

**INTEGRITY OF LAND RECORDS  
IN MONTEREY COUNTY**



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## INTEGRITY OF LAND RECORDS IN MONTEREY COUNTY

### SUMMARY

During the housing boom and subsequent bust beginning in 2008, Monterey County, like the rest of the nation, experienced a high number of deed transfers from purchases and foreclosures.<sup>1</sup> National media investigations uncovered widespread unlawful acts by banks, mortgage companies, loan servicers, and agents where robo-signers were used to expedite the processing of documents.<sup>2</sup> This came to light primarily during contested foreclosures but remains an issue across many land records.

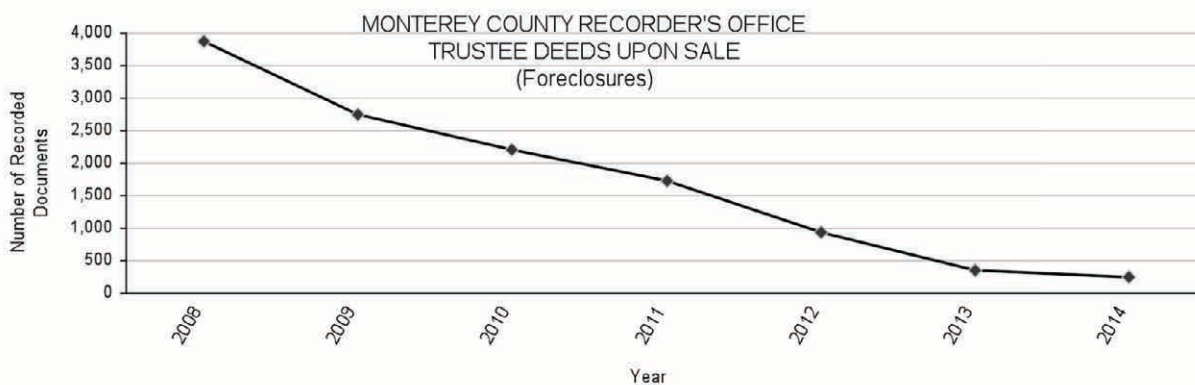


Figure 1.

As seen in Figure 1, foreclosures in Monterey County have been steadily decreasing since 2008. Unfortunately they are still a reality and have been predicted to increase due to the temporary relief measures expiring this year.<sup>3</sup> With the decline in foreclosures the data pool is smaller for an audit of Monterey County land records to look for robo-signing and other forms of fraud.

Preliminary investigation of selected documents indicate that robo-signing and other forms of fraud are still issues in Monterey County that should be addressed to ensure the accuracy and reliability of County land records. There are currently no systems in place at the County level to determine the validity of title transfers as authorized by legally recognized signatures. An audit of County land recordings by a real estate fraud expert would determine the extent of the problem in Monterey County.

<sup>1</sup> Monterey County recorded 3,875 Trustee's Deeds on foreclosure sales in 2008. See Figure 1 for the pattern of Trustee's Deeds for 2008-2014.

<sup>2</sup> Robo-signing involves people who provide their signatures or sign for others on title transfer documents swearing to their accuracy without verifying any of the information.

<sup>3</sup> Dayen, David (August 24, 2014). You Thought the Mortgage Crisis Was Over? It's About to Flare Up Again. *New Republic*. Retrieved from <http://www.newrepublic.com/article/119187/mortgage-foreclosures-2015-why-crisis-will-flare-again>

## BACKGROUND

California is a non-judicial foreclosure state, meaning that when foreclosures are processed, homeowners can lose their homes without any court oversight. California law is designed to balance creditors' rights to an efficient remedy for default against homeowners' rights to assure lawful foreclosures. However, abuses of the system during the housing boom and bust were rampant. The California Department of Justice supposedly corrected the practices of robo-signing and other infractions in its settlements with the foreclosing institutions.<sup>4</sup> California's 2012 legislation, the Homeowner's Bill of Rights, was intended to offer additional protections for Californians in an effort to curb the abuses. In its investigation, the Monterey County Civil Grand Jury (MCCGJ) learned that these abuses are continuing and are evident in the land records of Monterey County.

The MCCGJ believes a system should be in place for the protection of the County's citizenry, to the extent it can be crafted and funded. With the Real Estate Fraud Prosecution Trust Fund in effect since 1995 (see discussion below), monies are available for investigations and prosecutions that can bring revenue to the County from statutory penalties of up to \$75,000 per violation. *California Penal Code section 115.5 (a)*.

*Every person who files any false or forged document or instrument with the county recorder which affects title to, places an encumbrance on, or places an interest secured by a mortgage or deed of trust on, real property consisting of a single-family residence containing not more than four dwelling units, with knowledge that the document is false or forged, is punishable, in addition to any other punishment, by a fine not exceeding seventy five thousand dollars (\$75,000). California Penal Code section 115.5(a).*

## INVESTIGATIVE METHODOLOGY

Researching this issue involved several different approaches including:

- Reviewing numerous recorded deeds from Monterey County public records
- Interviewing officials with the County Assessor and Clerk-Recorder Office, Monterey County District Attorney's Office, and two expert witnesses in the field
- Conducting phone interviews with staff of other County Recorders' Offices
- Examining the Monterey County District Attorney website

In addition, the following related materials were reviewed:

- Legal case reports
- Audits
- Relevant Statutory codes
- Relevant Legislative bills
- Report to the Monterey County Board of Supervisors
- Media reports

<sup>4</sup> In a March 3, 2015, article published in *USAToday* it was reported that one of the nation's largest banks entered into a \$50 million settlement agreement with the Department of Justice for admittedly filing perjured and/or forged affidavits in 25,000 U.S. bankruptcy cases across the country. Yet, no one was apparently charged with a crime.

## DISCUSSION

On April 17, 2015, California Attorney General Kamala D. Harris filed an Amicus Brief in the Supreme Court of the State of California in support of a plaintiff whose home was foreclosed upon by an institution that allegedly lacked the ownership interest in the plaintiff's mortgage and deed of trust. Because California is a non-judicial foreclosure state, the plaintiff was forced to bring litigation in order to void the sale and loss of her home. The Attorney General stated in her supporting brief that:

[B]ecause there is no court oversight in a non-judicial foreclosure, it is important for there to be a way to challenge irregularities in that process. Empowering homeowners—who have the most at stake and the most to lose—with the ability to challenge improper loan assignments and other defects is the most direct way to accomplish that goal. Moreover, permitting such a cause of action would incentivize lending institutions to employ due diligence with respect to ensuring proper assignments and confirming who currently holds a loan.

*Brief for the California Attorney General as Amicus Curiae, page 17, Tsvetana Yvanova v. New Century Mortgage et al. (2015) Case No. S218973*

## HOME LOANS

Homeowners often take out a loan for the purchase or refinance of their home. A Deed of Trust is recorded in the County Recorder's Office records, which secures the lender's interest in the homeowner's obligation to pay off the note. In today's market, the loan is often sold to numerous other loan servicers over the life of the loan. Ideally, each time an Assignment of Deed of Trust occurs, notice should be given to homeowners, so they know who owns the note and whom to pay. However, California law does not require that Assignments of Deeds of Trust be recorded, with notice to the homeowners. The MCCGJ has learned that in some instances, Monterey County homeowners are contacted by different institutions for loan payments, and the homeowners have no knowledge of who actually owns the note and is entitled to the payments.

## FORECLOSURES

When a homeowner falls on hard times and cannot make payments, foreclosure action is initiated, which can take as little as 120 days after the Notice of Default is recorded. Once initiated, a homeowner's only recourse to stave off foreclosure is to file a lawsuit. This is an expensive and arduous proposition unavailable to most who find themselves in these circumstances. Given that most homeowners are financially unable to retain legal counsel by the time they are faced with a pending foreclosure, the loss of the family home is almost a certainty. In addition, the language involved in these proceedings is technical and difficult to understand for most any layperson trying to navigate through the daunting procedures involving foreclosure.

Lending institutions and loan servicers continue to face litigation from state and federal agencies for industry abuses, including robo-signing. Robo-signing refers to the practice of signing deed of trust assignments, satisfactions, and other home loan related documents in an assembly-line fashion. It can mean someone forges an executive's signature, a lower-level employee signs his

or her own name with a fake title, or notary procedures are not in compliance. Robo-signing of foreclosure related documents (including Assignments of Deeds of Trust, Substitutions of Trustee, Notices of Default, Notices of Trustee Sale, and Trustee's Deeds Upon Sale) serves to cover up the fact that loan servicers and their agents cannot demonstrate the facts required to conduct a lawful foreclosure. The signature of an authorized bank or mortgage official on these legal documents is supposed to guarantee that this information is accurate. The recorded paper trail serves to ensure the legal chain of title on real property and has been the backbone of U.S. property ownership for more than 300 years. In its study of the current practice of not recording successive loan ownership interests, Harvard Law School concluded, "For the first time in the history of the nation, there is no longer an authoritative public record of interests in land in each county."<sup>5</sup>

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If an unauthorized signer has executed legal documents at any time along the chain of title, over numerous sales of a loan to different institutions, the sale can be voided. However, because Assignments of Deeds of Trust are not required to be recorded, the homeowner may not know whom to contact when seeking alternatives to foreclosure, because the paper trail is not available. If the Trust Deed Assignments were available for inspection and review, robo-signing could be exposed and homeowners could be able to act appropriately. The MCCGJ learned that often Monterey County Assignments of Deeds of Trust are not recorded until *after* the foreclosure sale has taken place, further confusing the homeowner and disregarding the protection of transparency on the public record.<sup>6</sup>

The April 17, 2015 Amicus Brief of the California Attorney General, cited above, explains the dilemma:

[T]he identity of the party having authority to foreclose on a homeowner matters. For example, if an invalid assignment had not occurred, the original lender may have exercised more leniency with missed payments or worked out a loan modification plan with the homeowner. And as described above, foreclosures have moved at an unprecedented pace in recent years. It is possible that another lender would have engaged in a slower process that would have given the homeowner more time to improve his financial situation or seek other alternatives to avoid foreclosure. . . . Although a plaintiff need not allege such facts [of defendants' deceptive practices] (which would, in many cases, be difficult if not impossible for the plaintiff to do without knowing the inner-workings of various banking institu-

<sup>5</sup> Max Weinstein, Melanie Leslie, David J. Reiss, Joseph W. Singer, and Rebecca Tushnet. "MERS Litigation—Brief Of Amicus Curiae The Legal Services Center of Harvard Law School And Law Professors in Support of The Appellee, Montgomery County, Pennsylvania, Recorder Of Deeds, No. 14-4315" 2015 pg 35

<sup>6</sup> California Civil Code section 2932.5 provides that "Where a power to sell real property is given to a mortgagee, or other encumbrancer, in an instrument intended to secure the payment of money, the power is part of the security and vests in any person who by assignment becomes entitled to payment of the money secured by the instrument. The power of sale may be exercised by the assignee *if the assignment is duly acknowledged and recorded.*" (Italics added for emphasis.)

tions), these examples demonstrate that being foreclosed on by the wrong party can result in tangible harm.

*Brief for the California Attorney General as Amicus Curiae, page 15, Tsvetana Yvanova v. New Century Mortgage et al. (2015) Case No. S218973*

## **RECORDERS' LEGAL PROTECTIONS**

The MCCGJ understands that the Monterey County Recorder's Office is working within its mandate in recording papers presented to it that appear to be facially valid, pursuant to Government Code section 27201, *et seq.*. However, upon a preliminary inspection by a forensic document examiner, it was noted that these papers evidence numerous defects which are highly suspect and cast doubt on their validity and violate the public trust.

## **AUDITS EXPOSE VIOLATIONS**

MCCGJ consulted with Marie McDonnell, a mortgage fraud and forensic analyst and certified fraud examiner with McDonnell Property Analytics, who has performed numerous audits exposing violations similar to those identified by her in the public records of Monterey County. Her preliminary findings identified the following:

You have robo-signers galore; fraudulent assignments; unauthorized substitutions of trustee; MERS fraud; and a host of violations of California statutes.

*McDonnell, Marie. Letter to MCCGJ. 17 January 2015. TS.*

In her expert opinion:

Innumerable negative externalities result from this errant behavior, e.g., due process violations; wrongful foreclosure; wrongful displacement and homelessness; clouded and unmarketable titles; uncertainty in real estate transactions; devaluation in property values; erosion of the tax base; social unrest; undue burdens on social services and welfare programs; increased crime; vacancies; neighborhood blight, etc. the price of which is paid at the local level.

*McDonnell, Marie. Letter to MCCGJ. 10 February 2015. TS.*

The problems addressed in this report are not limited to Monterey County. In fact they occur throughout California and the United States.

The Guilford County, North Carolina, Register of Deeds, Jeff L. Thigpen, filed a lawsuit in 2012 seeking to clean up 'the mess' in the County's property records registry which was blamed on fraudulently executed mortgage documents. He ultimately failed to prevail for lack of standing *on behalf of* Guilford County residents, but his arguments could be used by individuals personally affected by those recorded documents.

John L. O'Brien, Jr., the Register of Deeds for the Southern Essex District Registry of Deeds in Salem, Massachusetts, engaged Marie McDonnell to produce the *Forensic Examination of Essex*

*Southern District Registry* in 2011.<sup>7</sup> From that cooperative effort, a list of known robo-signers was created (see Appendix A.) Some of those listed robo-signers were found in Monterey County land records (see Appendix B).

In February 2012 the Office of the Assessor-Recorder for San Francisco County, Phil Ting, published an independent audit called *Foreclosure in California: A Crisis of Compliance*. That audit found that 84% of the foreclosure files contained at least one clear legal filing violation and more than 66% contained multiple violations.<sup>8</sup>

These audits all addressed various aspects of county recording practices and the implications of numerous improprieties found throughout the process. Chain of title must be unbroken in order to ensure integrity and transparency in the land records system. It is the viewpoint of the MCCGJ that an audit of Monterey County land title records would uncover similar problems in its recorded documents. If handled proactively, best practices at the county, state and national levels can be established to ensure public trust in our land records system.

## **REAL ESTATE FRAUD PROSECUTION TRUST FUND**

California Government Code section 27388 provides for a Real Estate Fraud Prosecution Trust Fund to be financed by fees, up to \$10 per document, charged for recording documents that do not require a documentary transfer tax (including Assignments of Deeds of Trust, Substitutions of Trustee, Notices of Default, Notices of Trustee Sale, and some Trustee's Deeds Upon Sale).<sup>9</sup> Monterey County now charges \$9 per such document upon recording. Real Estate Fraud Prosecution Trust Fund money is earmarked for investigation and prosecution of real estate fraud. In its 2014 Annual Real Estate Report to the Board of Supervisors, the Monterey County District Attorney's Office reported that there was \$508,188 in the Trust Fund for such purposes, and that it spent \$446,514 in such investigative and prosecutorial activities. In that same year (2014), its actions recovered approximately \$180,000 in penalties, restitution, and costs for the County and its affected citizens.

The County Board of Supervisors can, upon adoption of a resolution, raise the Trust Fund fee to \$10 per document if the District Attorney sees fit and deems an increase is necessary. The motivation for doing so would be to more vigorously "fund programs to enhance the capacity of local police and prosecutors to deter, investigate, and prosecute real estate fraud crimes" (Government

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<sup>7</sup> In an effort to mitigate these problems, Southern Essex District Registry of Deeds has taken upon itself the task of notifying citizens that they will submit copies of documents of concern to the State's Attorney General's office to determine if there is a possible violation of Crime Against Property Statute—MGL Chapter 266, Section 35A (b) (4) to ensure the integrity of the land recordation system. They also support citizens by supplying an affidavit that must account for accurate signatures before they can be processed (Appendix C).

<sup>8</sup> This work was referenced in Max Weinstein, Melanie Leslie, David J. Reiss, Joseph W. Singer, and Rebecca Tushnet. "MERS Litigation – Brief Of Amicus Curiae The Legal Services Center of Harvard Law School And Law Professors in Support of The Appellee, Montgomery County, Pennsylvania, Recorder Of Deeds, No. 14-4315" 2015.

<sup>9</sup> To make matters worse, the very abusers of the system who assign the beneficial interest in a loan without notice to the homeowner do not contribute to the California Real Estate Fraud Prosecution Trust Fund, because they are not required to record their Assignments which would otherwise provide needed revenue to the County to investigate and deter those abuses



Code section 27388(b)), and would offset the cost of an audit of Monterey County land records. The law states that, “The intent of the legislature in enacting this section is to have an impact on real estate fraud involving the largest number of victims” (Government Code section 27388(f)).

From its inquiries and investigation, the MCCGJ found that this topic deserves more attention than it has received. The MCCGJ has determined the need to hire a real estate forensic examination expert to work in collaboration with the District Attorney’s Office to identify fraudulent elements of foreclosure documents that would be necessary to lead to successful prosecutions in Monterey County.

## **INCREASING AWARENESS AND COMMUNICATION**

Awareness of this issue and pressure to motivate change could start by simply talking about it. It was discovered that the Monterey County District Attorney’s Office participates in at least two discussion groups that could facilitate sharing concerns about these issues: the newly forming Tri-County Task Force including Santa Cruz, San Benito and Monterey Counties’ District Attorneys’ Offices, and the California Consumer Protection, Northern (“Berkeley”) Roundtable group, comprised of lawyers, realtors, lenders, and other parties to real estate transactions.

The San Francisco Recorder’s office has instituted a referral website, HomeownershipSF.org, in San Francisco as a support for citizens of the city and county to seek help in negotiating the potential problems confronting homeowners faced with foreclosure. The Monterey County District Attorney’s website has a link to Real Estate Fraud as they do for several other topics. This new link should make it easier for the public to access a means of communicating similar real estate concerns. ( <http://www.co.monterey.ca.us/da/real-estate-fraud.htm> ).

## **FINDINGS**

- F1.** Monterey County land records contain robo-signatures.
- F2.** Monterey County has no system in place to identify robo-signatures.
- F3.** Monterey County Recorder’s Office is mandated to record all documents that appear valid on their face.
- F4.** Monterey County collects \$9 per document not requiring a documentary transfer tax for the Real Estate Fraud Prosecution Trust Fund.
- F5.** California Penal Code section 115.5 provides for statutory penalties up to \$75,000 per incident of proven real estate fraud.
- F6.** Real estate fraud concerns can be shared locally and statewide by the District Attorney’s Office participation in legal network groups.
- F7.** Audits have spurred other states and counties to aggressively pursue and protect their residents against Real Estate Fraud.
- F8.** Monterey County District Attorney’s Prosecution Fraud website does list a Real Estate Fraud Division: <http://www.co.monterey.ca.us/da/real-estate-fraud.htm>.

## RECOMMENDATIONS

- R1.** Monterey County District Attorney's Office use its Real Estate Fraud Prosecution Trust Fund budget to immediately consult with a Certified Mortgage Fraud and Forensic Document Analyst to begin a land records audit.
- R2.** Monterey County District Attorney's Office pursue an increase for the Real Estate Fraud Prosecution Trust Fund fee to \$10 per document, if needed, to fund the cost of a forensic examination.
- R3.** Monterey County District Attorney's Office, in cooperation with the Monterey County Recorder's Office, immediately create/obtain a current list of known robo-signers.
- R4.** Monterey County District Attorney, in cooperation with Monterey County Recorder, identify and refer documents signed by known robo-signers to the Monterey County District Attorney's Office Real Estate Fraud Division for investigation.
- R5.** Monterey County District Attorney's Office research other jurisdictions' developing best practices that can be adapted to Monterey County to ensure land record documents are factually valid.
- R6.** The Monterey County District Attorney's Office inform the developing Tri-County Task Force and the California Consumer Protection, Northern ("Berkeley") Roundtable group about issues in land records at their next meetings.
- R7.** Update the Monterey County District Attorney's website to provide resources to homeowners and reflect changes in law and procedures regarding suspected fraud in land records.

## RESPONSES REQUIRED

Pursuant to Penal Code § 933.05, the MCCGJ requests responses to all Findings and Recommendations R2 and R3 from the following governing body:

- Monterey County Board of Supervisors

Pursuant to Penal Code § 933.05, the MCCGJ requests responses to all Findings and Recommendations from the following elected officials:

- Monterey County District Attorney
- Monterey County Assessor/County Clerk/Recorder (R3 and R4 only)

## REFERENCES

### Legal Case Reports

*Kathleen Lyons v. Santa Barbara County Sheriff's Office* - California Court Of Appeal - Dec. 03, 2014

*Jackson v. County of Amador* - Cal App 4th 514 (2010)

*Ann Marie DiLibero v. Mortgage Registration Systems, Inc. et al.* Supreme Court No. 2013-190-Appel. (PC 11-4645)

*Kristin Bain v. Metropolitan Mortgage Group INC. et al.* Supreme Court of the State of Washington - No. 10-5523-JCC (2 cases)

*United States of America v. Lorraine Brown* - CASE No. 3:12-cr-198-J-2S - U.S. District Court Middle District of Florida, Jacksonville Division

*Guilford County, North Carolina lawsuit v. LPS/DocX, MERSCORP, MERS, Inc and numerous banks, loan servicers and foreclosure specialists*

Brief of the California Attorney General as Amicus Curiae, page 17, *Tsvetana Yvanova v. New Century Mortgage et al.* (2015) Case No. S218973.

<https://findsenlaw.files.wordpress.com/2015/04/final-amicus-brief-yvanova-pdf-pdf-attachment-copy.pdf>.

Brief Of Amicus Curiae The Legal Services Center of Harvard Law School And Law Professors in Support of The Appellee, Montgomery County, Pennsylvania, Recorder Of Deeds, No. 14-4315” 2015 [http://works.bepress.com/david\\_reiss/81](http://works.bepress.com/david_reiss/81).

## **Correspondence with Marie Mcdonnell**

### **Audits and Related**

*Foreclosure in California: A Crisis of Compliance.* [www.sfassessor.org](http://www.sfassessor.org) - 2013 Annual report, San Francisco - HOMEOWNERSHIP SF - Carmen Chu, Assessor-Recorder plus support papers

*Forensic Examination of Essex Southern District Registry.* Notification of January 18, 2012 full scale Southern Essex District Register of Deeds fraudulent documents criminal investigation sent to Massachusetts Attorney General Martha Coakley, U.S. Attorney General Eric Holder and U.S. Attorney Carmen Ortiz.

Southern Essex District Registry of Deeds filing examples

### **Statutory Codes and Bills**

California Government Code section 27297.7

California Government Code section 27388

California Government Code sections 27201, 27203, 27203.5, 27204

California Penal Code sections 115, 115.5, 532f

CA. Senate Rules Committee SB 1050 Chapter 197 - County of Monterey Recorder-County Clerk - new required advisory statement pursuant to Senate Bill 1050

Annual Real Estate Fraud Report for FY 2013-14 presentation to the Monterey County Board of Supervisors on September 30, 2014 - Legistar File Number 14-1060

### **Media Reports**

April 11, 2013 States Fight Back Against MERS Mortgage Fraud - The Big Picture - Washingtons Blog.

Dec. 24, 2013 KEYT, KCOY, KKFX Santa Barbara County newscast

Nov. 21, 2014 Senka Huskic - Occupy.com

January 7, 2015, Dec. 16, 2014, Dec. 15, 2014 (2), Dec. 11, 2014, - WFTV.com - foreclosure protection news series

March 4, 2015 - *USAToday* - JPMorgan forks over \$50M in 'robo-signing' pact with DOJ  
Dayen, David (August 24, 2014). You Thought the Mortgage Crisis Was Over? It's About to Flare Up Again. New Republic. Retrieved from  
<http://www.newrepublic.com/article/119187/mortgage-foreclosures-2015-why-crisis-will-flare-again>.

### **Papers Pertaining to Office Websites and E-Recording**

The Monterey County Recorder-County Clerk Website:

<http://www.co.monterey.ca.us/recorder/default.asp>.

Monterey County District Attorney's Website:

<http://www.co.monterey.ca.us/da/>.

Appendices A and B are a list of known robo-signer and just a few Monterey County land records with these robo-signers. The names on the list and their signatures are circled.

Appendix A, Page 1

This document was generated for Southern Essex District Registry of Deeds and can be found at:

<http://dtc-systems.net/2012/01/southern-essex-registry-deeds-robo-signers-list/>

The Massachusetts Southern Essex Registry of Deeds provides a list of the robo-signers identified by McDonnell Property Analytics. The list of robo-signers is as follows:

Last name	First name	Last name	First name	Last name	First name	Last name	First name
ADAMS	MURIEL	BROOKS	BEVERLY	DIXON	DIANE	HICKERSON	ANISSA
AGUIAR	GREFNE ANGELA	BROWN	CHINA	DODX	BARBARA	HINDMAIN	BARBARA
ALAGIC	SANELA	BROWN	LORRAINE	DOKO	DHIRATO	HINES	JONATHAN
ALFONSO	LUISA	BROWN	TRACEY I.	DUDDY	KAREN	HIRSCFIELD	NANCY E.
AL-HAMMADI	WENDY ALBERTSON	BURGESS	JONATHAN	DUNNERY	JOHN A.	HVELY	MELISSA
ALLEN	CHRISTINA	BURNETT	BRIAN	EADS	SHIRLEY	HOOD	BETHANY
ALLEN	GREG	BURTON	LINDA	ELLER	NANCY	HUANG	CHRISTINA
ALLOTEY	LIQUENDA	BUSBY	GINER	ELLIOT	KEVIN J.	HULL	DONA
ALTMAN	ROBERT	BUXTON	LAURA	ESPOSITO	THERESA	HUND	JOHN
AMICO	CHRISTOPHER	CARBIENER	JEFFREY	FLANAGAN	MELISSA	HUNTER	ROSE
ANDERSON	CHRISTINE	CARRICO	HEATHER	FOMBY	AARON	HUTCHISON	CHERYL
ANDERSON	EARITHA	CARTER	CHRISTINA	FORBES	MICHAEL	ISAACS	MARSHALL
ANDERSON	SCOTT	CASTRO	VILMA	FRENCH	KIM	IVEY	CHRIS
ANTONELLI	ANITA	CHAPMAN	CAROL	FRIEDMAN	ERIC	JACKSON	KEVIN
ARIAS	LETICIA	CHAPMAN	DORIS	FUERSTENBERGER	ANDREW	JOHNSON	ERICA A.
BACHMAN	MICAL	CHUA	JAMES	GAAL	EVA	JOHNSON	HEATHER
BACKUS	DEBORAH	CLARK	NATASHA	GAGLIONE	RENE	JOHNSON-SECK	ERICA A.
BAGGS	LORRAINE	CLARK	VALERIE	GILLAND	SHAR	JONES	CHRISTOPHER
BAGLEY	BRENT	CO	DAVID	GONZALES	EILEEN	JONES	TINA
BAILEY	DENISE	COATS	KAY	GORLEWSKI	CATHERINE M.	JUSTICE	MELONEE
BAILEY	KIRSTEN	CODY	JOHN	GRAY	TINA	KAMINSKI	JOSEPH
BAILEY-SLYH	MARTHA	COFFMAN	MATTHEW	GREEN	LINDA	KEMP	KRISTEN
BALARA	LORRIANE	COLSTON	NORIKO	GREEN	MICHELLE	KENNERTY	HERMAN JOHN
BALDWIN	CHRISTIE	COOK	J.	GREENE	ALFONZO	KENNERTY	JOHN
BALDWIN	LISA	COOK	MARY	GREENE	MICHELLE	KENNERTY	JOHN HERMAN
BANASZEWSKI	MATTHEW	COOK	WHITNEY	GREENWALD	JACKIE	KERR	JOHN
BARRAZA	ASHLEY	COOK	WHITNEY K.	GUERRERO	IBENE	KINGSTON	PAT
BARTOW	HAL	CORNETT	CLAY	HALL	ROBERT G.	KIRCHNER	BAILEY
BELL	LANCE	COTTRILL	BETH	HAL YARD	MICHELLE	KIRKLAND	TIFFANY
BENIO	DONNA	COTTRILL	JOHN	HANLON	CRAIG	KIRKPATRICK	DENNIS
BENIO	JENNIFER	COWEN	JEFFREY	HANNA	MICHAEL	KIST	MARY
BERZ	PAULA	CRAWCZUN	BARBARA	HARMAN	SELENA	KNISLEY	NICOLE
BESE	TERESA	CRITE	SHAWANNA	HARMON	ANDREW	KNOWLES	RITA
BISCHOF	MARK	GROFT	TOM	HARP	KORELL	KNOX	CECELIA
BISHOP	MARK	CURETON	NIKKI	HEISEL	DANA	KOCH	BILL
BLACKSTUN	NATE	DAGGS	NICOLE	HENRICKSON	CHUCK	KOWAL	VICTORIA
BLECHINGER	TONYA	DALTON	MARGARET	HERNDON	BARRETT	KRAKOVIAK	KIM
BLY	BRYAN	DAWSON	KIMBERLY	HERTZER	RENEE	KUSIC	BRYAN
BOLDUC	LORI	DHIMITRI	ALISA	HERZOG	LANCIA	LADE	JOSHUA
BORDER	TIFFANY	DIAN	MIKE	HESCOTT	LAURA	LAIRD	PAUL
BRIGNAC	DABORAH	DIETZ	DARLINE	HESSLER	WAYNE	LANDERS	VANESSA

Appendix A, Page 2

The Massachusetts Southern Essex Registry of Deeds provides a list of the robo-signers identified by McDonnell Property Analytics. The list of robo-signers is as follows:

Last name	First name	Last name	First name	Last name	First name	Last name	First name
LANG	LUCY	PAYNE	JENNIFFER	SNOW	BRITTANY	WRIGHT	KATHY
LAWRENCE	JOEL	PAYNE	LATRESA	SOBOTTA	JODI	WRIGHT	ROBERT
LAYTON	DERICK	PENDLEY	CHRISTOPHER	SORG	VICKI	WRIGHT	TRACY
LEE	PATRICIA	PEREZ	DAVID	SPOHN	STACY	WRIGHT	ROBERT
LEETE	JESSICA	PETERSON	ELENA	STEPHAN	JEFFREY	WRIGHT	TRACY
LENAIR	TOCCOA	PHIDAVANH	VIENGMOR	STEVENS	CYNTHIA		
LEONARD	SHEILA	PIRITANO	LAURA	STOKES	COLEMAN		
LINDHORST	SUSAN	PORTER	KIMBERLY	SUAREZ	PETER		
LITTLE	KRISTIA	PRATIKAKIS	KIM	TATE	ERIC		
LOVE	TOPAKO	PRICE	TAMARA	TAVERAS	OSCAR		
LUCAS	PATRICIA	PRINDLE	MICHAEL	THOMAS	CHERYL		
LYNCH	MARY	RAYMOND	TONY	THOMAS	HELEN		
MADEJA	NANCY	REIN	JOANN	THOMAS	TAWANNA		
MANNING	SHANNON	RHYNE	LISA	THOMAS	TYWANNA		
MARTINEZ	KIM	RICE	RHOENA	THORESEN	LINDA		
MATHIS	ELIZABETH	RIVARD	AMY	THORNE	KAREN ELIZABETH		
MCGOWAN	MARY JO	RIVERA	SILENA	TINOCO	CARLA		
MCKINNON	ELSA	RIVERS	CHRISTEL	TOLAR	BARBARA		
MCKINZEY	BRENDA	ROBERTS	HANNAH	TOPP	BRENDAN		
MEDINA	MONICA	ROBINSON	KEN	TROWBRIDGE	CHRISTINA		
MEHARG	RON	ROGERS	YVONNE	TURNER	SUSAN		
MICHIE	M. KELLY	RUFF	KELLY	TURNER	TIAQUANDA		
MILLER	SHARITA	RYBARCZYK	ROBERT	TURNER	VERONICA		
MISKELL	MEGAN	SACDOVAL	TAMERA	VADNEY	MARIA		
MOONAN	DEBBIE	SAERER	CHRISTINA ANNE	VAUGHN	GARY		
MOORE	CRYSTAL	SANTOS	MONIQUE	VIVEROS	MELISSA		
MORALES	NOEMI	SCHEFFEY	SHELLY	WALSH	THOMAS		
MORGAN	LILIANA	SCHAEINER	SCOTT	WARREN	VALENCIA		
MORGAN	COURTNEY	SCHILLING	THOMAS	WEINAND	GINA		
MORRIS	JAMES	SCHLEPPY	GREG	WEST	DALTON ALLISON		
MOUA	SHOUA	SCHULTZ	THEODORE	WHITE	CAROLYN		
MURAY	SUCHAN	SCROGGINS	ROBERT	WILEMAN	D. M.		
NADDEAU	MICHAEL	SEIDEL	KEITH	WILKEN	RICK		
NELSON	JOYCE	SELMAN	KERI	WILLIAMS	ALICIA		
NOLAN	ANGELA	SHAW	JENNIFFER	WILLIAMS	CHAMAGNE		
NOLAN	FRANCIS	SHELTON	NIKOLE	WILLIAMS	DAWN		
NORD	III HAROLD	SHPITSEK	ALLA	WILLIAMS	SANDRA		
NORIEGA	MARTI	SIGLIA	JOSE	WILLIAMS	YOLANDA		
NORTH	BECKY	SIMMONS	ELLIS	WILLIS	TIMOTHY		
OHDE	JESSICA	SMITH	CINDY	WOSNAK	JILL		
PARDO	JUAN	SMITH	KATHY				

Stephen L. Vagnini  
 Monterey County Recorder  
 Recorded at the request of  
 Filer  
 CMARIA  
 5/8/2009  
 11:48:34

DOCUMENT: 2009026410 Titles: 1/ Pages: 2

Fees: 13.00  
 Taxes: ...  
 Other: ...  
 AMT PAID \$13.00

RECORDING REQUESTED BY  
 CALIFORNIA RECONVEYANCE COMPANY

AND WHEN RECORDED MAIL TO  
 CALIFORNIA RECONVEYANCE COMPANY  
 9200 Okaidie Avenue  
 Mail Stop: CA2-4379  
 Chatsworth, CA 91311

Trustee Sale No. 434283CA · Loan No. 5303166218 Title Order No. 602127843

**IMPORTANT NOTICE**  
 NOTE: After having been recorded, this Assignment should be kept with the Note and the Deed of Trust hereby assigned.

**ASSIGNMENT OF DEED OF TRUST**

FOR VALUE RECEIVED, the undersigned hereby grants, assigns and transfers to Bank of America, National Association as Successor by merger to LaSalle Bank National Association as Trustee for WMALT 2005-AR1 all beneficial interest under that certain Deed of Trust dated 07/28/2005 executed by [REDACTED] as Trustor, to OLD REPUBLIC TITLE COMPANY as Trustee, and Recorded 08/08/2005, Book , Page , Instrument 2005081295 of official records in the Office of the County Recorder of MONTEREY COUNTY, California. APN: [REDACTED] Situs: [REDACTED], MARINA, CA 93933

TOGETHER with the note or notes therein described and secured thereby, the money due and to become due thereon, with interest, and all rights accrued or to accrue under said Deed of Trust including the right to have reconveyed, in whole or in part, the real property described therein.

DATE: April 29, 2009

MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC.

*Deborah Brignac*  
 Deborah Brignac, Vice President

1

00

Trustee Sale No. 434283CA Loan No. 5303166218 Title Order No. 602127843

STATE OF CALIFORNIA  
 COUNTY OF LOS ANGELES

On April 29, 2009 before me, CARLA DODD, "Notary Public", personally appeared Deborah Brignac, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature *Carla Dodd* (Seal)

CALA DODD  
 Commission # 1672174  
 Notary Public - California  
 Los Angeles County  
 My Comm. Expires Jun 3, 2010

END OF DOCUMENT

2

FA\_MERGE.DOC

Recording Requested By  
ServiceLink  
RECORDING REQUESTED BY:  
CALIFORNIA RECONVEYANCE COMPANY  
AND WHEN RECORDED MAIL TO  
CALIFORNIA RECONVEYANCE COMPANY  
9200 Oakdale Avenue  
Chatsworth, CA 91311  
800-592-6902

Truete Sale No. 434283CA  
Loan No. 5303166218  
Title Order No. 602127843

Stephen L. Vagnini  
Monterey County Recorder  
Recorded at the request of  
Filer

Document: 2009050310 Titles: 1 / Pages: 3

Fees: 16.00  
Taxes:  
Other:  
AMT PAID \$16.00

RANJELI OUE  
9/06/2009  
14:23:45

NOTICE OF TRUSTEE'S SALE

YOU ARE IN DEFAULT UNDER A DEED OF TRUST DATED 07/28/2008. UNLESS YOU TAKE ACTION TO PROTECT YOUR PROPERTY, IT MAY BE SOLD AT A PUBLIC SALE. IF YOU NEED AN EXPLANATION OF THE NATURE OF THE PROCEEDINGS AGAINST YOU, YOU SHOULD CONTACT A LAWYER.

On 08/24/2009 at 10:00 AM, CALIFORNIA RECONVEYANCE COMPANY as the duly appointed Trustee under and pursuant to Deed of Trust Recorded 08/08/2005, Book , Page , Instrument 2005081295, of official records in the Office of the Recorder of Monterey County, California, executed by [REDACTED] A SINGLE WOMAN, as Trustor, MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC. (MERS), SOLELY AS NOMINEE FOR LENDER ALLIANCE BANCORP, AND LENDERS SUCCESSORS AND ASSIGNS, as Beneficiary, will sell at public auction sale to the highest bidder for cash, cashier's check drawn by a state or national bank, a cashier's check drawn by a state or federal credit union, or a cashier's check drawn by a state or federal savings and loan association, savings and loan, or credit union, in section 5102 of the Financial Code, or any other instrument to go to and now held by [REDACTED] the trustee in the hereinafter described property under and pursuant to the Deed of Trust. The sale will be made, but without covenant or warranty, expressed or implied, regarding title, possession, or encumbrances, to pay the remaining principal sum of the note(s) secured by the Deed of Trust, interest thereon, estimated fees, charges and expenses of the Trustee for the total amount (at the time of the initial publication of the Notice of Sale) reasonably estimated to be set forth below. The amount may be greater on the day of sale.

Place of Sale: AT THE FRONT OF THE MAIN ENTRANCE OF THE ADMINISTRATION BUILDING LOCATED AT 108 W. ALISAL STREET, SALINAS, CA 93901  
Legal Description: [REDACTED] AS SHOWN ON MAP ENTITLED "TRACT 714 CYPRESS KNOLLS" FILED AUGUST 22 1973 IN THE OFFICE OF THE COUNTY RECORDER OF MONTEREY COUNTY, IN VOLUME 12, "CITIES AND TOWNS", AT PAGE 31.  
EXCEPT THEREFROM ONE-HALF INTEREST IN OIL AND MINERAL RIGHTS AS RESERVED IN THE DEED FROM RECORDS. [REDACTED] RECORDED NOVEMBER 4, 1939 IN VOLUME 640, PAGE 241, OFFICIAL RECORDS.

Amount of unpaid balance and other charges: \$621,591.42 (estimated)  
Street address and other common designation of the real property:  
MARINA, CA 93953  
APN Number: [REDACTED]

The undersigned Trustee disclaims any liability for any inaccuracy of the street address and other common designation, if any, shown herein. The property heretofore described is being sold "as is."

RECORDING REQUESTED BY:  
CALIFORNIA RECONVEYANCE COMPANY  
AND WHEN RECORDED MAIL TO  
CALIFORNIA RECONVEYANCE COMPANY  
9200 Oakdale Avenue  
Mail Stop: CA2-4379  
Chatsworth, CA 91311

Truete Sale No. 434283CA Loan No. 5103166218 Title Order No. 602127843

Stephen L. Vagnini  
Monterey County Recorder  
Recorded at the request of  
Filer

Document: 2009026411 Titles: 1 / Pages: 1

Fees: 10.00  
Taxes:  
Other:  
AMT PAID \$10.00

CRMARIA  
5/01/2009  
11:48:34

SUBSTITUTION OF TRUSTEE

WHEREAS [REDACTED] A SINGLE WOMAN, was the original Trustor, OLD REPUBLIC TITLE COMPANY, was the original Trustee, and MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC. (MERS), SOLELY AS NOMINEE FOR LENDER ALLIANCE BANCORP, AND LENDERS SUCCESSORS AND ASSIGNS, was the original Beneficiary under that certain Deed of Trust dated 07/28/2005, Recorded 08/08/2005, Book , Page , Instrument 2005081295 of official records in the office of the Recorder of Monterey County, California, and

APN: [REDACTED] Situe: [REDACTED], MARINA, CA 93953  
[REDACTED] Bank of America, National Association as Successor by merger to LaSalle Bank National Association as Trustee for [REDACTED], the undersigned, is the present beneficiary under said Deed of Trust, and,  
WHEREAS, the undersigned desires to substitute a new Trustee under said Deed of Trust in the place of and stead of said original Trustee thereunder.

Now, THEREFORE, the undersigned Beneficiary hereby substitutes CALIFORNIA RECONVEYANCE COMPANY, 9200 Oakdale Avenue CA2-4379, Chatsworth, CA 91311, as Trustee of Said Deed of Trust.

Whenever the context hereof so requires, the masculine gender includes the feminine and/or neuter, and the singular number indicates the plural.

DATE: April 29, 2009  
Bank of America, National Association as Successor by merger to LaSalle Bank National Association as Trustee for WIMALT 2005-AR-1 by JPMorgan Chase Bank, National Association, as attorney-in-fact

Deborah Brigano, Vice President

STATE OF CALIFORNIA  
COUNTY OF LOS ANGELES

On April 29, 2009 before me, CARLA DODD "Notary Public," personally appeared Deborah Brigano, who proved to me on the basis of satisfactory evidence to be the person(s) whose name is subscribed to the within instrument and acknowledged to me that he/she/they executed the same for the purposes and consideration therein expressed by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.



Signature: Carla Dodd  
END OF DOCUMENT



Recording requested by: Stephen L. Vagnini  
 Monterey County Recorder  
 CRMELISSA  
 3/17/2015  
 11:20 AM

And when recorded mail to:  
 Select Portfolio Servicing, Inc.  
 3815 S.W. Temple  
 Salt Lake City, UT 84115-4412

Document: 2015012968  
 LSI TITLE CO-ER SIMPLIFILE

Title: 1 Pages: 3  
 Fees: 27.00  
 Taxes: .00  
 Other: .00  
 AMT PAID \$27.00

Forward tax statements to the address given above

Space above this line for recorder use

TS No.: 434283CA  
 Order No.: 602127843

**Trustee's Deed Upon Sale**

A.P.N.: 032-151-022-000

Exempt pursuant to Cal Rev and Tax Code §11926

THE UNDERSIGNED GRANTOR DECLARES:

The Grantee Herein IS the Foreclosing Beneficiary

The amount of the unpaid debt together with costs was:

\$668,774.47

The amount paid by the grantee at the trustee sale was:

\$365,075.00

The documentary transfer tax is:

NONE

Said property is in the City of: MARINA, County of MONTEREY

ALAW, as Trustee, (whereas so designated in the Deed of Trust hereunder more particularly described or as duly appointed Trustee) does hereby GRANT and CONVEY to

U.S. Bank N.A, successor trustee to Bank of America, N.A, successor to LaSalle Bank N.A, as trustee, for the Washington Mutual Mortgage Pass-Through Certificates, WMAL.T Series 2005-ARI Trust

(herein called Grantee) but without covenant or warranty, expressed or implied, all right title and interest conveyed to and now held by it as Trustee under the Deed of Trust in and to the property situated in the county of MONTEREY, State of California, described as follows:

AS SHOWN ON MAP ENTITLED, "TRACT 714 CYPRESS KNOLLS", FILED AUGUST 22, 1973 IN THE OFFICE OF THE COUNTY RECORDER OF MONTEREY COUNTY, IN VOLUME 12, "CITIES AND TOWNS", AT PAGE 31, EXCEPT THEREFROM ONE-HALF INTEREST IN OIL AND MINERAL RIGHTS AS RESERVED IN THE DEED FROM EDWARD L. PADDOON AND B.L. PADDOON, RECORDED NOVEMBER 4, 1939 IN VOLUME 640, PAGE 241, OFFICIAL RECORDS.

In compliance with California Civil Code 2923.5(c) the mortgagee, trustee, beneficiary, or authorized agent declares: that it has conducted a financial review and is unable to determine if there are any other liens or encumbrances on the property or that it has conducted a search of the public records and is unable to determine if there are any other liens or encumbrances on the property. The mortgagee, trustee, beneficiary, or authorized agent declares: that it has conducted a search of the public records and is unable to determine if there are any other liens or encumbrances on the property. The mortgagee, trustee, beneficiary, or authorized agent declares: that it has conducted a search of the public records and is unable to determine if there are any other liens or encumbrances on the property. The mortgagee, trustee, beneficiary, or authorized agent declares: that it has conducted a search of the public records and is unable to determine if there are any other liens or encumbrances on the property.

DATE: 08-03-2009

SEE ATTACHED EXHIBIT

CALIFORNIA RECONVEYANCE COMPANY, as Trustee

(714) 256-7850 or www.fidellivestore.com

(714) 973-1965 or www.fidellivestore.com

DEBORAH BRIGMAN, VICE PRESIDENT

3800 OAKDALE AVE.

SUITE 200, RYDGEWOOD

CHARLOTTE, NC 28211

CALIFORNIA RECONVEYANCE COMPANY IS A DEBT COLLECTOR ATTEMPTING TO COLLECT A DEBT. ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE.


ALAW MAY BE CONSIDERED A DEBT COLLECTOR ATTEMPTING TO COLLECT A DEBT AND ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE.

TS No.: 434283CA

Date:

MAR 10 2015

ALAW

By:   
Notary Public  
Its: Authorized Signet

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of: California  
County of: San Diego

MAR 10 2015

On MAR 10 2015 before me, COURTNEY PATANIA a notary public, personally appeared VALENTINA TORRES, who proved to me on the basis of satisfactory evidence that she is the person whose name is subscribed to the within instrument and acknowledged to me that she executed the same in her capacity as she, and that by her signature on the instrument the person or persons named acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.  
  
Signature: COURTNEY PATANIA

(Seal)



This conveyance is made in compliance with the terms and provisions of the Deed of Trust executed by instrument number 2005081284 of SINGLE WOMAN as trustee, dated 7/26/2005, and recorded on 8/2/2005 in the office of the Recorder of MONTEREY, California, under the authority and powers vested in the Trustee designated in the Deed of Trust or as the duly appointed trustee, default having occurred under the Deed of Trust pursuant to the Notice of Breach and Election to Sell under the Deed of Trust recorded on 5/17/2009, instrument no 2009026412, Book N/A, Page N/A, of Official records. Trustee having sent a Notice of Default and Election to Sell within thirty days after its recording and a Notice of Sale at least twenty days prior to the Sale Date by certified mail, postage pre-paid to each person entitled to notice in compliance with California Civil Code 2924b.

Default occurred as set forth in a Notice of Breach and Election to Sell which was recorded in the office of the Recorder of said County.

All requirements of law regarding the mailing of copies of notices or the publication of a copy of the Notice of Breach and Election to Sell or the personal delivery of the copy of the Notice of Breach and Election to Sell and the posting and publication of copies of the Notice of Sale have been complied with.

Said property was sold by said Trustee at public auction on 3/4/2015 at the place named in the Notice of Sale, in the County of MONTEREY, California, in which the property is situated. The foregoing beneficiary, being the highest at such sale, became the purchaser of said property and paid therefore to said trustee the amount being \$365,075.00 in lawful money of the United States, or by the satisfaction, pro tanto, of the obligations then secured by said Deed of Trust and instructed said trustee to vest this Trustee's Deed Upon Sale to said Grantee.

THIS INSTRUMENT IS RECORDED AT THE REQUEST OF SERVICE LINK AS AN ACCOMMODATION ONLY. IT HAS NOT BEEN EXAMINED AS TO ITS EXECUTION OR AS TO ITS EFFECTS UPON TITLE.

**RECORD TITLE**  
 RECORDING REQUESTED BY  
 Same as below

AND WHEN RECORDED MAIL TO  
 OneWest Bank, F.S.B.  
 Foreclosure Department  
 888 East Walnut Street  
 Pasadena, CA 91101

Stephen L. Vagnini  
 Monterey County Recorder  
 Recorded at the request of  
 Filer

ORREBECCA  
 7/01/2010  
 11:42:17

DOCUMENT: 2010036318 Titles: 1/ Pages: 1

Fees: 12.00  
 Taxes: ...  
 Other: ...  
 AMT PAID \$12.00

Trustee Sale No. 13297CA Loan No. 3002882938 Title Order No. 30371-16

Specify above this line for recorder's use only

**ASSIGNMENT OF DEED OF TRUST**

FOR VALUE RECEIVED, the undersigned hereby grants, assigns and transfers to Deutsche Bank National Trust Company as Trustee for ALLIANCE 2007-OA1 all beneficial interest under that certain Deed of Trust dated 10-25-2006, executed by [REDACTED] HUSBAND AND WIFE AS COMMUNITY PROPERTY WITH RIGHT OF SURVIVORSHIP, as Trustor, to FIRST AMERICAN TITLE as Trustee, and Recorded 10-31-2006 Book, Page, Instrument 2006098537 of official records in the Office of the County Recorder of MONTEREY County, California. APN: [REDACTED] Situs: [REDACTED] MONTEREY, CA 93940. LEGAL DESCRIPTION AS MORE FULLY DESCRIBED ON SAID DEED OF TRUST.

TOGETHER with the note or notes therein described and secured thereby, the money due and to become due thereon, with interest, and all rights accrued or to accrue under said Deed of Trust including the right to have reconveyed, in whole or in part, the real property described therein.

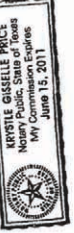
DATE: 11-19-2009

MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC., AS NOMINEE FOR ALLIANCE BANCORP

Brian Burnett  
 Assistant Vice President  
 STATE OF Texas  
 COUNTY OF Travis

On 2-18-10 before me, Mary Gisselle Price, a Notary Public in and for said county, personally appeared Brian Burnett personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.



Mary Gisselle Price  
 Notary Public in and for said County and State

END OF DOCUMENT

Exhibit

DECLARATION PURSUANT TO CALIFORNIA CIVIL CODE SECTION 2923.54

- Pursuant to California Civil Code Section 2923.54, the undersigned loan servicer declares as follows:
1. It has obtained from the commissioner a final or temporary order of exemption pursuant to Section 2923.54 that is current and valid on the date the notice of sale is filed; and
  2. The timeframe for giving notice of sale specified in subdivision (a) of Section 2923.52 does not apply pursuant to Section 2923.52 or Section 2923.55.

JPMorgan Chase Bank,  
 National Association  
 Name: Ann Thom  
 Title: First Vice President

END OF DOCUMENT

Stephen L. Vagnini  
Monterey County Recorder  
Recorded at the request of  
**Filer**

CRSUSY  
4/23/2009  
12:18:57

Document: 2009024370  
Titles: 1 / Pages: 1

Fees: 10.00  
Taxes: 0.00  
Other: 0.00  
AMT PAID: \$10.00

Recording received by:  
Washington Mutual Bank, FA  
7255 Baymeadows Way  
Jacksonville, FL 32256

When recorded mail to:  
AFN - 004-202-003-000  
Order No.: 090133567-CA-DC

SPACE ABOVE THIS LINE FOR RECORDER'S USE  
TS No.: CA-09-252476-ED

Stephen L. Vagnini  
Monterey County Recorder  
Recorded at the request of  
**Filer**

CRDAHN  
6/13/2014  
18:49:46

Document: 2014027295  
Titles: 1 / Pages: 2

Fees: 24.00  
Taxes: 4.00  
Other: 0.00  
AMT PAID: \$28.00

When recorded mail to:  
BV LOAN NOX: 595851A  
LOAN AMOUNT: \$1,000,000.00  
MIN # 10000137-0005965324-6  
Phone: 1-888-679-6377

**Assignment of Deed of Trust**

For value received, the undersigned corporation hereby grants, assigns, and transfers to Bank of America, National Association successor by merger to "LaSalle Bank NA as trustee for Washington Mutual Mortgage Pass-Through Certificates WMMALT Series 2006-AR2 Trust

All beneficial interest under that certain Deed of Trust dated 12/8/2005 executed by [REDACTED] and [REDACTED] as HER SOLE AND SEPARATE PROPERTY, as recorded in the Public Records of the County of CHICAGO, ILLINOIS, in Book xxx of Official Records of the County Recorder of MONTEREY COUNTY, CA together with the Promissory Note secured by said Deed of Trust and also all rights accrued or to accrue under said Deed of Trust.

**CORRECTIVE ASSIGNMENT OF DEED OF TRUST**

FOR VALUE RECEIVED, the undersigned MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC. AS NOMINEE FOR COUNTRYWIDE HOME LOANS, INC., ITS SUCCESSORS AND ASSIGNS, AS ("ASSIGNOR/GRANTOR"), whose address is 1901 East Voorhees Street, Suite C, Danville, IL, 61834, hereby grants, conveys, assigns to: The Bank of New York Mellon, fka The Bank of New York as Trustee for the Certificateholders of CWMBS, Inc., Alternative Loan Trust 2006-OA1, Mortgage Pass-Through Certificate Series 2006-OA1, ("Assignee/Grantee"), whose address is 101 Barclay Street, 4W, New York, NY 10286, all beneficial interest under that certain Deed of Trust dated 9/12/2008 and executed by [REDACTED] as borrower(s) to Mortgage Electronic Registration Systems, Inc., as nominee for Countrywide Home Loans, Inc., its successor and assigns a s Origin al Lender, and certain Deed of Trust recorded on 9/13/2008 as Instrument # 200909243, in Monterey County, State of California

Dated: 2/21/2009 10:27 AM

State of Florida )  
County of Duval )

On 2/21/09 before me, Rose Hunter a notary public personally appeared Barbara Hindman who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument (he; persons), or the entity upon behalf of which the instrument is executed, is/are the person(s) named in the instrument. I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature Rose Hunter (Seal)

PROPERTY ADDRESS: [REDACTED] CASTROVILLE, CA 95012-9702

This Corrective Deed of Trust is being filed to correct the Assignor's name on the Assignment of Deed of Trust recorded on December 28, 2011, in Book 2011073946 of the Public Records of Monterey, County, State of California.

Dated: JUNE 5, 2014

ASSIGNOR: MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC., AS NOMINEE FOR COUNTRYWIDE HOME LOANS, INC., ITS SUCCESSORS AND ASSIGNS

By: [Signature]  
COOPER KOP-HALL, ASSISTANT SECRETARY



END OF DOCUMENT

Stephen L. Vagnini  
Monterey County Recorder  
Recorded at the request of  
Filer

CDRAWN  
6/13/2014  
10:49:46

DOCUMENT: 2014027295 Titles: 1/ Pages: 2



Fees: 24.88  
Taxes: 4.88  
Other: 0.00  
AMT PAID \$28.88

WHEN RECORDED MAIL TO:  
RECORDER'S OFFICE  
COUNTY SOLUTIONS  
P.O. BOX 28071  
SAN JOSE, CA 95128-0071  
Phone: (408) 299-0071  
438 13504-CAS3-Monterey

BV LOAN NO: 595851A

LOAN AMOUNT: \$ 1,000,000.00  
MIN # 10000157-000596524-6  
Phone: 1-888-679-6377

**CORRECTIVE ASSIGNMENT OF DEED OF TRUST**

FOR VALUE RECEIVED, the undersigned MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC., AS NOMINEE FOR COUNTRYWIDE HOME LOANS, INC., ITS SUCCESSORS AND ASSIGNS, as ("ASSIGNORGRANTOR"), whose address is 1901 East Voorhees Street, Suite C, Danville, IL, 61834, hereby grants, conveys, assigns to: The Bank of New York Mellon, fka The Bank of New York as Trustee for the Certificateholders of CWMBS, Inc., Alternative Loan Trust 2006-OA1, Mortgage Pass-Through Certificate Series 2006-OA1, ("Assignee/Grantee"), whose address is 101 Barclay Street, New York, New York 10285, all beneficial interest under that certain Deed of Trust (as borrower(s)) for Mortgage Electronic Registration Systems, Inc. as nominee for Countrywide Home Loans, Inc. its successor, and assigns as Origin Lender and certain Deed of Trust, recorded on 01/31/2006 as Instrument # 2906009242, in Monterey County, State of California

PROPERTY ADDRESS: [REDACTED] CASTROVILLE, CA 95012-9702

This Corrective Deed of Trust is being filed to correct the Assignor's name on the Assignment of Deed of Trust recorded on December 28, 2011, in Book 2011073946 of the Public Records of Monterey County, State of California.

Dated: JUNE 5, 2014

ASSIGNOR: MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC., AS NOMINEE FOR COUNTRYWIDE HOME LOANS, INC., ITS SUCCESSORS AND ASSIGNS

By:   
ROBERT G. HALL, ASSISTANT SECRETARY



JOHN L. O'BRIEN, JR.  
Register of Deeds  
(978) 642-1722  
Fax: (978) 744-7679  
[www.salemdeeds.com](http://www.salemdeeds.com)  
[jl.obrien@sec.state.ma.us](mailto:jl.obrien@sec.state.ma.us)

## Commonwealth of Massachusetts

SOUTHERN ESSEX DISTRICT REGISTRY OF DEEDS  
SHETLAND PARK  
45 CONGRESS STREET  
SUITE 4100  
SALEM, MASSACHUSETTS 01970

**A division of the Secretary of the Commonwealth**  
**WILLIAM FRANCIS GALVIN, SECRETARY**

This is to advise you that the document submitted by your office has been recorded in the Southern Essex District Registry of Deeds at Book \_\_\_\_\_, Page \_\_\_\_\_.

Please also be advised, that I have forwarded a copy of this document to the Massachusetts Attorney General's Office for review as to whether or not there is a possible violation of the Crime Against Property Statute, specifically MGL Chapter 266, Section 35A (b) (4) that provides that:

"Whoever intentionally files or causes to be filed with a registrar of deeds any document that contains a material statement that is false or a material omission, knowing such document to contain a material statement that is false or a material omission, shall be punished by imprisonment in the state prison for not more than 5 years or by imprisonment in the house of correction for not more than 2 and one-half years or by a fine of not more than \$10,000 in the case of a natural person or not more than \$100,000 in the case of any other person, or by both such fine and imprisonment."

As the Register of Deeds and the keeper of the records for the Southern Essex District, it is my responsibility to ensure the integrity of the land recordation system. I am very concerned that some business practices that have been utilized have adversely affected homeowner's property rights.

Please be advised that this Registry intends to work diligently with not only the Massachusetts Attorney General's Office, but also with other regulatory agencies to ensure that the real property documents recorded here are not fraudulent and do not effect the homeowners of Essex County in an adverse way.

Thank you for your attention to this matter.

John O'Brien  
Register of Deeds  
Southern Essex District



*Commonwealth of Massachusetts*

SOUTHERN ESSEX DISTRICT REGISTRY OF DEEDS  
SHETLAND PARK  
45 CONGRESS STREET  
SUITE 4100  
SALEM, MASSACHUSETTS 01970

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[jl.obrien@sec.state.ma.us](mailto:jl.obrien@sec.state.ma.us)

*A division of the Secretary of the Commonwealth*  
**WILLIAM FRANCIS GALVIN, SECRETARY**

RE:

We are in receipt of the document submitted by your office relating to the above property, which is in replacement of the document we returned to you on . This is to advise you that the document submitted by your office has been recorded in the Southern Essex District Registry of Deeds at Book , Page . However, based on the fact that the original document was signed by a number of known robo-signers, I have forwarded a copy of this document to the Massachusetts Attorney General's Office for review as to whether or not there is a possible violation of the Crime Against Property Statute, specifically MGL Chapter 266, Section 35A (b) (4) that provides that:

"Whoever intentionally files or causes to be filed with a registrar of deeds any document that contains a material statement that is false or a material omission, knowing such document to contain a material statement that is false or a material omission, shall be punished by imprisonment in the state prison for not more than 5 years or by imprisonment in the house of correction for not more than 2 and one-half years or by a fine of not more than \$10,000 in the case of a natural person or not more than \$100,000 in the case of any other person, or by both such fine and imprisonment."

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Please be advised that this Registry intends to work diligently with not only the Massachusetts Attorney General's Office, but also with other regulatory agencies to ensure that the real property documents recorded here are not fraudulent and do not effect the homeowners of Essex County in an adverse way.

Thank you for your attention to this matter.

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**A division of the Secretary of the Commonwealth**  
**WILLIAM FRANCIS GALVIN, SECRETARY**

**SAMPLE**

RE: Request for Recording of \_\_\_\_\_ (the "Recording")

Enclosed please find your Recording. Based upon the fact that it is signed by a number of known robo-signers, I am returning it to you. I will record it upon receipt of a signed affidavit, a copy of which I attach hereto (the "Affidavit"). The Affidavit must be signed under the pains and penalties of perjury that the Recording is accurate and the signatures of both the signatory on the Recording and notary public's signature are authentic. As I am sure you are aware, MGL Chapter 266, Section 35A (b) (4) provides that:

"Whoever intentionally files or causes to be filed with a registrar of deeds any document that contains a material statement that is false or a material omission, knowing such document to contain a material statement that is false or a material omission, shall be punished by imprisonment in the state prison for not more than 5 years or by imprisonment in the house of correction for not more than 2 and one-half years or by a fine of not more than \$10,000 in the case of a natural person or not more than \$100,000 in the case of any other person, or by both such fine and imprisonment."

Once the Affidavit is prepared and notarized, please forward it and your Recording to my attention with a recording fee of \$75 for each document, so in this case \$150 and I will make sure the documents are put on record forthwith.

As the Register of Deeds for the Southern Essex District of Massachusetts and the keeper of the records, I am very concerned with some lenders business practices and how they may affect homeowner's chains of title. I truly believe in the integrity of the land recordation system. Thank you for your attention to this important matter

Sincerely,

John O'Brien  
Register of Deeds  
Southern Essex District



Appendix C, Page 4

Affidavit in Support of Filing

I, \_\_\_\_\_ ("Declarant"), am a resident of \_\_\_\_\_, County of \_\_\_\_\_, State of \_\_\_\_\_, and do hereby certify, swear or affirm, and declare that I am competent to give the following declaration based on my personal knowledge, and that the following facts and things are true and correct:

1. I am attorney duly licensed to practice law and in good standing in \_\_\_\_\_.
2. I am representing \_\_\_\_\_ (the "Client").
3. This Affidavit is in support of the following recording:
4. The purpose of the underlying filing(s) is/are:
5. I have personally communicated on or about [date] \_\_\_\_\_ with an employee or employees of the Client, whose names are \_\_\_\_\_, who (A) personally reviewed the documents being submitted for filing, (B) personally reviewed all required supporting documentation of corporate and personal authority ("Supporting Documents"), and (C) confirmed the accuracy of all documents and authenticity of all signatures, including the notary.
6. I have received and reviewed all Supporting Documentation.
7. Based on such communications, review of documents and my own personal inquiry into the Client's past and current standards and practices, I affirm that underlying filing(s) contain no false or questionable statements of fact or law.
8. Should any of the statements made herein be incorrect and the Recording corrupt or cloud the homeowner's chain of title, I will indemnify and hold anyone in the chain thereafter harmless.

PROPERTY ADDRESS: \_\_\_\_\_

9. I am fully aware of and understand M.G.L. c. 266 § 35A.

Signed under pains and penalties of perjury.

WITNESS my signature this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_.

\_\_\_\_\_  
Signature of Declarant

STATE or Commonwealth of \_\_\_\_\_ County \_\_\_\_\_  
On this \_\_\_\_ day of \_\_\_\_\_, 20\_\_, before me, the undersigned notary public, personally appeared \_\_\_\_\_, and proved to me through satisfactory evidence of identification, which was \_\_\_\_\_, to be the person who signed the preceding or attached document in my presence, and who swore or affirmed to me that the contents of the document are truthful and accurate to the best of (his) (her) knowledge and belief.

\_\_\_\_\_  
Notary Public:  
My commission expires: \_  
(Official signature and seal of notary)