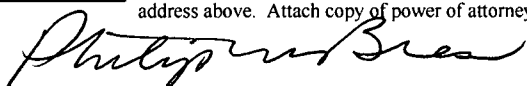


UNITED STATES BANKRUPTCY COURT Middle District of Florida, Jacksonville Div.		PROOF OF CLAIM
Name of Debtor: TAYLOR, BEAN & WHITAKER MORTGAGE CORP.		Case Number: 3:09-bk-07047-JAF
<i>NOTE: This form should not be used to make a claim for an administrative expense arising after the commencement of the case. A request for payment of an administrative expense may be filed pursuant to 11 U.S.C. § 503.</i>		
Name of Creditor (the person or other entity to whom the debtor owes money or property): Philip Bres and Janet Bres -- Loan #2139785 (4222 Oberlin St. Houston, TX 77005)		<input type="checkbox"/> Check this box to indicate that this claim amends a previously filed claim. Court Claim Number: _____ (If known) Filed on: _____
Name and address where notices should be sent: Philip and Janet Bres 24791 Hendon St. Laguna Hills, CA 92653		
Telephone number: (949) 583-1836		
Name and address where payment should be sent (if different from above): CLERK, U. S. BANKRUPTCY COURT MIDDLE DISTRICT OF FLORIDA		<input type="checkbox"/> Check this box if you are aware that anyone else has filed a proof of claim relating to your claim. Attach copy of statement giving particulars. <input type="checkbox"/> Check this box if you are the debtor or trustee in this case.
1. Amount of Claim as of Date Case Filed: \$ <u>11,061.55</u> If all or part of your claim is secured, complete item 4 below; however, if all of your claim is unsecured, do not complete item 4. If all or part of your claim is entitled to priority, complete item 5. <input type="checkbox"/> Check this box if claim includes interest or other charges in addition to the principal amount of claim. Attach itemized statement of interest or charges.		5. Amount of Claim Entitled to Priority under 11 U.S.C. §507(a). If any portion of your claim falls in one of the following categories, check the box and state the amount. Specify the priority of the claim. <input type="checkbox"/> Domestic support obligations under 11 U.S.C. §507(a)(1)(A) or (a)(1)(B). <input type="checkbox"/> Wages, salaries, or commissions (up to \$10,950*) earned within 180 days before filing of the bankruptcy petition or cessation of the debtor's business, whichever is earlier – 11 U.S.C. §507 (a)(4). <input type="checkbox"/> Contributions to an employee benefit plan – 11 U.S.C. §507 (a)(5). <input type="checkbox"/> Up to \$2,425* of deposits toward purchase, lease, or rental of property or services for personal, family, or household use – 11 U.S.C. §507 (a)(7). <input type="checkbox"/> Taxes or penalties owed to governmental units – 11 U.S.C. §507 (a)(8). <input type="checkbox"/> Other – Specify applicable paragraph of 11 U.S.C. §507 (a)(____). Amount entitled to priority: \$ _____ *Amounts are subject to adjustment on 4/1/10 and every 3 years thereafter with respect to cases commenced on or after the date of adjustment.
2. Basis for Claim: <u>Escrow account balance</u> (See instruction #2 on reverse side.)		
3. Last four digits of any number by which creditor identifies debtor: <u>9785</u> 3a. Debtor may have scheduled account as: <u>Mortgage Escrow</u> (See instruction #3a on reverse side.)		
4. Secured Claim (See instruction #4 on reverse side.) Check the appropriate box if your claim is secured by a lien on property or a right of setoff and provide the requested information. Nature of property or right of setoff: <input checked="" type="checkbox"/> Real Estate <input type="checkbox"/> Motor Vehicle <input type="checkbox"/> Other Describe: <u>Paid off home loan and did not receive Escrow Account overage</u> Value of Property: \$ _____ Annual Interest Rate: % _____ Amount of arrearage and other charges as of time case filed included in secured claim, if any: \$ _____ Basis for perfection: _____ Amount of Secured Claim: \$ <u>11,061.55</u> Amount Unsecured: \$ _____		
6. Credits: The amount of all payments on this claim has been credited for the purpose of making this proof of claim.		
7. Documents: Attach redacted copies of any documents that support the claim, such as promissory notes, purchase orders, invoices, itemized statements of running accounts, contracts, judgments, mortgages, and security agreements. You may also attach a summary. Attach redacted copies of documents providing evidence of perfection of a security interest. You may also attach a summary. (See instruction 7 and definition of "redacted" on reverse side.) DO NOT SEND ORIGINAL DOCUMENTS. ATTACHED DOCUMENTS MAY BE DESTROYED AFTER SCANNING. If the documents are not available, please explain: <u>TBW did not provide document</u>		
Date: 09/09/2009	Signature: The person filing this claim must sign it. Sign and print name and title, if any, of the creditor or other person authorized to file this claim and state address and telephone number if different from the notice address above. Attach copy of power of attorney, if any.  PHILIP W. BRES	
		FOR COURT USE ONLY

Penalty for presenting fraudulent claim: Fine of up to \$500,000 or imprisonment for up to 5 years, or both. 18 U.S.C. §§ 152 and 3571.

T, B & W Mortgage Corp.



00139

PROOF OF CLAIM



Taylor, Bean & Whitaker

Perfecting the Art of Mortgage Lending

1417 North Magnolia Avenue
Ocala, Florida 34475
388 225-2164

MONTHLY BILLING STATEMENT

General Billing Info:

Statement Date:	05/01/2009
Loan Number:	2139785
Interest Rate:	5.625%
Payment Due Date:	06/01/2009
Regular Monthly Payment:	\$3,245.43
Total Payment(s) Due:	\$3,245.43
Unpaid Late Charges:	\$0.00
Unpaid NSF Fees:	\$0.00
Other Unpaid Fees/Charges:	\$0.00
Total Due:	\$3,245.43



Return Service Requested 22437 93

Philip Bres & Janet Bres

4222 Oberlin St

Houston, TX 77005-3525

Account Balances:

Principal Bal. on 05/01/2009	\$293,809.01
Escrow Bal. on 05/01/2009	\$10,629.16
Interest Paid Year to Date	\$5,525.16
Taxes Paid Year to Date	\$0.00
Insurance Paid Year to Date	\$0.00
Late Charges Paid Year to Date	\$0.00

Recent Activity:

Date	Description	Principal Amount	Interest Amount	Escrow Amount	Other Funds	Late Charge	Total
04/27/2009	Regular Payment	\$348.11	\$1,378.86	\$1,518.46	\$0.00	\$0.00	\$3,245.43

ESCROW BALANCE AS OF 5/1/09
THIS LOAN WAS PAID OFF IN 3/09 AND
THE ESCROW BALANCE WAS THEN \$11,061.55

WE HAVE NEVER RECEIVED THIS,

Philip Bres

Customer Service Info:

Customer Service Inquiries:
(888) 225-2164
(352) 671-0250
View Account Information online:
www.TaylorBean.com
Customer Service Hours:
9:00 am - 8:00 pm EST
Monday through Friday
E-mail us:
Loaninfo@taylorbean.com

Insurance Information:

Ins Co Name: Chubb Insurance
Ins Policy No.: 13206081 01

Thank you for your prompt payment!

TB&W offices will be closed on May 23rd and May 25th in observance of Memorial Day.
Additionally, TB&W phone/internet systems will be undergoing periodic maintenance
from 8 PM EST May 23rd until 8 AM EST May 26th.

Detach Here

A. Settlement Statement

U.S. Department of Housing
and Urban Development

OMB No. 2502-0265

B. Type of Loan

1. <input type="checkbox"/> FHA	2. <input type="checkbox"/> FmHA	6. File Number 09012742	7. Loan Number 0412014457	8. Mortgage Ins Case Number
3. <input type="checkbox"/> Conv Unins	4. <input type="checkbox"/> VA			
5. <input checked="" type="checkbox"/> Conv Ins	6. <input type="checkbox"/> Seller Finance			
7. <input type="checkbox"/> Cash Sale				

C. Note: This form is furnished to give you a statement of actual settlement costs. Amounts paid to and by the settlement agent are shown. Items marked "(p.o.e.)*" were paid outside the closing; they are shown here for informational purposes and are not included in the totals.

D. Name & Address of Borrower CANDACE TENBRINK, ABHISHEK GAMI 1 HERMANN MUSEUM CIRCLE, #4102, HOUSTON, TX 77004	E. Name & Address of Seller PHILIP BRES, JANET BRES 24791 HENDON STREET, LAGUNA HILLS, CA 92653	F. Name & Address of Lender FIRST INTERNET BANK OF INDIANA 7820 INNOVATION BLVD. STE 210 INDIANAPOLIS, IN 46278
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G. Property Location Lot 7, Block 8, COLONIAL TERRACE, a subdivision in Harris County, TX, according to the map or plat thereof recorded in Volume, Page, of the Map Re 4222 OBERLIN STREET HOUSTON, TX 77005 Property ID: 0600350080007	H. Settlement Agent Name Old Republic Title Company of Houston 777 Post Oak Blvd. #200 Houston, TX 77056 Tax ID: Underwritten By: Old Republic Escrow Officer: Diane New Place of Settlement Old Republic Title Company of Houston 777 Post Oak Blvd. Houston, TX 77056	I. Settlement Date 8/3/2009 Fund: 8/3/2009
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J. Summary of Borrower's Transaction		K. Summary of Seller's Transaction	
100. Gross Amount Due from Borrower		400. Gross Amount Due to Seller	
101. Contract Sales Price	\$790,550.00	401. Contract Sales Price	\$790,550.00
102. Personal Property		402. Personal Property	
103. Settlement Charges to borrower	\$19,209.57	403.	
104.		404.	
105.		405.	
Adjustments for Items paid by seller in advance		Adjustments for Items paid by seller in advance	
106. City property taxes		406. City property taxes	
107. County property taxes		407. County property taxes	
108. Assessment Taxes		408. Assessment Taxes	
109. School property taxes		409. School property taxes	
110. MUD taxes		410. MUD taxes	
111. HOUSTON COMMUNITY COLLEGE		411. HOUSTON COMMUNITY COLLEGE	
112.		412.	
113.		413.	
114.		414.	
115.		415.	
116.		416.	
120. Gross Amount Due From Borrower	\$809,759.57	420. Gross Amount Due to Seller	\$790,550.00
200. Amounts Paid By Or in Behalf Of Borrower		500. Reductions in Amount Due to Seller	
201. Deposit or earnest money	\$30,000.00	501. Excess Deposit	
202. Principal amount of new loan(s)	\$300,000.00	502. Settlement Charges to Seller (line 1400)	\$25,800.13
203. Existing loan(s) taken subject to		503. Existing Loan(s) Taken Subject to	
204. Loan Amount 2nd Lien		504. Payoff of first mortgage loan 8/5	\$294,722.51
205.		505. Payoff of second mortgage loan	
206.		506.	
207. OPTION FEE	\$100.00	507. OPTION FEE	\$100.00
208.		508.	
209.		509.	
Adjustments for Items unpaid by seller		Adjustments for Items unpaid by seller	
210. City property taxes 01/01/09 to 08/03/09	\$1,748.82	510. City property taxes 01/01/09 to 08/03/09	\$1,748.82
211. County property taxes 01/01/09 to 08/03/09	\$2,477.84	511. County property taxes 01/01/09 to 08/03/09	\$2,477.84
212. Assessment Taxes		512. Assessment Taxes	
213. School property taxes 01/01/09 to 08/03/09	\$4,405.55	513. School property taxes 01/01/09 to 08/03/09	\$4,405.55
214. MUD taxes		514. MUD taxes	
215. HOUSTON COMMUNITY COLLEGE 01/01/09 to 08/03/09	\$405.23	515. HOUSTON COMMUNITY COLLEGE 01/01/09 to 08/03/09	\$405.23
216.		516.	
217.		517.	
218.		518.	
219.		519.	
220. Total Paid By/For Borrower	\$339,137.44	520. Total Reduction Amount Due Seller	\$329,660.08
300. Cash At Settlement From/To Borrower		600. Cash At Settlement To/From Seller	
301. Gross Amount due from borrower (line 120)	\$809,759.57	601. Gross Amount due to seller (line 420)	\$790,550.00
302. Less amounts paid by/for borrower (line 220)	\$339,137.44	602. Less reductions in amt. due seller (line 520)	\$329,660.08
303. Cash From Borrower	\$470,622.13	603. Cash To Seller	\$460,889.92

L. Settlement Charges

		Paid From Borrower's Funds at Settlement	Paid From Seller's Funds at Settlement
700. Total Sales/Broker's Commission based on price	\$815,000.00 @2.5 % = \$20,375.00		
Division of Commission (line 700) as follows:			
701. \$20,375.00	to KELLER WILLIAMS REALTY		
702.	to		
703. Commission Paid at Settlement		\$0.00	\$20,375.00
704. The following persons, firms or	to		
705. corporations received a portion of the	to		
706. real estate commission amt. shown above	to		
800. Items Payable in Connection with Loan			
801. Loan Origination Fee %	to FIRST INTERNET BANK OF INDIANA	\$3,750.00	
802. Loan Discount %	to		
803. Appraisal Fee	to STREETLINKS NATIONAL POC (B) \$375.00		
804. Credit Report	to LAND AMERICA LENDER SERVICES		
805. Lender's Inspection Fee	to		
806. Mortgage Insurance Application	to		
807. Assumption Fee	to		
808. COURIER FEE	to FIRST INTERNET BANK OF INDIANA	\$30.00	
809. TAX SERVICE FEE	to FIRST INTERNET BANK OF INDIANA	\$88.00	
810. UNDERWRITING FEE	to FIRST INTERNET BANK OF INDIANA	\$360.00	
811. PROCESSING FEE	to FIRST INTERNET BANK OF INDIANA	\$180.00	
812. MERS TRANSFER FEE	to FIRST INTERNET BANK OF INDIANA	\$10.00	
900. Items Required by Lender To Be Paid in Advance			
901. Interest from 8/3/2009 to 8/1/2009 @ \$29.79/day		(\$59.58)	
902. Mortgage Insurance Premium for months to			
903. Hazard Insurance Premium for 1 years to	TWG INSURANCE	\$2,748.00	
1000. Reserves Deposited With Lender			
1001. Hazard insurance 2 months @	\$229.00 per month	\$458.00	
1002. Mortgage insurance 10 months @	\$349.19 per month	\$3,491.90	
1003. City property taxes months @	\$0.00 per month	\$0.00	
1004. County property taxes 10 months @	\$620.79 per month	\$6,207.90	
1005. Assessment Taxes months @	\$0.00 per month	\$0.00	
1006. School property taxes 10 months @	\$246.45 per month	\$2,464.50	
1007. MUD taxes months @	\$0.00 per month	\$0.00	
1008. Other taxes 10 months @	\$57.11 per month	\$571.10	
1011. Aggregate Adjustment		(\$2,418.56)	
1100. Title Charges			
1101. Settlement or closing fee	to Old Republic Title Company of Houston		
1102. Abstract or title search	to Old Republic Title Company of Houston		
1103. Title examination	to		
1104. Title insurance binder	to Old Republic Title Company of Houston		
1105. Document preparation	to MIDDLEBERG, RIDDLE & GIANNA	\$135.00	
1106. Notary fees	to		
1107. Attorney's fees	to		
(includes above items numbers:)			
1108. Title insurance T19/30/33/36/OTP SVY	to Old Republic Title Company of Houston	\$492.10	\$4,531.00
(includes above items numbers:)			
1109. Lender's coverage	\$300,000.00/\$265.55		
1110. Owner's coverage	\$790,550.00/\$4,757.55		
1111. Processing Fee	to Old Republic Title Company of Houston	\$325.00	\$325.00
1112. Restrictions	to Old Republic Title Company of Houston		
1113. State of Texas Policy Guaranty Fee	to Texas Title Insurance	\$5.00	\$5.00
1114. Messenger Fee	to Old Republic Title Company of Houston	\$16.06	\$10.13
1200. Government Recording and Transfer Charges			
1201. Recording Fees Deed \$24.00 ; Mortgage \$88.00 ; Releases		\$112.00	
1202. City/county tax/stamps Deed ; Mortgage	to Old Republic Title Company of Houston		
1203. State tax/stamps Deed ; Mortgage	to Old Republic Title Company of Houston		
1204. Tax certificates	to Data Trace		\$84.00
1205. Fax and Phone Fees	to Old Republic Title Company of Houston		
1206. Additional Recording Fees NOTICE	to Old Republic Title Company of Houston		\$20.00
1300. Additional Settlement Charges			
1301. Survey	to PROBSTFELD & ASSOCIATES	\$238.15	
1302. Pest Inspection	to		
1303. HOME WARRANTY	to FIRST AMERICAN HOME WARRANTY	\$5.00	\$450.00
1400. Total Settlement Charges (enter on lines 103, Section J and 502, Section K)		\$19,209.57	\$25,800.13

I have carefully reviewed the HUD-1 Settlement Statement and to the best of my knowledge and belief, it is a true and accurate statement of all receipts and disbursements made on my account or by me in this transaction. I further certify that I have received a completed copy of pages 1, 2 and 3 of this HUD-1 Settlement Statement.

BORROWER(S)/PURCHASER(S)

CANDACE TENBRINK

ABHISHEK GAMI

SELLER(S)

 PHILIP BRES

 JANET BRES

The HUD-1 Settlement Statement which I have prepared is a true and accurate account of this transaction. I have caused the funds to be disbursed in accordance with this