

UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF FLORIDA – JACKSONVILLE DIVISION

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

IN RE:

Taylor Bean & Whitaker
Mortgage Corp.,

Debtor.

AFFIDAVIT OF ATTORNEY REGARDING MOTION FOR RELIEF

STATE OF Florida

COUNTY OF Broward

ON THIS DAY personally appeared before me, Jason A. Weber, attorney for Movant, American Home Mortgage Servicing Inc., as Servicer for U.S. Bank National Association, as Trustee for TBW Mortgage-Backed Trust Series 2006-5, Mortgage Pass-Through Certificates, Series 2006-5, its Successors and/or Assigns, in the above styled cause, being first duly sworn, deposes, and says:

1. The real property referenced in the related Motion for Relief is located at 3926 NW Sunset Cir., Portland Oregon, 97229, and legally described as:

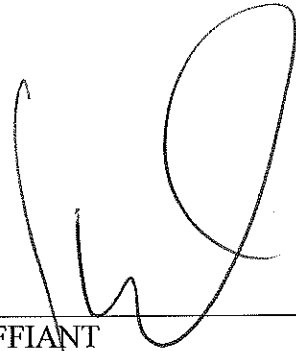
Lot 61, Alder Ridge No. 2, Portland, Multnomah County, Oregon.
TOGETHER WITH an undivided interest in Tract K

2. Based on the examination of the public records, the Debtor is the record-holder of a second mortgage on the subject real property and is therefore a necessary party-Defendant in a foreclosure action for the senior mortgage holder, Movant American Home Mortgage Servicing Inc., as Servicer for U.S. Bank National Association, as Trustee for TBW Mortgage-Backed Trust Series 2006-5, Mortgage Pass-Through Certificates, Series 2006-5, its Successors and/or Assigns,.

3. Relief from the automatic stay is requested in order to file a foreclosure complaint naming Debtor as a Defendant or continuing a foreclosure proceeding where Debtor is named a Defendant due to Debtor's junior mortgage.


4. Debtor is not personally liable to Movant in any way as a Debtor is not an individual nor signatory to the senior note or mortgage as results *in rem* relief is requested.

FUTHER AFFIANT SAYETH NAUGHT



AFFIANT

Sworn to and subscribed before me
this 8th day of March, ~~2011~~ 2010.



Notary Public, State of _____ at Large

Commissioned Name of Notary Public _____
Personally known, or produced identification _____
Type of Identification Produced _____

