

Order Number: 150188778

This instrument prepared by: Jay A. Rosenberg, Esq., Rosenberg LPA, Attorneys At Law, 3805 Edwards Road, Suite 550, Cincinnati, Ohio 45209 (513) 247-9605 Fax: (866) 611-0170.

After Recording Mail/Return To:
Select Portfolio Servicing 3815 SW Temple, Salt Lake City, Utah 84115

Mail Tax Statements To:
**U.S. BANK NA, SUCCESSOR TRUSTEE TO BANK OF AMERICA, NA, SUCCESSOR
IN INTEREST TO LASALLE BANK NATIONAL ASSOCIATION, AS TRUSTEE, ON
BEHALF OF THE HOLDERS OF THE BEAR STEARNS ASSET BACKED
SECURITIES I TRUST 2004-HE5, ASSET-BACKED CERTIFICATES, SERIES 2004-
HE5**

Select Portfolio Servicing 3815 SW Temple, Salt Lake City, Utah 84115.

Parcel Number or APN: 06-3S-01W-243-04301-028

DEED IN LIEU OF FORECLOSURE

KNOWN ALL MEN BY THESE PRESENTS, that **GREG ALLEN GARRETT**, an unmarried person, whose mailing address is **9346 GRIZZLY BEAR LANE, WEEKI WACHEE, FL 34613**, hereinafter called grantor, for \$1.00 and the consideration hereinafter stated, do hereby grant, bargain, sell and convey unto **U.S. BANK NA, SUCCESSOR TRUSTEE TO BANK OF AMERICA, NA, SUCCESSOR IN INTEREST TO LASALLE BANK NATIONAL ASSOCIATION, AS TRUSTEE, ON BEHALF OF THE HOLDERS OF THE BEAR STEARNS ASSET BACKED SECURITIES I TRUST 2004-HE5, ASSET-BACKED CERTIFICATES, SERIES 2004-HE5**, whose tax mailing address is **Select Portfolio Servicing 3815 SW Temple, Salt Lake City, Utah 84115**, hereinafter called grantee, and unto grantee's successors and assigns all of that certain real property with the tenements,

Property Address: 122 EDGEWOOD DRIVE, CRAWFORDVILLE, FL 32327

hereditaments and appurtenances thereto belonging or in any way appertaining, situated in **Wakulla County, Florida**, described as follows:

SEE EXHIBIT "A" ATTACHED HERETO FOR LEGAL DESCRIPTION

SEE EXHIBIT "B" ATTACHED HERETO AS ESTOPPEL AFFIDAVIT

COMMONLY known as: **122 EDGEWOOD DRIVE, CRAWFORDVILLE, FL 32327**

This being the identical property conveyed to the GRANTOR herein by Deed from recorded in 101623

To have and to hold the same unto the said grantee and grantee's successors and assigns forever.

This deed is absolute in effect and conveys fee simple title of the premises above described to the grantee and does not operate as a mortgage, deed of trust or security of any kind.

Grantor does hereby assign and transfer to grantee any equity of redemption and statutory rights of redemption concerning the real property and the mortgage described below.

Grantor is not acting under any misapprehension as to the legal effect of this deed, nor under duress, undue influence or misrepresentation of grantee, its agent, attorney or any other person. Grantor declares that this conveyance is freely and fairly made in accord with the Estoppel Affidavit attached hereto as Exhibit B.

Consideration. This Deed in Lieu of Foreclosure relates to real property secured by the following mortgage(s) or deed(s) of trust:

SEE EXHIBIT "C" ATTACHED HERETO FOR DESCRIPTION OF MORTGAGE OR DEED OF TRUST

No Merger. Grantor agrees and acknowledges that its entry into this Deed and the other documents contemplated hereby shall not result in a merger of Assignee's interest under the Deed of Trust with Grantee's interest under the Deed. The terms, covenants, representations, and warranties of this Agreement shall not merge into the Deed but shall survive the close of the transaction contemplated hereby.

In construction this deed and where the context so requires, the singular included the plural and the plural includes the singular and all grammatical changes shall be implied to make the provisions hereof apply equally to corporations and to individuals.

Representations and Warranties. Grantor represents, warrants, and acknowledges that:

(a) it is in default of its obligations under the Loan and the Note and that the unpaid principal balance thereof together with interest thereupon is immediately due and payable to **U.S. BANK**

Property Address: 122 EDGEWOOD DRIVE, CRAWFORDVILLE, FL 32327

NA, SUCCESSOR TRUSTEE TO BANK OF AMERICA, NA, SUCCESSOR IN INTEREST TO LASALLE BANK NATIONAL ASSOCIATION, AS TRUSTEE, ON BEHALF OF THE HOLDERS OF THE BEAR STEARNS ASSET BACKED SECURITIES I TRUST 2004-HE5, ASSET-BACKED CERTIFICATES, SERIES 2004-HE5 without offset, defense, or counterclaim;

(b) the Note and the Deed of Trust or Mortgage are valid and binding agreements enforceable in accordance with their terms;

Advice of Counsel. Grantor hereby agrees, represents, and warrants that it has had advice of competent counsel of its own choosing, or has willingly forgone advice of counsel, in negotiations for and the preparation of this Deed, that it has read this Deed or has had the same read to it by its counsel, that it has had this Deed fully explained by such counsel, and that it is fully aware of its contents and legal effect.

RIGHT TO FORECLOSE

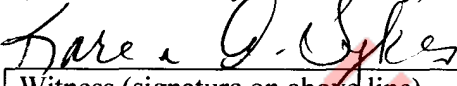
TRANSFEROR AGREES AND ACKNOWLEDGES THAT NOTHING CONTAINED HEREIN SHALL AFFECT, AND TRANSFEREE HEREBY EXPRESSLY RESERVES, THE RIGHT TO FORECLOSE THE "MORTGAGE", "DEED TO SECURE DEBT" OR "DEED OF TRUST" BY JUDICIAL OR, TO THE EXTENT PERMITTED BY APPLICABLE LAW, NONJUDICIAL FORECLOSURE AND, IN CONNECTION WITH ANY SUCH FORECLOSURE, TRANSFEROR AND/OR GUARANTOR MAY, IN TRANSFEREE'S SOLE DISCRETION, BE NAMED AS A PARTY DEFENDANT, AND TO THE EXTENT PERMITTED BY APPLICABLE LAW, TRANSFEROR SHALL AGREE TO ANY CONSENT TO JUDGMENT (OR SIMILAR PROCESS) AVAILABLE TO TRANSFEREE, AND TRANSFEREE WILL BE PERMITTED TO SEEK, OBTAIN, AND SATISFY A JUDGMENT IN ANY SUCH FORECLOSURE PROCEEDINGS, PROVIDED, HOWEVER, THAT TRANSFEROR AND GUARANTOR SHALL NOT BE PERSONALLY LIABLE FOR SATISFACTION OF SUCH JUDGMENT. IF TRANSFEREE PURSUES ITS RIGHTS UNDER THIS SECTION, IT MAY DETRIMENTALLY AFFECT TRANSFEROR'S CREDIT RATING.

Property Address: 122 EDGEWOOD DRIVE, CRAWFORDVILLE, FL 32327

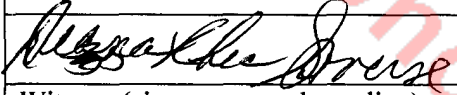
WITNESS the hand of said Grantor this 25th day of September, 2015.


GREG ALLEN GARRETT

Signed, Sealed and Delivered
in the presence of these Witnesses
(one of whom may be the Notary):



352-515-7522

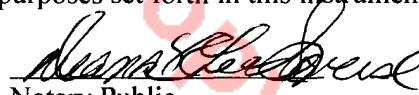
Witness (signature on above line)	Printed Name KAREN A Sykes
	Deana Rhea Severe
Witness (signature on above line)	Printed Name

STATE OF Florida
COUNTY OF DeSoto

The foregoing instrument was acknowledged before me on 25th Sept., 2015 by **GREG ALLEN GARRETT** who is personally known to me or has produced Identification as identification, and furthermore, the aforementioned person has acknowledged that his/her signature was his/her free and voluntary act for the purposes set forth in this instrument.



DEANA RHEA SEVERE
MY COMMISSION # FF 162769
EXPIRES: December 15, 2018
Bonded Thru Budget Notary Services


Notary Public

Property Address: 122 EDGEWOOD DRIVE, CRAWFORDVILLE, FL 32327

EXHIBIT "B"
ESTOPPEL AFFIDAVIT

STATE OF *Florida*
COUNTY OF *Hernando*

GREG ALLEN GARRETT, being first duly sworn, depose and say: That they are the identical parties who made, executed, and delivered that certain Deed in Lieu of Foreclosure to U.S. BANK NA, SUCCESSOR TRUSTEE TO BANK OF AMERICA, NA, SUCCESSOR IN INTEREST TO LASALLE BANK NATIONAL ASSOCIATION, AS TRUSTEE, ON BEHALF OF THE HOLDERS OF THE BEAR STEARNS ASSET BACKED SECURITIES I TRUST 2004-HE5, ASSET-BACKED CERTIFICATES, SERIES 2004-HE5, conveying the following described property, to-wit:

SEE EXHIBIT "A" ATTACHED HERETO FOR LEGAL DESCRIPTION

That the aforesaid deed was intended to be and was an absolute conveyance of the title to said premises to U.S. BANK NA, SUCCESSOR TRUSTEE TO BANK OF AMERICA, NA, SUCCESSOR IN INTEREST TO LASALLE BANK NATIONAL ASSOCIATION, AS TRUSTEE, ON BEHALF OF THE HOLDERS OF THE BEAR STEARNS ASSET BACKED SECURITIES I TRUST 2004-HE5, ASSET-BACKED CERTIFICATES, SERIES 2004-HE5, and was not and is not now intended as a mortgage, trust conveyance, or security of any kind; that it was the intention of affiants as grantors in said deed to convey, and by said deed these affiants did convey to U.S. BANK NA, SUCCESSOR TRUSTEE TO BANK OF AMERICA, NA, SUCCESSOR IN INTEREST TO LASALLE BANK NATIONAL ASSOCIATION, AS TRUSTEE, ON BEHALF OF THE HOLDERS OF THE BEAR STEARNS ASSET BACKED SECURITIES I TRUST 2004-HE5, ASSET-BACKED CERTIFICATES, SERIES 2004-HE5, therein all their right, title, and interest absolutely in and to said premises; that possession of said premises has been surrendered to U.S. BANK NA, SUCCESSOR TRUSTEE TO BANK OF AMERICA, NA, SUCCESSOR IN INTEREST TO LASALLE BANK NATIONAL ASSOCIATION, AS TRUSTEE, ON BEHALF OF

Property Address: 122 EDGEWOOD DRIVE, CRAWFORDVILLE, FL 32327

THE HOLDERS OF THE BEAR STEARNS ASSET BACKED SECURITIES I TRUST 2004-HE5, ASSET-BACKED CERTIFICATES, SERIES 2004-HE5;

That in the execution and delivery of said deed affiants were not acting under any misapprehension as to the effect thereof, and acted freely and voluntarily and were not acting under coercion or duress;

That aforesaid deed was not given as a preference against any other creditor or the deponents or either of them; that at the time it was given there was no other person or persons, firms or corporations, other than **U.S. BANK NA, SUCCESSOR TRUSTEE TO BANK OF AMERICA, NA, SUCCESSOR IN INTEREST TO LASALLE BANK NATIONAL ASSOCIATION, AS TRUSTEE, ON BEHALF OF THE HOLDERS OF THE BEAR STEARNS ASSET BACKED SECURITIES I TRUST 2004-HE5, ASSET-BACKED CERTIFICATES, SERIES 2004-HE5,** who have interest, either directly or indirectly, in said premises; that these deponents are solvent and have not other creditors whose rights would be prejudiced by such conveyance, and that deponents are not obligated upon any bond or mortgage or other security whereby any lien has been created or exists against the premises described in said deed.

That the consideration for said deed was and is payment to affiants of the sum of \$1.00 by **U.S. BANK NA, SUCCESSOR TRUSTEE TO BANK OF AMERICA, NA, SUCCESSOR IN INTEREST TO LASALLE BANK NATIONAL ASSOCIATION, AS TRUSTEE, ON BEHALF OF THE HOLDERS OF THE BEAR STEARNS ASSET BACKED SECURITIES I TRUST 2004-HE5, ASSET-BACKED CERTIFICATES, SERIES 2004-HE5,** agreement to forebear taking any action against affiants to collect on the obligations secured by the mortgage described below, other than by foreclosure of that mortgage and to not seek, obtain or permit a deficiency judgment against affiants in such foreclosure action. The mortgage(s) or deed(s) of trust referred to herein as described as follows:

SEE EXHIBIT "C" ATTACHED HERETO FOR DESCRIPTION OF MORTGAGE OR DEED OF TRUST

At the time of making said deed in lieu of foreclosure affiants believed and now believe that the aforesaid consideration therefore represents the fair value of the property so deeded, or more.

This affidavit is made for the protection and benefit of **U.S. BANK NA, SUCCESSOR TRUSTEE TO BANK OF AMERICA, NA, SUCCESSOR IN INTEREST TO LASALLE BANK NATIONAL ASSOCIATION, AS TRUSTEE, ON BEHALF OF THE HOLDERS OF THE BEAR STEARNS ASSET BACKED SECURITIES I TRUST 2004-HE5, ASSET-BACKED CERTIFICATES, SERIES 2004-HE5,** its successors and assigns, and all other parties hereafter dealing with or who may acquire an interest in the property herein described.

I understand and agree that I have waived or released any and all claims, known or unknown, that I have or might have against Grantee; and/or Servicelink, and/or their accountants, agents, attorneys, directors, employees, managers, members, officers, servants, and/or shareholders.

Property Address: 122 EDGEWOOD DRIVE, CRAWFORDVILLE, FL 32327

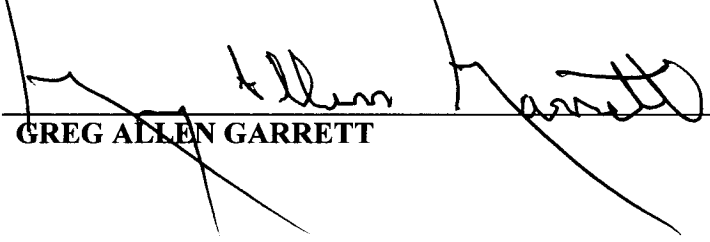
That affiants, and each of them will testify, declare, depose, or certify before any competent tribunal, officer, or person, in any case now pending or which may hereafter be instituted, to the truth of the particular facts hereinabove set forth.

Unofficial Copy

Property Address: 122 EDGEWOOD DRIVE, CRAWFORDVILLE, FL 32327

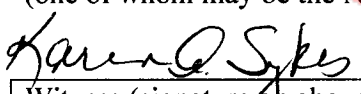
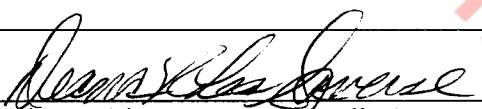
WE (THE BORROWERS) UNDERSTAND THAT WE HAD A RIGHT TO OBTAIN LEGAL
ADVICE BEFORE SIGNING THE AFORESAID DEED. WE HAVE EITHER DONE SO OR
HAVE ELECTED TO PROCEED WITHOUT LEGAL ADVICE.

Dated: 9/25/2015



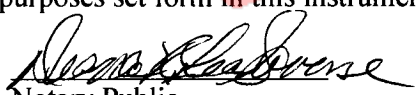
GREG ALLEN GARRETT

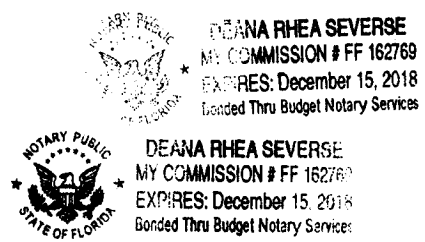
Signed, Sealed and Delivered
in the presence of these Witnesses
(one of whom may be the Notary):

 Witness (signature on above line)	<u>Karen A. Sykes</u> Printed Name <u>352-515-7522</u>
 Witness (signature on above line)	<u>Deana Rhea Severse</u> Printed Name

STATE OF Florida
COUNTY OF Sevier

The foregoing instrument was acknowledged before me on 15 Sept, 2015 by GREG ALLEN GARRETT who is personally known to me or has produced Deana Rhea Severse as identification, and furthermore, the aforementioned person has acknowledged that his/her signature was his/her free and voluntary act for the purposes set forth in this instrument.


Notary Public



Property Address: 122 EDGEWOOD DRIVE, CRAWFORDVILLE, FL 32327

GRANTOR(S) AFFIDAVIT

State of Florida }
 County of Leonardo }

GREG ALLEN GARRETT, named in the attached deed, being first duly sworn upon oath, each for himself or herself and not one for the other, deposes and says:

That he or she has read the attached deed and knows the contents thereof, and that every statement contained in the terms, warranties and covenants therein set forth is true of his or her own knowledge.

GREG ALLEN GARRETT

Signed, Sealed and Delivered
 in the presence of these Witnesses
 (one of whom may be the Notary):

<u>Karen A. Sykes</u>	<u>KAREN A. Sykes</u>
Witness (signature on above line)	Printed Name 352-515-7522
<u>Deana Rhea Severse</u>	<u>Deana Rhea Severse</u>
Witness (signature on above line)	Printed Name

STATE OF Florida
 COUNTY OF Leonardo

The foregoing instrument was acknowledged before me on 15th Sept, 2015 by **GREG ALLEN GARRETT** who is personally known to me or has produced Driver's License as identification, and furthermore, the aforementioned person has acknowledged that his/her signature was his/her free and voluntary act for the purposes set forth in this instrument.



DEANA RHEA SEVERSE
 MY COMMISSION # FF 162769
 EXPIRES: December 15, 2018
 Bonded Thru Budget Notary Services

Deana Rhea Severse
 Notary Public

Property Address: 122 EDGEWOOD DRIVE, CRAWFORDVILLE, FL 32327

**EXHIBIT A
(LEGAL DESCRIPTION)**

All that certain parcel of land situated in the City of Crawfordville, County of Wakulla, State of Florida, being known and designated as follows:

Lot 28, according to the plat thereof, as recorded in Plat Book 2, Page 83 of the public records of Wakulla County, Florida.

Tax ID: 06-3S-01W-243-04301-028

Unofficial Copy

Property Address: 122 EDGEWOOD DRIVE, CRAWFORDVILLE, FL 32327

EXHIBIT C
(DESCRIPTION OF MORTGAGE(S) OR DEED(S) OF TRUST)

Mortgage Dated 02/25/2004, Recorded 03/18/2004 in the office of the Recorder of WAKULLA County, Florida, in BOOK 528 PAGE 762, executed by GREG ALLEN GARRETT to ENCORE CREDIT CORP., which states that it secured a debt in the principal sum of \$135,000.00. Assigned to LASALLE BANK NATIONAL ASSOCIATION, AS TRUSTEE FOR CERTIFICATEHOLDERS OF BEAR STEARNS ASSET BACKED SECURITIES I LLC ASSET BACKED CERTIFICATES, SERIES 2004-HE5 in BOOK 967 PAGE 526, Recorded 04/17/2015.

Unofficial Copy

Property Address: 122 EDGEWOOD DRIVE, CRAWFORDVILLE, FL 32327