Shelby County, Alabama probate records (the "Second Assignment").
- 7. On January 30, 2018, Bayview assigned the Mortgage to BOF II 2011-2NPL, LLC ("BOF") via Assignment of Mortgage recorded April 16, 2018, at Instrument No. 20180416000126510, Shelby County, Alabama probate records (the "Third Assignment").
- 8. On March 5, 2018, BOF assigned the Mortgage to SCIG Series III Trust via Assignment of Mortgage recorded April 16, 2018, at Instrument No. 20180416000126520, Shelby County, Alabama probate records (the "Fourth Assignment").
- 9. On January 9, 2019, Citi assigned the Mortgage back to MERS as nominee for First Federal Bank, FSB via Gap Assignment of Mortgage recorded August 12, 2019, at Instrument No. 20190812000290270, Shelby County, Alabama probate records (the "Gap Assignment"). Upon information and belief, the Gap Assignment was to correct the gap between the First Assignment and the Second Assignment.
- 10. On October 18, 2018, BOF assigned the Mortgage to U.S. Bank Trust, NA, as Trustee for Volt Asset Holdings NPL3 ("Volt Asset Holdings") via Assignment of Mortgage recorded August 12, 2019, at Instrument No. 20190812000290280, Shelby County, Alabama probate records (the "Mistaken Assignment").
- 11. The Mistaken Assignment is ineffective, as the Mortgage had already been assigned out of BOF and into SCIG Series II Trust.
- 12. SCIG Series III Trust is the current holder of the Note and Mortgage.
- 13. This affidavit is given with the understanding that it will be relied upon by title insurance companies, future purchasers and future lenders.

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### FURTHER AFFIANT SAYS NOT.

Sworn to and subscribed before me this 24 day of January, 2020.

BSI Financial Services, as attorney-infact for U.S. Bank Trust N.A., as Trustee of the SCIG Series III Trust

Sign:

Print name: Cheryl Mallory, AVR

## ACKNOWLEDGMENT

STATE OF TEXAS COUNTY OF DALLAS

I, the undersigned Notary Public in and for said County in said State, do hereby certify that Cheryl Mallory, who is AVP at BSI Financial Services, as attorney-in-fact for U.S. Bank Trust N.A., as Trustee of the SCIG Series III Trust, whose name is signed to the foregoing affidavit and who is known to me, acknowledged before me on this day that, being informed of the contents of said affidavit, he executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this the 24/day of January, 2020.

My Commission Expires: 11/02/20

(Affix Notary Seal)

ASHLEY AZURE Notary ID # 129190392 My Commission Expires November 2, 2020

Notáry Public – Askley Azure

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#### Exhibit "A"

LOT 420, ACCORDING TO THE ELEVENTH ADDITION TO RIVERCHASE COUNTRY CLUB, AS RECORDED IN MAP BOOK 8, PAGE 160, IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA.



Filed and Recorded
Official Public Records
Judge of Probate, Shelby County Alabama, County
Clerk
Shelby County, AL
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