



Document 2012 987

Book 2012 Page 987 Type 06 009 Pages 2

Date 4/05/2012 Time 3:15 PM

Rec Amt \$12.00

INDX
ANNO
SCAN
CHEK

LISA SMITH, COUNTY RECORDER
MADISON COUNTY IOWA

AFFIDAVIT

kl
✓ **Prepared by and return to:** Charles P. Augustine, Dunakey & Klatt, P.C., 531 Commercial, Ste 250, Waterloo, IA 50701 (319) 232-3304

Grantor/Affiant: Charles P. Augustine.

Grantee: The Public.

Legal Description: See below.

TSC#115153

STATE OF IOWA, BLACK HAWK COUNTY, ss:

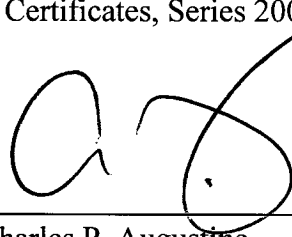
I, Charles P. Augustine, a licensed and practicing attorney in Waterloo, Black Hawk County, Iowa, first being duly sworn on oath do depose and state as follows:

1. I am an attorney for *Deutsche Bank National Trust Company, as Trustee for First Franklin Mortgage Loan Trust, 2005-FFH3, Asset-Backed Certificates, Series 2005-FFH3*, the present titleholder to the real estate legally described as **The North 82 Feet of Lot 1 and the North 82 Feet of the East 29 Feet of Lot 2, in Block 13, of the Original Town of Winterset, in Madison County, Iowa** (hereinafter the "Real Estate").
2. I am familiar with one certain judgment against Deutsche Bank National Trust Company, as Trustee, filed December 12, 2009, in Case No. CVCV032778.
3. I have had communications with the attorney of record who represented Deutsche Bank National Trust Company, as Trustee in connection with said Case No. CVCV032778, Benjamin Hopkins, and I have determined, based upon said communications, that the subject matter of said proceeding involved, and the true judgment debtor under said proceeding was *Deutsche Bank National Trust Company, Trustee on behalf of the Certificateholders of Morgan Stanley ABS Capital, Inc, Trust 2004-NC3, Mortgage Pass Through Certificates, Series 2004-NC3*, which entity is entirely different and distinct from the entity that holds title to the Real Estate.



1/4

4. Said judgment does not impact title to the Real Estate since the judgment is against Deutsche Bank National Trust Company in its capacity as Trustee on behalf of the of the Certificateholders of Morgan Stanley ABS Capital, Inc, Trust 2004-NC3, Mortgage Pass Through Certificates, Series 2004-NC3, and not in its capacity under which it holds title the Real Estate, namely as trustee for First Franklin Mortgage Loan Trust, 2005-FFH3, Asset-Backed Certificates, Series 2005-FFH3.



Charles P. Augustine

Subscribed and sworn to before me on this 28th day of March, 2012, by Charles P. Augustine.



Notary Public in and for the State of Iowa

