

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 Mortgage 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: Adam M Holdaway

REAL PROPERTY LOCATED AT 2823 WEST FOX HUNTERS LOOP, LEHI, UT 84043/ LEGALLY DESCRIBED AS LOT 178, WINTER HAVEN, PHASE 1, AMENDED SUBDIVISION, ACCORDING TO THE OFFICIAL PLAT THEREOF, ON FILE IN THE OFFICE OF THE UTAH COUNTY RECORDER.

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

6. The amounts due on this account is the principal balance of \$303,309.00, 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
David Goss
Print Name David Goss

STATE OF Texas
COUNTY OF Dallas

Subscribed and sworn to (or affirmed) before me this 23rd 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.

Amber Rose Kincaid
NOTARY PUBLIC

My Commission Expires: 8/14/13

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