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-96-597585

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RCG, Inc.  
505 San Marin Drive, #110A  
Novato, CA 94945



DEPT-11 TORRENS \$27.50  
T#0015 TRAN 5221 08/05/96 11:41:00  
#2499 CT \*-96-597585  
COOK COUNTY RECORDER

ASSIGNMENT OF MORTGAGE  
AND  
OTHER COLLATERAL LOAN DOCUMENTS

EMC Loan No. : 1341080  
Former FHA Case No. : 1313903070  
HUD Region No. : 29(Y)

The Secretary of Housing and Urban Development, solely in its capacity as mortgagee ("HUD"), pursuant to the terms of that certain Loan Sale Agreement between HUD ("Assignor") whose address is 451 Seventh Street, S.W., Washington, D.C., 20410 and EMC Mortgage Corporation dated as of October 27, 1995, (the "Loan Sale Agreement"), and in consideration of Ten Dollars (\$10.00) and other good and valuable consideration paid by EMC Mortgage Corporation ("Assignee"), hereby assigns, transfers, sets over and conveys to Assignee, its successors and assigns, whose address is 222 W. Las Colinas Blvd., #600, Irving, Texas, 75039, the following without recourse:

1. That certain Mortgage dated 4/25/85 made by Wayde A. Smith and Mary H. Skryp-Smith, husband and wife

which certain Mortgage was recorded as follows:

Book/Volume/Reel/Liber No. :

Page Number :

Instrument/Document No. :

Certificate No./Other Reference No. :

Tax/Map/Parcel Reference # (if required for recording): 16-17-331-012

Township/Borough (if required) :

Property Address: 1106 S Austin St  
Oak Park, IL

further described by legal description, hereby attached and incorporated by reference as Exhibit 'A' which was recorded on 4/26/85 in Cook County/Town, IL ("Mortgage"), which Mortgage secures that certain Promissory Note dated 4/25/85 ("Note"); and

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ILLINOIS, TO WIT: 16-17-331-019

LOT 10 (EXCEPT THE EAST 7 FEET TAKEN FOR WIDENING AUSTIN AVENUE) IN  
BLOCK 16 IN AUSTIN PARK, A SUBDIVISION OF THE EAST 1/2 OF THE SOUTHWEST  
1/4 OF SECTION 17, TOWNSHIP 39 NORTH, RANGE 13, EAST OF THE THIRD PRIN-  
CIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

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Page 2-Assignment for EMC # 1341080

2. Such other documents, agreements, instruments and other collateral which evidence, secure or otherwise relate to HUD's right, title or interest in and to the Mortgage and/or Note and the title insurance policies and hazard insurance policies that may presently be in effect.

The Note was endorsed by HUD to Assignee without "FHA Mortgage Insurance" (as such term is defined in the Loan Sale Agreement) and without recourse.

ANY CHANGES IN THE PAYMENT OBLIGATIONS UNDER THE NOTE BY VIRTUE OF ANY FORBEARANCE OR ASSISTANCE AGREEMENT, PAYMENT PLAN OR MODIFICATION AGREEMENT AGREED TO BY HUD, WHETHER OR NOT IN WRITING, WILL BE BINDING UPON ASSIGNEE, ITS SUCCESSORS AND ASSIGNS. THIS PARAGRAPH SHALL BE INCLUDED IN ALL FUTURE ENDORSEMENTS OR ASSIGNMENTS OF THE MORTGAGE.

THE MORTGAGE MAY ONLY BE TRANSFERRED AND ASSIGNED TO A PERSON OR ENTITY THAT IS EITHER AN FHA-APPROVED SERVICING MORTGAGEE OR THAT HAS ENTERED INTO A CONTRACT FOR THE SERVICING OF THE MORTGAGE WITH AN FHA-APPROVED SERVICING MORTGAGEE. THE MORTGAGE SHALL BE SERVICED IN ACCORDANCE WITH THE ABRIDGED VERSION OF CHAPTERS 5, 6, 7, AND 9 AND APPROPRIATE APPENDICES OF HUD HANDBOOK 4330.2 REV-1, "MORTGAGE ASSIGNMENT AND PROCESSING SECRETARY-HELD SERVICING." THESE SALES AND SERVICING PROVISIONS SHALL CONTINUE TO APPLY UNLESS THE MORTGAGE IS MODIFIED, FOR CONSIDERATION, WITH THE CONSENT OF THE MORTGAGOR, REFINANCED, OR SATISFIED OF RECORD. THIS PARAGRAPH SHALL BE INCLUDED IN ALL FUTURE ENDORSEMENTS OR ASSIGNMENTS OF THE MORTGAGE.

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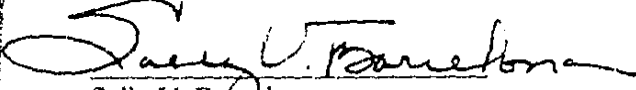
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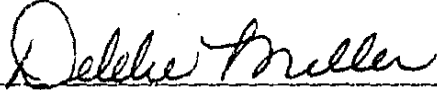
Page 3-Assignment for EMC # 1341080

IN WITNESS WHEREOF, HUD has caused this Assignment to be executed and delivered by its duly authorized agent effective as of the 15th day of November, 1995.

WITNESS

SECRETARY OF HOUSING AND URBAN  
DEVELOPMENT

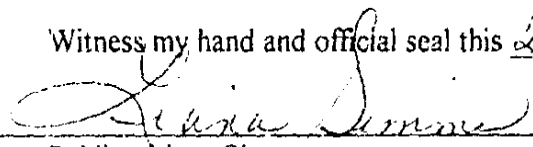
  
Sally V. Barcelona

By:   
Name: Debbie Miller, as Attorney-in-Fact  
Pursuant to a Power of Attorney recorded in Cook  
County, IL on 01/10/96 as Document No. 96-  
24841.

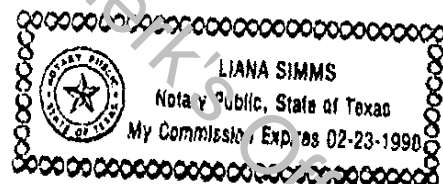
State of Texas  
County of Dallas

On February 26<sup>th</sup>, 1996, before me, Liana Simms, Notary Public, personally appeared Debbie Miller personally known to me (or proven on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument who acknowledged that he/she is the authorized attorney-in-fact for the Secretary of the Department of Housing and Urban Development and acknowledged to me that he/she executed the same in his/her authorized capacity and that by his/her signature on the instrument, the person or the entity on behalf of which the person acted, executed the instrument.

Witness my hand and official seal this 26<sup>th</sup> day of February, 1996.

  
Notary Public: Liana Simms

My Commission expires: 02/23/1998



Prepared by: S. Richardson

RCG, Inc. 505 San Marin Dr., #110A, Novato, CA 94945 415-898-7200(ct, in, il, oh, ok, mi, nj-  
Y/N/N/Y/N/Y/B05)

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## AFFIDAVIT OF NOTIFICATION OF ASSIGNMENT OF MORTGAGE

I, \_\_\_\_\_, as agent for the \_\_\_\_\_,  
(Assignor, Assignee)  
of the mortgage registered as document number \_\_\_\_\_, being  
first duly sworn upon oath, states:

1. That notification was given to \_\_\_\_\_, at  
\_\_\_\_\_ who are the owners of record on  
Certificate No. \_\_\_\_\_, and mortgagors on document  
no. \_\_\_\_\_, that the subject mortgage was being  
assigned.

2. That presentation to the Registrar of filing of the assignment  
of mortgage would cause the property to be withdrawn from the  
Torrens System and recorded with the Recorder of Deeds of Cook  
County.

I, \_\_\_\_\_, declare under penalties of perjury  
that I have examined this form and that all statements included in  
this affidavit to the best of my knowledge and belief are true,  
correct, and complete.

\_\_\_\_\_  
Affiant

Subscribed and sworn to before  
me by the said \_\_\_\_\_  
this \_\_\_\_\_ day of \_\_\_\_\_,  
19\_\_\_\_.

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

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## AFFIDAVIT OF NOTIFICATION OF ASSIGNMENT OF MORTGAGE

I, JANAN WEEKS VICE = PRESIDENT, as agent for the EMC Mortgage Corporation, (Assignor, Assignee) of the mortgage registered as document number 3432350, being first duly sworn upon oath, states:

1. That notification was given to Wayde A. Smith & Mary H. Skryp-Smith, at 1106 S. Austin St. Oak Park, IL. who are the owners of record on Certificate No. 3432350, that the subject mortgage was being assigned.

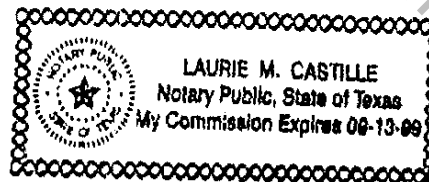
2. That presentation to the Registrar of filing of the assignment of mortgage would cause the property to be withdrawn from the Torrens System and recorded with the Recorder of Deeds of Cook County.

I, JANAN WEEKS VICE = PRESIDENT, declare under penalties of perjury that I have examined this form and that all statements included in this affidavit to the best of my knowledge and belief are true, correct, and complete.

*Janan Weeks*  
Affiant JANAN WEEKS VICE = PRESIDENT

Subscribed and sworn to before  
me by the said Janan Weeks  
this 18th day of June, 1996.

*Laurie M. Castille*  
Notary Public



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