

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

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.

Name of Creditor (the person or other entity to whom the debtor owes money or property): JOSE C. MONTERO
Name and address where notices should be sent: JOSE C. MONTERO, 590 FLETCHER RD., GORE, VA 22637
Telephone number: 540-858-2554
CLAIM FILED JACKSONVILLE, FLORIDA
JAN 19 2010
Check this box to indicate that this claim amends a previously filed claim.
Court Claim Number: (If known)
Filed on:

Name and address where payment should be sent (if different from above): CLERK, U.S. BANKRUPTCY COURT MIDDLE DISTRICT OF FLORIDA
Telephone number:

1. Amount of Claim as of Date Case Filed: \$ 614.69
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.
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.

2. Basis for Claim: ESCROW BALANCE (See instruction #2 on reverse side.)

3. Last four digits of any number by which creditor identifies debtor: 3200
3a. Debtor may have scheduled account as: 1163200 (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: Real Estate Motor Vehicle Other
Describe:
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: \$ 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:

Date: 1-15-2010
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.
FOR COURT USE ONLY
T, B & W Mortgage Corp.
00707

L. Settlement Charges							Loan number: 212 752 986		
700	Total Sales Broker's Commission based on price of	\$122,500.00	@	6.00%	% =	7,350.00	Paid from	Paid from	
	Division of Commission (Line 700) as follows:						Borrower's	Seller's	
	To United Country Homeplace Properties (Listing agent)		=	3.00%			Funds at	Funds at	
	To Hunt Country Properties (Selling agent)		=	3.00%			Settlement	Settlement	
701	Commission paid at Settlement	to	United Country Homeplace Properties					8,675.00	
702	Commission paid at Settlement	to	Hunt Country Properties					8,675.00	
703	Escrow deposit held by		United Country Homeplace Properties					500.00	
Items Payable In Connection With Loan									
901	Loan Origination Fee	to	Bank of America Home Loans					575.00	
903	Full Appraisal	to	LandSafe Appraisal			455.00	POC-5		
904	Credit Report Fee	to	LandSafe Credit			35.00	POC-5		
905									
906									
907									
908									
909	Flood Check Fee	to	LandSafe Flood					26.00	
910									
911									
912									
913									
Items Required By Lender To Be Paid In Advance									
901	Interest from 09/30/2009 - 09/30/2009	@	15.3700	/ day	X	# of days: 1		15.37	
902	Mortgage Insurance Premium for	mo. to							
903	Hazard Insurance Premium for	yr. to	Liberty Mutual Group					407.23	
904	FHA MIP (Upfront)	to	Federal Housing Administration					1,929.38	
905									
1000 Reserves Deposited With Lender									
1001	Hazard insurance	3	mos. @	\$33.94	per mo.	Liberty Mutual Ins. Co.		101.82	
1002	Mortgage insurance	0	mos. @	\$45.63	per mo.			0.00	
1003	City property taxes								
1004	County property taxes	4	mos. @	\$89.58	per mo.	Hampshire Co. Sheriff		358.32	
1005	Annual assessments								
1006									
1007									
1008	Aggregate escrow adjustment							(89.73)	
1100 Title Charges									
1101	Settlement or closing fee	to	Carl, Keaton & Frazer, PLLC					100.00	
1102									
1103	Title examination	to	Carl, Keaton & Frazer, PLLC					547.95	
1104	Title insurance binder	to	Carl, Keaton & Frazer, PLLC					50.00	
1105	Document preparation	to	Carl, Keaton & Frazer, PLLC					150.00	
1106	Notary fees								
1107	Attorney's fees								
1108	Title insurance	Reliable Title Insurance Co., agent for First American Title Insurance Co.						599.00	
1109	Lender's coverage			112,179.00					
1110	Owner's coverage			122,500.00					
1200 Government Recording and Transfer Charges									
1102	Recording fees:	Deed: 16.00		Mortgage: 32.00	Release: See Line 505.			48.00	
1103	County tax stamps:							808.50	
1104	County taxes for 2009, 1st half:			Hampshire Co. Sheriff	Ticket #: 13444			541.46	
1105	County taxes for 2009, 2nd half:	1,065.45	---Total for 2009					261.99	
1106	Transfer tax fee:							20.00	
1300 Additional Settlement Charges									
1301	Termite treatment	to	Professional Termite & Pest Services, LLC					848.00	
1302	Home warranty	to	First American Home Buyers Protection Corporation					455.00	
1303	Courier fee	to	Carl, Keaton & Frazer, PLLC					15.00	
1304									
1305								10.00	
1400	Total Settlement Charges (enter on lines 103, Section J and 502, Section K)								4,930.33
								10,059.96	

A Settlement Statement

U.S. Department of Housing
and Urban Development

OMB Approval No. 2502-0265

Type of Loan: <input type="checkbox"/> Fixed <input type="checkbox"/> Conv. Unins. <input type="checkbox"/> Conv. Ins.	6. File Number: 2009.FA931	7. Loan Number: 212 752 986	8. Mortgage Insurance Case # 571-0963838
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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 "POC" were paid outside the closing; they are shown here for informational purposes and are not included in the totals.

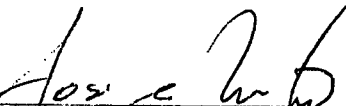
D. Name & Address of Borrower: Melonie S. Ashworth 5 A Birch Lane Romney, W. 26757	E. Name & Address of Seller: Jose Montero Mary Montero 590 Fletcher Rd. Gore, VA 22637-2209	F. Lender Name & Address: Bank of America, N.A. 100-3 Great Teays Blvd. Scott Depot, WV 25560
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G. Property Location: Map/parcel: 1/214.2 Address: 292 N. Marsham St., Romney, WV 26757 A.C. 0.08 (part) Lot 41 District: Romney Municipal Hampshire County, WV	H. Settlement Agent: Carl, Keaton & Frazer, PLLC Place of Settlement: Carl, Keaton & Frazer, PLLC 56 E. Main St., Romney, WV 26757	This HUD-1 approved by (& date) Terri Craig 09/30/2009 I. Settlement, Disbursement Date: 30-Sep-09
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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	401	Contract sales price
102	Personal property	402	Personal property
103	Settlement charges to borrower (line 1400)	403	
104		404	
105		405	
Adjustments for items paid by seller in advance		Adjustments for items paid by seller in advance	
106	City/town taxes	406	City/town taxes
107	County taxes from	407	County taxes from
108		408	
109		409	
110		410	
111		411	
112		412	
120	Gross Amount Due From Borrower	420	Gross Amount Due To Seller
200	Amounts Paid By Or In Behalf Of Borrower	500	Reductions In Amount Due To Seller
201	Deposit or earnest money	501	Excess deposit
202	Principal amount of new loan(s)	502	Settlement charges to seller (line 1400)
203	Existing loan(s) taken subject to	503	Existing loan(s) taken subject to
204		504	Payoff of first mortgage loan to Taylor, Bean
205		505	& Whitaker (includes recording fee)
206		506	
207		507	West Virginia Withholding Tax, if applicable:
208		508	
209		509	
Adjustments for items unpaid by seller		Adjustments for items unpaid by seller	
210	City/town taxes	401	City/town taxes
211	County taxes from	402	County taxes from
212		403	
213	Assessments	513	Assessments
220	Total Paid By/For Borrower	520	Total Reduction Amount Due Seller
300	Cash At Settlement From/To Borrower	600	Cash At Settlement To/From Seller
301	Gross amount due from borrower (line 120)	601	Gross amount due to seller (line 420)
302	Less amounts paid by/for borrower (line 220)	602	Less reductions in amount due seller (line 520)
303.	Cash <input checked="" type="checkbox"/> From <input type="checkbox"/> To Borrower	603.	Cash <input checked="" type="checkbox"/> To <input type="checkbox"/> From Seller

The undersigned hereby acknowledge(s) receipt of a completed copy of Pages 1 and 2 of this statement and any attachments referred to herein.

Buyer/Borrower: 
 Melonie S. Ashworth

Seller: 
 Jose Montero

Adjustments for items unpaid by seller		Adjustments for items unpaid by seller	
0	City/town taxes	401	City/town taxes
1	County taxes from	402	County taxes from
2		403	
3	Assessments	513	Assessments
20	Total Paid By/For Borrower	520	Total Reduction Amount Due Seller
	112,679.00		81,541.60
30	Cash At Settlement From/To Borrower	600	Cash At Settlement To/From Seller
31	Gross amount due from borrower (line 120)	601	Gross amount due to seller (line 420)
	127,430.33		122,500.00
32	Less amounts paid by/for borrower (line 220)	602	Less reductions in amount due seller (line 520)
	(112,679.00)		(81,541.60)
33	Cash <input checked="" type="checkbox"/> From <input type="checkbox"/> To Borrower	603	Cash <input checked="" type="checkbox"/> To <input type="checkbox"/> From Seller
	14,751.33		40,958.40

The undersigned hereby acknowledge(s) receipt of a completed copy of Pages 1 and 2 of this statement and any attachments referred to herein.

Buyer/Borrower: Melanie S. Ashworth
 Melanie S. Ashworth

Seller: Jose Montero
 Jose Montero

Seller: Mary M. Montero
 Mary Montero

address after closing. Check if same as in Section D.
 232 N Marsham St
 Romney, WV 26757

Settlement Agent: Julie A. Frayer
 Previous editions are obsolete.

04	Title insurance binder	to	Carl, Keaton & Frazer, PLLC	50.00	
05	Document preparation	to	Carl, Keaton & Frazer, PLLC		150.00
06	Notary fees				
07	Attorney's fees				
08	Title Insurance	Reliable Title Insurance Co., agent for First American Title Insurance Co.		599.00	
09	Lender's coverage		112,179.00		
10	Owner's coverage		122,500.00		
00 Government Recording and Transfer Charges					
02	Recording fees:	Deed:	16.00	Mortgage: 32.00	Release: See Line 505. 48.00 See Line 505.
03	County tax stamps:				808.50
04	County taxes for 2009, 1st half:		Hampshire Co. Sheriff	Ticket #: 13444	541.46
05	County taxes for 2009, 2nd half:	1,065.45	---Total for 2009		261.99 262.00
06	Transfer tax fee:				20.00
00 Additional Settlement Charges					
01	Termite treatment	to	Professional Termite & Pest Services, LLC		848.00
02	Home warranty	to	First American Home Buyers Protection Corporation		455.00
03	Courier fee	to	Carl, Keaton & Frazer, PLLC		15.00
04					
05					10.00
00 Total Settlement Charges (enter on lines 103, Section J and 502, Section K)				4,930.33	10,059.96

Section 5 of the Real Estate Settlement Procedures Act (RESPA) requires the following: -HUD must develop a Special Information Booklet to help persons borrowing money to finance the purchase of residential real estate better understand the nature and costs of real estate settlement services; Each lender must provide the booklet to all applicants from whom it receives or for whom it prepares a written application to borrow money to finance the purchase of residential real estate; - Lenders must prepare and distribute with the Booklet a Good Faith Estimate of the settlement costs at the borrower is likely to incur in connection with the settlement. These disclosures are mandatory.

Section 4(a) of RESPA mandates that HUD develop and prescribe this standard form to be used at the time of loan settlement to provide full disclosure of all charges imposed upon the borrower and seller. These are third party disclosures that are designed to provide the borrower with pertinent information during the settlement process in order to be a better shopper.

The Public Reporting Burden for this collection of information is estimated to average one hour per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

This agency may not collect this information, and you are not required to complete this form, unless it displays a currently valid OMB control number. The information requested does not lend itself to confidentiality.

Settlement Agent Initials: <i>Jaf</i>	Buyer initials: <i>MFA</i>	Seller initials: <i>WCA JG</i>
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Loan # 1163200

Tran Code	Due Date /Date Paid	Amount Paid	Interest Paid	Principal/ Curtailment	T&I Paid	Misc Ins	Late Chrg/ Ret Chk Chrg	Subsidy Amount	Unapplied Amount	Misc Fee /Loss Draft	Principal Ba /Tax&Ins Ba
REG	09/01/08	630.16	450.29	59.80	120.07	.00	.00	.00	.00	.00	69,662.98
	09/02/08			.00			.00			.00	179.47
REG	10/01/08	630.16	449.91	60.18	120.07	.00	.00	.00	.00	.00	69,602.80
	09/25/08			.00			.00			.00	299.54
ADJ	11/01/08	503.32	.00	.00	503.32	.00	.00	.00	.00	.00	69,602.80
	10/07/08			.00			.00			.00	802.80
REG	11/01/08	630.16	449.52	60.57	120.07	.00	.00	.00	.00	.00	69,542.23
	10/20/08			.00			.00			.00	922.90
REG	12/01/08	630.16	449.13	60.96	120.07	.00	.00	.00	.00	.00	69,481.27
	11/20/08			.00			.00			.00	1,043.00
REG	01/01/09	630.16	448.73	61.36	120.07	.00	.00	.00	.00	.00	69,419.97
	12/29/08			.00			.00			.00	1,163.07
REG	02/01/09	630.16	448.34	61.75	120.07	.00	.00	.00	.00	.00	69,358.16
	01/26/09			.00			.00			.00	1,283.14
DIS	03/01/09	-503.32	.00	.00	-503.32	.00	.00	.00	.00	.00	69,358.16
	02/05/09			.00			.00			.00	779.82
DIS	03/01/09	-32.26	.00	.00	-32.26	.00	.00	.00	.00	.00	69,358.16
	02/05/09			.00			.00			.00	747.56
ADJ	03/01/09	32.26	.00	.00	32.26	.00	.00	.00	.00	.00	69,358.16
	02/06/09			.00			.00			.00	779.82
DIS	03/01/09	-503.32	.00	.00	-503.32	.00	.00	.00	.00	.00	69,358.16
	02/23/09			.00			.00			.00	276.50
REG	03/01/09	630.16	447.94	62.15	120.07	.00	.00	.00	.00	.00	69,296.01
	02/26/09			.00			.00			.00	396.57
REG	04/01/09	630.16	447.54	62.55	120.07	.00	.00	.00	.00	.00	69,233.46
	03/23/09			.00			.00			.00	516.64
DIS	05/01/09	-450.00	.00	.00	-450.00	.00	.00	.00	.00	.00	69,233.46
	04/07/09			.00			.00			.00	66.64
REG	05/01/09	630.16	447.13	62.96	120.07	.00	.00	.00	.00	.00	69,170.50
	04/27/09			.00			.00			.00	186.71
REG	06/01/09	647.75	446.73	63.36	137.66	.00	.00	.00	.00	.00	69,107.14
	05/29/09			.00			.00			.00	324.37
REG	07/01/09	647.75	446.32	63.77	137.66	.00	.00	.00	.00	.00	69,043.37
	06/29/09			.00			.00			.00	462.00
REG	08/01/09	647.75	445.91	64.18	137.66	.00	.00	.00	.00	.00	68,979.19
	07/20/09			.00			.00			.00	599.69
DIS	09/01/09	-523.99	.00	.00	-523.99	.00	.00	.00	.00	.00	68,979.19
	08/14/09			.00			.00			.00	75.70
PIF	09/01/09	69,910.82	905.63	68,979.19	15.00	.00	.00	.00	.00	11.00	.00
	10/09/09			.00			.00			.00	90.70
Totals:		<u>89,439.54</u>	<u>18,578.33</u>	<u>71,200.00</u>	<u>-349.79</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>11.00</u>	
				<u>.00</u>			<u>0.00</u>			<u>0.00</u>	

January 15, 2010

TB&W Mortgage
c/o BMC Group, Claims Processing
P.O. Box 3020
Chanhassen, MN 55317-3020

Reference: TB&W Loan # 1163200
Jose C. Montero
Mary M. Montero

Gentlemen:

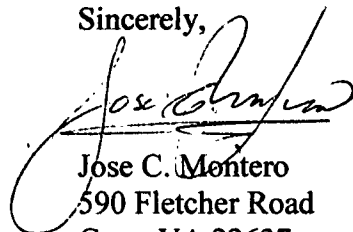
I am enclosing a copy of a claim (United States Bankruptcy Court Middle District of Florida, Jacksonville Div.) in the total amount of \$ 614.69, which includes the amount of \$ 523.99 plus \$ 90.70.

The amount of \$ 523.99, shown on the Loan Activity Report as being paid on 08/14/09, is for real estate taxes due to Hampshire County. This amount was never paid by TB&W Mortgage to Hampshire County. I paid the amount of \$ 541.46 for taxes due at closing. The amount of \$ 90.70 is the amount shown on the Loan activity Report as the remaining amount withheld for taxes and insurance.

I am enclosing a copy of the Loan Activity Report and a copy of the Settlement Statement, as proof of payment for your records.

If you have any questions or require any additional information, please let me know.

Sincerely,



Jose C. Montero
590 Fletcher Road
Gore, VA 22637