UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF FLORIDA
JACKSONVILLE DIVISION

In re

Taylor, Bean & Whitaker Mortgage Corp.

CHAPTER 11
CASE NO. 3:09-bk-07047-JAF

Debtor(s)
_____/

AFFIDAVIT IN SUPPORT OF MOTION FOR RELIEF FROM STAY

STATE OF Texas
COUNTY OF Dallas

BEFORE ME, the undersigned authority, personally appeared David Goss, who, being first sworn, deposes and says:

1. I am David Goss and am employed by SAXON MORTGAGE SERVICES, INC. ("Creditor") in the capacity of AVP Bankruptcy Department SAXON MORTGAGE SERVICES, INC.

2. This affidavit is based upon Mortgage loan payment records between Saxon Mortgage Services, Inc and its Customer who is the owner of the Property. Taylor, Bean & Whitaker Mortgage Corporation may claim or continue to hold a junior lien on the subject real property. The records relating to the Mortgage which Saxon services or holds are regularly maintained in the course of its business and it is Saxon's regular practice to make and maintain these records. These records reflect loan payments that are noted in the records at the time of receipt by persons whose regular duties include recording this information.

3. That I am a custodian of the records relating to the account involved in the above named matter.

4. The property which Creditor seeks to protect and which relief from stay is sought is described as the following:

Mortgagor Name: Stacie Smellie, Married

REAL PROPERTY LOCATED AT 314 EAST CLAIMS STREET, AURORA, IL 60506/ LEGALLY DESCRIBED AS THAT PART OF LOT 13 IN BLOCK 13 OF MANN'S ADDITION TO AURORA, DESCRIBED AS FOLLOWS: COMMENCING AT THE POINT OF INTERSECTION OF THE EAST LINE OF LINCOLN AVENUE WITH THE NORTH LINE OF CLAIM STREET (AS NOW LOCATED); THENCE NORTHERLY ALONG THE EAST LINE OF LINCOLN AVENUE, 120 FEET; THENCE EASTERLY PARALLEL WITH THE OLD CLAIM LINE 105 FEET FOR THE POINT OF BEGINNING; THENCE EASTERLY PARALLEL WITH SAID OLD CLAIM LINE TO A LINE DRAWN PARALLEL WITH AND 105 FEET EASTERLY OF, MEASURED AT RIGHT

ANGLES THERETO, THE EASTERLY LINE OF SAID LINCOLN AVENUE; THENCE NORTHERLY ALONG SAID PARALLEL LINE TO THE NORTH LINE OF SAID LOT 13; THENCE EASTERLY ALONG SAID NORTH LINE TO THE WEST LINE EXTENDED NORTHERLY OF LOT 14 IN SAID BLOCK 13; THENCE SOUTHERLY ALONG THE EXTENSION OF AND THE WEST LINE OF SAID LOT 14 TO A POINT IN SAID WEST LINE 129 FEET NORTHERLY OF THE NORTH LINE OF CLAIM STREET (AS NOW LOCATED); THENCE WESTERLY PARALLEL WITH THE NORTH LINE OF SAID CLAIM STREET 47 FEET; THENCE SOUTHERLY TO A POINT IN THE NORTH LINE OF SAID STREET 50 FEET WESTERLY OF THE WEST LINE OF SAID LOT 14; THENCE WESTERLY ALONG SAID NORTH LINE TO A POINT 120 FEET EASTERLY OF THE EAST LINE OF LINCOLN AVENUE; THENCE NORTHERLY TO THE POINT OF BEGINNING, IN THE CITY OF AURORA, KANE COUNTY, ILLINOIS.

5. The Debtor may claim a junior mortgage on the subject real property.

6. The amounts due on this account are a principal balance of $188,000.00, together with accrued interest, prepetition late charges, attorneys fees, court costs, escrow advances for taxes or insurance, as well as any other amounts permitted under the Note and Mortgage.

7. There does not appear to be any equity in the property for the benefit of the estate of the Debtor relating to its junior mortgage position in the real property. However, Debtor would maintain all of its rights and benefits to participate in any surplus that may result in the State Court Foreclosure case.

FURTHER AFFIANT SAYETH NOT.

SAXON MORTGAGE SERVICES, INC.

By: _____
David Goss, AVP
Print Name David Goss

STATE OF Texas
COUNTY OF Dallas

Subscribed and sworn to (or affirmed) before me this 23 day of September 2010 by David Goss who is personally known to me or proved to me on the basis of satisfactory evidence to be the person(s) who appeared before me.

_____
NOTARY PUBLIC

My Commission Expires: 8/14/13

AMBER ROSE KINCAID
Notary Public, State of Texas
My Commission Expires
August 14, 2013

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