

STATE OF ALABAMA)
SHELBY COUNTY)

AFFIDAVIT OF FACT

I, Marion K. Begovich, being duly sworn, depose and state the following:

1. Based on a review of both business and public records, I am familiar with that or those certain instrument(s) detailed below that were previously recorded in the Office of the Judge of Probate of Shelby County, Alabama.

2. Based on a review of public records, along with Flagstar Bank, N.A.'s business records including the mortgage and deeds, I am familiar with that certain Warranty Deed recorded at Instrument No. 20171229000462850 on December 29, 2017, conveying the subject property to Robert Alan Gardner and Amy Gardner, and that certain mortgage executed by Robert Alan Gardner and Amy Gardner, husband and wife, on December 29, 2017, and said mortgage was recorded at Instrument No. 20171229000462860 in the Office of the Judge of Probate of Shelby County, Alabama. Said mortgage was modified on April 12, 2022 via Loan Modification Agreement recorded on May 3, 2022 at Instrument No. 20220503000179610 in the aforementioned Probate Court. Said deed, mortgage and Loan Modification Agreements contained the following typographical error in the legal description of the mortgaged property:

Lot 395, according to the Amended **Hillboro** Subdivision Phase III as recorded in Map Book 39, Pages 123 A, B, C in the Probate Office of Shelby County, Alabama.

3. The purpose of this Affidavit of Fact is to confirm, correct, and clarify the correct legal description of the mortgaged property to be as follows:

Lot 395, according to the Amended **Hillsboro** Subdivision Phase III as recorded in Map Book 39, Pages 123 A, B, C in the Probate Office of Shelby County, Alabama.

4. The party executing this Affidavit of Fact is the current holder of that certain Mortgage executed by Robert Alan Gardner and Amy Gardner, husband and wife, on December 29, 2017, and said

mortgage was recorded at Instrument No. 20171229000462860 in the Office of the Judge of Probate of Shelby County, Alabama.

5. To the extent that any conclusions here above are not based on business records, specifically loan application documents, said conclusions are based on public records, to wit: publicly recorded real estate records housed in the Probate Office of Shelby County, Alabama.

Executed this 7th day of November 2023.

LAKEVIEW LOAN SERVICING, LLC BY
FLAGSTAR BANK, N.A., ATTORNEY-IN-FACT
UNDER LIMITED POWER OF ATTORNEY

By: Marion K. Begovich

Print Name: Marion K. Begovich

Title: Sr. Loan Administration Analyst

STATE OF MICHIGAN)

COUNTY/CITY OF OAKLAND)

I, Michael F. Biesbrouck, a Notary Public in and for said County in said State, hereby certify that Marion K. Begovich, whose name as Sr. Loan Admin. Analyst of Flagstar Bank, N.A. as attorney in fact under a limited power of attorney for Lakeview Loan Servicing, LLC is signed to the foregoing conveyance and who is known to me, acknowledged before me on this day that, being informed of the contents of said conveyance, he/she, as such Sr. Loan Admin. Analyst, and with full authority, executed the same voluntarily for and as the act of said corporation.

Given under my hand this the 7th day of November, 2023.

Notary Public Michael Francis Biesbrouck
My Commission Expires: March 6, 2028

This instrument prepared by:
Tiffany & Bosco, P.A.
2501 20th Place South, Suite 300
Homewood, AL 35223
File No.: 23-07389

MICHAEL FRANCIS BIESBROUCK
NOTARY PUBLIC, STATE OF MI
COUNTY OF MACOMB
MY COMMISSION EXPIRES Mar 6, 2028
ACTING IN COUNTY OF **OAKLAND**

Filed and Recorded
Official Public Records
Judge of Probate, Shelby County Alabama, County
Clerk
Shelby County, AL
11/15/2023 10:40:00 AM
\$25.00 PAYGE
20231115000334840

Allen S. Bayl

