

STATE OF INDIANA )  
 ) SS: IN THE SUPERIOR COURT OF  
 COUNTY OF RUSH ) RUSH COUNTY  
 RUSHVILLE, INDIANA

COUNTRYWIDE HOME LOANS, INC. )  
 ) CAUSE NO. 70D01-0802-MF-017  
 PLAINTIFF )  
 vs )  
 DWAYNE RANSON DAVIS; MELISA DAVIS; )  
 DEFENDANTS )

**FILED**  
 IN OPEN COURT  
 JUL 20 2009

UPDATED AFFIDAVIT OF MORTGAGEE AND NON-MILITARY AFFIDAVIT

*[Signature]*  
 RUSH SUPERIOR COURT

I, Melissa Viveros, being first duly sworn on oath, depose and state as follows:

1. I am Vice President of the Plaintiff-Mortgagee herein and in that capacity am familiar with the books and records of Plaintiff, have personally examined the same, and am duly authorized to make this affidavit on behalf of Plaintiff and, if sworn as a witness, could competently testify to the facts contained herein.
2. I have read the allegations in the Complaint, examined all exhibits, have personal knowledge of the facts stated therein and state that all of the allegations of the Complaint are true of my own personal knowledge.
3. The Plaintiff is the holder of the promissory note sued upon and of the mortgage given as security thereof.
4. The default of said Mortgagors occurred on the 1st day of May, 2008 and that said default has not been cured and Plaintiff has elected to claim the entire balance due in accordance with the terms of the mortgage and promissory note, and that there is now due and owing the Plaintiff the following sums plus attorney fees and court costs:

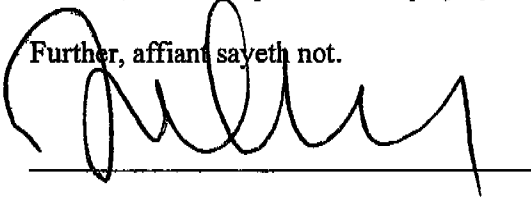
|                                |              |                    |
|--------------------------------|--------------|--------------------|
| Principal Balance              |              | \$82,732.99        |
| Interest through July 20, 2009 |              | 6,894.40           |
| Advances made by Plaintiff     |              |                    |
| Real Estate Tax                | 633.26       |                    |
| Mortgage Insurance             | 535.75       |                    |
| Hazard Insurance               | 568.76       |                    |
| Title Charges                  | 425.00       |                    |
| Property Maintenance           | 15.00        |                    |
| Suspense Credit Balance        | -600.00      |                    |
| Escrow Credit Balance          | -79.13       |                    |
| Total Advances                 |              | 1,498.64           |
|                                | <b>TOTAL</b> | <b>\$91,126.03</b> |



5. The mortgage lien and interest of the Plaintiff is prior to and superior to the lien and interest of all Defendants herein.
6. To the best of affiant's knowledge, information and belief no defendant in said cause is now, nor was at the time of the filing of this action, engaged in any branch of the military or naval service of the United States.

I affirm, under the penalties for perjury, that the foregoing representations are true.

Further, affiant sayeth not.



**Melissa Viveros, Vice President**

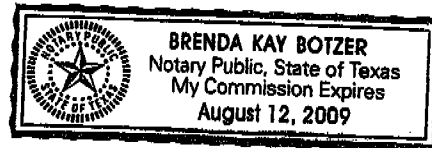
Subscribed and Sworn to before me, a Notary Public, in and for the State of Texas, County of Tarrant, this 2nd day of July, 2009.

Brenda Kay Botzer  
NOTARY PUBLIC

Printed Name: Brenda Kay Botzer

County of Residence: Tarrant

My Commission Expires: 8/12/09



Atty File: 9956774

Ref Name: Davis

Attorney for Plaintiff  
Unterberg & Associates, P.C.  
8050 Cleveland Place  
Merrillville, IN 46410  
(219) 736-5579

**This communication is from a Debt Collector.  
This is an attempt to collect a debt and any information obtained will be used for that purpose.**