

# UNOFFICIAL COPY



Doc#: 1610613035 Fee: \$48.00  
RHSP Fee: \$9.00 RPRF Fee: \$1.00  
Karen A. Yarbrough  
Cook County Recorder of Deeds  
Date: 04/15/2016 11:38 AM Pg: 1 of 6

## AFFIDAVIT

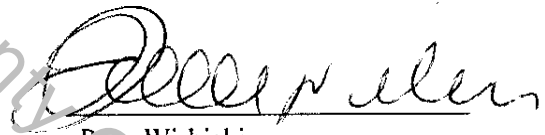
Russ Wirbicki, being first duly sworn under oath, deposes and states as follows:

1. That he is an agent of Deutsche Bank National Trust Company, as Trustee for Home Equity Mortgage Loan Asset-Backed Trust Series INABS 2007-B, Home Equity Mortgage Loan Asset-Backed Certificates Series INABS 2007-B Under the Pooling and Servicing Agreement Dated June 1, 2007 (hereinafter referred to as "Deutsche Bank"), and as such is authorized to execute this affidavit on its behalf.
2. That Deutsche Bank has all right, title, and interest in a certain mortgage of real estate commonly known as 11123 South King Drive, Chicago, IL 60628 and legally described as:  
  
LOT 16 (EXCEPT THE SOUTH 10 1/2 FEET THEREOF) AND THE SOUTH 18 1/2 FEET OF LOT 15 IN BLOCK 2 OF FOOTE FIRST ADDITION TO PULLMAN, BEING A SUBDIVISION OF THE WEST 332 FEET AND THE NORTH 295 FEET OF THE EAST 280 FEET OF THE WEST 612 FEET OF ORIGINAL BLOCK 1 IN PULLMAN PARK ADDITION TO PULLMAN, BEING A SUBDIVISION OF THE EAST 1/2 OF THE NORTHWEST 1/4 OF FRACTIONAL SECTION 22 AND THAT PART OF THE NORTHEAST 1/4 OF SAID SECTION LYING WEST OF THE RIGHT OF WAY OF THE RAILROAD ALL IN TOWNSHIP 37 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, AND LYING NORTH OF THE INDIAN BOUNDARY LINE ALSO THE SOUTH 50 FEET OF THAT PART OF THE EAST 1/2 OF THE SOUTHWEST 1/4 OF SECTION 15 AND THE SOUTH 50 FEET OF THAT PART OF THE SOUTHEAST 1/4 OF SECTION 15, LYING WEST OF RIGHT OF WAY OF ILLINOIS CENTRAL RAILROAD, ALL IN TOWNSHIP 37 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.
3. That said mortgage was executed by Mark Fryison in favor of Mortgage Electronic Registration Systems, Inc., acting solely as a nominee for Indymac Bank, F.S.B., a Federally Chartered Savings Bank, and recorded in the office of the Cook County Recorder of Deeds on May 14, 2007 as document number 0713446009.

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4. That unbeknownst to Deutsche Bank, and without Deutsche Bank's expressed permission, Deutsche Bank National Trust Company, as Trustee for The Home Equity Mortgage Loan Asset-Backed Trust Series INABS 2007-B, Home Equity Mortgage Loan Asset-Backed Certificates, Series INABS 2007-B under the Pooling and Servicing Agreement Dated June 1, 2007, executed a certain assignment of mortgage, as Grantor, to OneWest Bank, FSB, as Grantee, dated July 2, 2010, and recorded in the office of the Cook County Recorder of Deeds on July 21, 2010 as document number 1020240012.
  
5. That said Assignment of Mortgage is invalid and hereby declared a legal nullity for one or more of the following reasons:
  - A. That the purported conveyance was not with the express or implied consent of Deutsche Bank.
  - B. That Deutsche Bank National Trust Company, as Trustee for The Home Equity Mortgage Loan Asset-Backed Trust Series INABS 2007-B, Home Equity Mortgage Loan Asset-Backed Certificates, Series INABS 2007-B Under the Pooling and Servicing Agreement Dated June 1, 2007 did not have signing authority to assign such mortgage
  - C. That for the above reasons, Deutsche Bank hereby declares the subject assignment of mortgage to be invalid, improper, and of no legal effect.

Further Affiant sayeth naught.



Rus Wirbicki

Prepared by and Mail to:  
Wirbicki Law Group  
Foreclosure Dept  
33 W. Monroe St., Ste. 1140  
Chicago, IL 60603

SUBSCRIBED and SWORN  
before me this 14<sup>th</sup> day of April, 2016

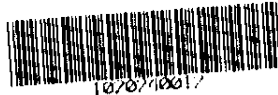


Notary Public



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EXHIBIT



Doc#: 1020240012 Fee: \$40.00  
 Eugene "Gene" Moore RHSP Fee: \$10.00  
 Cook County Recorder of Deeds  
 Date: 07/21/2010 09:19 AM Pg: 1 of 3

**ASSIGNMENT OF MORTGAGE**

KNOW ALL MEN BY THESE PRESENTS that DEUTSCHE BANK NATIONAL TRUST COMPANY, AS TRUSTEE OF THE HOME EQUITY MORTGAGE LOAN ASSET-BACKED TRUST SERIES INABS 2007-B, HOME EQUITY MORTGAGE LOAN ASSET-BACKED CERTIFICATES, SERIES INABS 2007-B UNDER THE POOLING AND SERVICING AGREEMENT DATED JUNE 1, 2007, existing under the laws of the State of Texas, of the first part, in consideration of the sum of TEN DOLLARS (\$10.00) lawful money, in hand paid, hereby assigns/transfers to ONEWEST BANK, FSB, party of the second part, and by these presents does grant, bargain, sell, assign, transfer and set over unto said party of the second part a certain Note and Mortgage bearing the date, April 20, 2007, made by MARK FRYISON, and recorded on May 14, 2007, as Document Number 0713446009, with the Cook County Recorder of Deeds, Illinois, upon the following described parcel of land situated in Cook County, State of Illinois, to wit:

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LOT 16 (EXCEPT THE SOUTH 10 1/2 FEET THEREOF) AND THE SOUTH 18 1/2 FEET OF LOT 15 IN BLOCK 2 OF FOOTE FIRST ADDITION TO PULLMAN, BEING A SUBDIVISION OF THE WEST 332 FEET AND THE NORTH 295 FEET OF THE EAST 280 FEET OF THE WEST 612 FEET OF ORIGINAL BLOCK 1 IN PULLMAN PARK ADDITION TO PULLMAN, BEING A SUBDIVISION OF THE EAST 1/2 OF THE NORTHWEST 1/4 OF FRACTIONAL SECTION 22 AND THAT PART OF THE NORTHEAST 1/4 OF SAID SECTION LYING WEST OF THE RIGHT OF WAY OF THE RAILROAD ALL IN TOWNSHIP 37 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, AND LYING NORTH OF THE INDIAN BOUNDARY LINE ALSO THE SOUTH 50 FEET OF THAT PART OF THE EAST 1/2 OF THE SOUTHWEST 1/4 OF SECTION 15 AND THE SOUTH 50 FEET OF THAT PART OF THE SOUTHEAST 1/4 OF SECTION 15, LYING WEST OF RIGHT OF WAY OF ILLINOIS CENTRAL RAILROAD, ALL IN TOWNSHIP 37 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

Common Address: 1123 South King Drive, Chicago, Illinois  
60628

Tax Number: 25-22-200-011

together with the Note or obligation described in said Mortgage, and the money due and to become due thereon, with interest.

TO HAVE AND TO HOLD the same unto the said party of the second part and assigns forever.

DEUTSCHE BANK NATIONAL TRUST COMPANY, AS TRUSTEE OF THE HOME EQUITY MORTGAGE LOAN ASSET-BACKED TRUST SERIES INABS 2007-B, HOME EQUITY MORTGAGE LOAN ASSET-BACKED CERTIFICATES, SERIES INABS 2007-B UNDER THE POOLING AND SERVICING AGREEMENT DATED JUNE 1, 2007, BY ONEWEST BANK, FSB AS ITS ATTORNEY IN FACT

BY: \_\_\_\_\_

**Brian Burnett**

**Assistant Vice President**

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ATTEST:

  
\_\_\_\_\_  
Authorized Signatory

Suchan Murray

Subscribed and sworn to before me this 2nd day of June, 2010.

(SEAL)



  
\_\_\_\_\_  
Notary Public

PREPARED BY:

Attorney No. 18837  
LAW OFFICES OF IRA T. NEVEL, L.L.C.  
175 North Franklin  
Suite 201  
Chicago, Illinois 60606  
(312) 357-1125

RETURN TO: BOX 167

CLERK'S OFFICE OF COOK COUNTY CLERK'S OFFICE

