

STATE OF ALABAMA )  
SHELBY COUNTY )

20200424000161240  
04/24/2020 02:54:49 PM  
AFFID 1/3

**AFFIDAVIT OF FACT**

I, Kimberly Dutchess, being duly sworn, depose and state the following:

1. I am familiar with that Mortgage between **Sammy L. Turner a married man, and Jennifer A. Turner, his wife, and Mortgage Electronic Registration Systems, Inc., as nominee for United Wholesale Mortgage** recorded in **Instrument No. 20100104000001070**, in the Office of the Judge of Probate of Shelby, County Alabama.
2. M & T Bank, as servicer for Lakeview Loan Servicing, LLC, created business records of the above-described transaction at or near the time that the transaction took place;
3. Said records were kept in the regularly conducted activity of M & T Bank, as servicer for Lakeview Loan Servicing, LLC,;
4. Making said records was a regular practice of M & T Bank, as servicer for Lakeview Loan Servicing, LLC;
5. I reviewed said business records prior to executing this Affidavit;
6. Due to an inadvertent error; it appears the name of the co-mortgagor, Jennifer A. Turner, was omitted from the granting clause of said mortgage;
7. The granting clause should read as follows:  
  
Sammy L. Turner, a married man, and Jennifer A. Turner, his wife
8. Additionally, due to an inadvertent error, it appears the legal description in the above referenced mortgage varies from that show in the chain of title, by including phrase "to which map reference is hereby made for a more complete legal description".
9. The correct legal description is as shown in Exhibit "A", attached hereto;
10. To the extent that any conclusions here above are not based on business records, said conclusions are based on public records, to wit: Publically recorded real estate records housed in the Probate Office of Shelby County, Alabama.

Executed this 26 day of March 2020.

**M & T Bank, as Attorney in Fact for Lakeview  
Loan Servicing, LLC**

By:

*Kimberly Dutchess*

Print Name:

Kimberly Dutchess

Title:

Banking Officer

STATE OF NEW YORK

20200424000161240 04/24/2020 02:54:49 PM AFFID 2/3

ERIE COUNTY )

I, the undersigned authority a Notary Public in and for said County in said State, hereby certify that Kimberly Dutchess, whose name as Banking Officer of M & T Bank, as Attorney in Fact for Lakeview Loan Servicing, LLC, is signed to the foregoing instrument, and who is known to me, acknowledged before me on this day that, being informed of the contents of the said instrument, he, as such officer and with full authority, executed the same voluntarily as of the day the same bears date.

GIVEN under my hand and seal, this 26 day of March, 2020

Diane Chimera

Notary Public

Seal:

This Instrument Prepared By:

Caroline E. Walker, Esq.

Tiffany & Bosco, P.A.

2311 Highland Avenue South

Birmingham, AL 35205

File No. 459973

Diane Chimera  
Lic# 01CH6187936  
Notary Public, State of New York  
Qualified in Erie County  
My Commission Expires 06/02/2020

**Exhibit "A"**

Lot 10, according to the survey of Dearing Downs, 4th Addition as shown by plat of record in Map Book 9, Page 179, Probate Office for Shelby County, Alabama.



Filed and Recorded  
Official Public Records  
Judge of Probate, Shelby County Alabama, County  
Clerk  
Shelby County, AL  
04/24/2020 02:54:49 PM  
\$30.00 MISTI  
20200424000161240

*Allen S. Bayl*