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PREPARED BY:  
MERSCORP Holdings, Inc.  
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Suite 300  
Reston, VA 20190



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Karen A. Yarbrough  
Cook County Recorder of Deeds  
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AND WHEN RECORDED MAIL TO:  
CT Lien Solutions (46492929)  
P.O. Box 29071  
Glendale, CA 91209

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**MERS LIMITED POWER OF ATTORNEY**

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## MERS LIMITED POWER OF ATTORNEY

MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC., a Delaware corporation ("MERS") and a wholly owned subsidiary of MERSCORP Holdings, Inc., a Delaware corporation ("MERSCORP"), hereby appoints the attached list of persons [Schedule A] as Attorneys-in-Fact ("Agents") for MERS for the limited purpose of executing documents and taking certain other actions as set forth below for those certain loans (the "FDIC Loans") secured by mortgages or deeds of trusts held by MERS as mortgagee or beneficiary in a nominee capacity for the FEDERAL DEPOSIT INSURANCE CORPORATION (the "FDIC"), AS RECEIVER FOR Lydian Private Bank, FL (the "Receiver") (Org Id 1005827).

"This Limited Power of Attorney granted by MERS to the FDIC, as receiver for Lydian Private Bank, FL, supersedes and replaces any and all previous Limited Power of Attorney granted by MERS to the FDIC, as receiver of Lydian Private Bank, FL.

The Agents appointed hereunder shall be bound to, abide by, and follow the MERS® System Rules of Membership ("Rules") and the Memorandum of Understanding ("MOU") entered into between MERS, MERSCORP and FDIC.

Further, the authority granted to the Agents hereunder shall be specifically limited to undertaking only the actions set forth below on behalf of MERS, provided such actions are otherwise taken in accordance with the requirements of applicable laws, rules, regulations, and further that any action taken by an Agent that is not specifically enumerated below is beyond the scope of the authority granted to such Agent, is ultra vires, and shall be null and void"

- (1) Release the lien of any FDIC Loan registered on the MERS® System that is shown to be registered to the Receiver;
- (2) assign the lien of any FDIC Loan naming MERS as the mortgagee when the Receiver is also the current promissory note-holder, or if the FDIC Loan is registered on the MERS® System, is shown to be registered to the Receiver;
- (3) execute any and all documents necessary to foreclose) any property securing any FDIC Loan registered on the MERS® System that is shown to be registered to the Receiver, so long as such execution does not violate the Rules and MOU, including but not limited to (a) substitution of trustee on Deeds of Trust, (b) Trustee's Deeds upon sale on behalf of MERS, (c) Affidavits of Non-military Status, (d) Affidavits of Judgment, (e) Affidavits of Debt, (f) quitclaim deeds, and (g) endorsements of promissory notes to VA or HUD on behalf of MERS as a required part of the claims process;
- (4) take any and all actions and execute all documents necessary to protect the interest of the Receiver, the beneficial owner of the FDIC Loans, or MERS, in any bankruptcy proceeding regarding a FDIC Loan registered on the MERS® System that is shown to be registered to the Receiver, so long as such execution does not violate the Rules and MOU, including but not limited to: (a) executing Proofs of Claim and Affidavits of Movant under 11 U.S.C. Sec. 501-502, Bankruptcy Rule 3001-3003, and applicable local bankruptcy rules, (b) entering a Notice of Appearance, (c) vote for a trustee of the estate of the debtor, (d) vote for a committee of creditors, (e) attend the meeting of creditors of the debtor, or any adjournment thereof, and vote on behalf of the Receiver, the beneficial owner of the FDIC Loans, or MERS, on any question that may be lawfully submitted before creditors in such a meeting, (f) complete, execute, and

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return a ballot accepting or rejecting a plan, and (g) execute reaffirmation agreements;

(5) take any and all actions and execute all documents necessary to refinance, subordinate, amend, or modify any FDIC Loans registered on the MERS® System that is shown to be registered to the Receiver; and

(6) endorse checks made payable to Mortgage Electronic Registration Systems, Inc., to the Receiver that are received by the Receiver for payment on any FDIC Loan registered on the MERS® System that is shown to be registered to the Receiver.

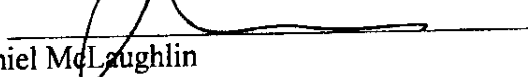
Agent(s) shall have full power and authority to act on behalf of MERS in these limited matters. This power and authority shall authorize Agent(s) to exercise all of MERS legal rights and powers, including all rights and powers that MERS may acquire in the future with regard to the FDIC Loans.

This Limited Power of Attorney shall be construed narrowly as a limited power of attorney. The description of specific powers above is intended to limit or restrict the powers granted in this Limited Power of Attorney.

This Limited Power of Attorney shall become effective immediately upon execution and shall expire (i) upon the termination or earlier repudiation (by the Receiver under 12 U.S.C. § 1821(e)) of the Lydian Private Bank, FL- MERS Agreement (as defined in the Letter Agreement), (ii) as to any Agent(s), at such time as such Agent is no longer an employee or agent of the FDIC, and (iii) upon the subsequent issuance of a new Limited Power of Attorney by MERS to the FDIC, as receiver for Lydian Private Bank, FL. This Limited Power of Attorney may be revoked by MERS and/or MERSCORP by providing written notice to Agent(s), but only at a time after all of the FDIC Loans have been transferred by MERS to the Receiver or a third party or parties designated by the Receiver.

Dated March 13, 2012.

**Mortgage Electronic Registration Systems, Inc.,**  
a Delaware Corporation

By:   
Daniel McLaughlin  
Vice President



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## SCHEDULE A

**Federal Deposit Insurance Corporation, as Receiver for Lydian Private Bank, FL  
(Org Id 1005827)**

List of Agents for Mortgage Electronic Registration Systems, Inc.

Alexander, Lori, A.	Malami, Ralph
Archer, Louanne	Manning, Robert
Arons, Jennifer	Massey, Wade
Beach, Arthur	McCrief, Lawrence
Betancourt, Eddy O.	Meacham, Bruce
Boyies, James	Menzel, Christian E.
Deator, Patricia	Montanez, Frank
Ferguson, Elise N.	Moran, Tom
Flook, Marilyn	Neeley, Sharlayn S.
Gallagher, Dennis Owen	Panchalk, Ted
Gass, Robert	Parrish, Jim
Gray, H. Jim	Patterson, Campbell L.
Hammett, James	Robert, Victor
Henkes, Janine	Salmon, Richard
Herron, C. Ray	Saville, Linda
Holstone-Okae, Bettye	Sherrill, Phillip J.
Huffman, Laurene	Stangle, Samuel R.
Jackson, Diane	Stone, Robert M.
Jones, Ophelia	Terry, William
Kelley, Glenn	Thomas, Phillip W.
Kinard, Glen	Trice, Richard
Kudia, Mark	Walker, Dan
Lake, Willie	Wielinski Jr., Lawrence A.
LaRue, Donna	Zvara, William

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## ACKNOWLEDGMENT

STATE OF VIRGINIA

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§

COUNTY OF FAIRFAX

This instrument was acknowledged before me on the 13<sup>th</sup> day of March, 2012, by Daniel McLaughlin, a duly authorized representative of Mortgage Electronic Registration Systems, Inc., a Delaware corporation, on behalf of said corporation.

Notary Public, State of Virginia

Property of Cook County Clerk's Office



Filed and Recorded  
Official Public Records  
John F. Warren, County Clerk  
Dallas County, TEXAS  
04/23/2012 12:10:47 PM  
\$28.00



201200115493

CERTIFIED

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TRUE AND CORRECT  
COPY OF ORIGINAL  
FILED IN DUVAL  
COUNTY CLERK'S OFFICE

9-27-12  
Signature Date

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THE STATE OF TEXAS  
COUNTY OF DALLAS  
I hereby certify that the above and foregoing is a true and correct copy of the original and is in my lawful custody and possession, and the same is recorded in the volume and page of the instrument as shown hereon.  
I hereby certify on



Clerk of the County of Dallas, Texas  
By [Signature] Deputy

