

cc 7/07/11 12:31:30
DK T BK 3,319 PG 242
DESOTO COUNTY, MS
W.E. DAVIS, CH CLERK

Space Above for Recorder's Use Only

TITLE OF DOCUMENT: Assignment of Real Estate Deed of Trust

DATE OF DOCUMENT: July 6, 2011

PREPARED BY, AND UPON RECORDING RETURN TO: Akin Gump Strauss Hauer & Feld LLP
2029 Century Park East, Suite 2400
Los Angeles, CA 90067-3010
Attention: Eric I. Wang, Esq. (New Year)
(310) 552-6611

GRANTOR(S): MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC. ("MERS"), as nominee for The Federal Deposit Insurance Corporation as receiver for Amtrust Bank,
MAILING ADDRESS: c/o MERS Commercial
P.O. Box 2026
Flint, Michigan 48501-2026
1-888-679-6377

GRANTEE(S): RAD/CADC VENTURE 2010-2, LLC
MAILING ADDRESS: 2450 Broadway, 6th Floor,
Santa Monica, California 90404
(310) 552-8820

LEGAL DESCRIPTION AND INDEXING INSTRUCTIONS: Lot 17, Valley Oaks Subdivision, in Section 32, Township 1 South, Range 5, (aka Range 5 West), DeSoto County, Mississippi, as per plat of record in Plat Book 101, Pages 18-20, in the Chancery Clerk's Office of DeSoto County, Mississippi

The real property described herein is situated in Section 32, Township 1 South, Range 5 (aka Range 5 West) Desoto County, Mississippi.

REFERENCE BOOK AND PAGE: Book 2,753 at Page 165

To the Chancery Clerk of De Soto County, Mississippi

1

Mississippi, De Soto_10155_Amtrust Bank_Item #1589 TD Assignment
201033432

First American

10

STATE OF MISSISSIPPI
COUNTY OF DE SOTO

ASSIGNMENT OF DEED OF TRUST

Lenders Loan Number: 3995938
MIN: 100162500039959383 MERS Phone: 1-888-679-6377

FOR VALUE RECEIVED, the receipt and sufficiency of which are hereby acknowledged, MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC. ("MERS"), having a mailing address at P.O. Box 2026, Flint, Michigan 48501-2026 as nominee for Federal Deposit Insurance Corporation ("FDIC") as receiver for Amtrust Bank, its successors and assigns, hereby assigns and transfers to RADC/CADC VENTURE 2010-2, LLC, a Delaware limited liability company, having a mailing address at 2450 Broadway, 6th Floor, Santa Monica, California 90404, its successors and assigns, all its right, title and interest in and to a certain deed of trust executed by SHERRI TUTERA and GAETANO TUTERA, a married couple, and bearing the date of the 9th day of July A.D. 2007, recorded the 12th day of July A.D. 2007, in the office of the Chancery Clerk, De Soto County, State of Mississippi, in Book 2,753 at Page 165.

The deed of trust assigned hereby encumbers the real property legally described on Exhibit "A" annexed hereto and incorporated herein by reference.

TO HAVE AND TO HOLD THE SAME UNTO SAID RADC/CADC VENTURE 2010-2, LLC, ITS SUCCESSORS AND ASSIGNS.

THIS ASSIGNMENT IS MADE WITHOUT RECOURSE, REPRESENTATION OR WARRANTY, EXPRESS OR IMPLIED, WRITTEN OR ORAL. THE LOAN IS CONVEYED "AS IS" AND "WITH ALL FAULTS," WITHOUT ANY REPRESENTATION OR WARRANTY WHATSOEVER, INCLUDING AS TO THE COLLECTABILITY, ENFORCEABILITY, VALUE OF COLLATERAL, ABILITY OF ANY OBLIGOR TO REPAY, CONDITION, FITNESS FOR ANY PARTICULAR PURPOSE, MERCHANTABILITY OR ANY OTHER WARRANTY, EXPRESS OR IMPLIED, BY ANY PERSON, INCLUDING THE FDIC OR ITS OFFICERS, EMPLOYEES, AGENTS OR CONTRACTORS.

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]

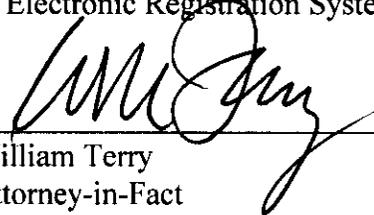
IN WITNESS WHEREOF, MERS as nominee for Federal Deposit Insurance Corporation as receiver for Amtrust Bank, its successors and assigns has caused this instrument to be executed this 21st day of JUNE, 2011, effective as of the 26th day of January, 2011.

Mortgage Electronic Registration Systems, Inc.

By: _____

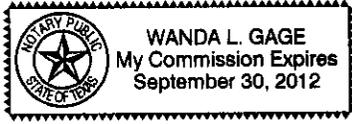
Name: William Terry

Title: Attorney-in-Fact

A handwritten signature in black ink, appearing to read 'William Terry', is written over a horizontal line. The signature is cursive and somewhat stylized.

STATE OF TEXAS
COUNTY OF DALLAS

This instrument was acknowledged before me on this 21st day of June, 2011, by William Terry, an authorized officer of Mortgage Electronic Registration Systems, Inc., known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he/she executed the same for the purposes and consideration therein expressed and in the capacity therein stated.



Wanda L. Gage
Notary Public in and for
Dallas County, Texas

My Commission Expires:

EXHIBIT A
(Legal Description)

Lot 17, Valley Oaks Subdivision (one and the same as Valley Oaks Estates P. D.) (formerly known as Walker's Ridge P.U.D.), in Section 32, Township 1 South, Range 5, (aka Range 5 West), DeSoto County, Mississippi, as per plat of record in Plat Book 101, Pages 18-20, in the Chancery Clerk's Office of DeSoto County, Mississippi, to which plat reference is hereby made for a more particular description of said property.

This being part of the same property conveyed to Grantors herein by Quit Claim Deed of record in Book 507, Page 80, in the Chancery Clerk's Office of DeSoto County, Mississippi.

LIMITED POWER OF ATTORNEY

201100082443
POA 1/4**MERS LIMITED POWER OF ATTORNEY**

MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC., a Delaware corporation ("MERS") and a wholly owned subsidiary of MERSCORP, Inc., a Delaware corporation ("MERSCORP"), hereby appoints the attached list of persons [Schedule A] as Attorneys-in-Fact ("Agents") for MERS for the limited purpose of executing documents and taking certain other actions as set forth below for those certain loans (the "FDIC Loans") secured by mortgages or deeds of trusts held by MERS as mortgagee or beneficiary in a nominee capacity for the FEDERAL DEPOSIT INSURANCE CORPORATION (the "FDIC"), AS RECEIVER FOR AmTrust Bank (the "Receiver") (Org Id 1001625).

- (1) Release the lien of any FDIC Loan registered on the MERS® System that is shown to be registered to the Receiver;
- (2) assign the lien of any FDIC Loan naming MERS as the mortgagee when the Receiver is also the current promissory note-holder, or if the FDIC Loan is registered on the MERS® System, is shown to be registered to the Receiver;
- (3) execute any and all documents necessary to foreclose (or post-foreclosure, to sell to another entity) any property securing any FDIC Loan registered on the MERS® System that is shown to be registered to the Receiver, including but not limited to (a) substitution of trustee on Deeds of Trust, (b) Trustee's Deeds upon sale on behalf of MERS, (c) Affidavits of Non-military Status, (d) Affidavits of Judgment, (e) Affidavits of Debt, (f) quitclaim deeds, (g) Affidavits regarding lost promissory notes, and (h) endorsements of promissory notes to VA or HUD on behalf of MERS as a required part of the claims process;
- (4) take any and all actions and execute all documents necessary to protect the interest of the Receiver, the beneficial owner of the FDIC Loans, or MERS, in any bankruptcy proceeding regarding a FDIC Loan registered on the MERS® System that is shown to be registered to the Receiver, including but not limited to: (a) executing Proofs of Claim and Affidavits of Movant under 11 U.S.C. Sec. 501-502, Bankruptcy Rule 3001-3003, and applicable local bankruptcy rules, (b) entering a Notice of Appearance, (c) vote for a trustee of the estate of the debtor, (d) vote for a committee of creditors, (e) attend the meeting of creditors of the debtor, or any adjournment thereof, and vote on behalf of the Receiver, the beneficial owner of the FDIC Loans, or MERS, on any question that may be lawfully submitted before creditors in such a meeting, (f) complete, execute, and return a ballot accepting or rejecting a plan, and (g) execute reaffirmation agreements;
- (5) take any and all actions and execute all documents necessary to refinance, subordinate, amend, or modify any and all FDIC Loans registered on the MERS® System that is shown to be registered to the Receiver; and
- (6) endorse checks made payable to Mortgage Electronic Registration Systems, Inc., to the Receiver that are received by the Receiver for payment on any FDIC Loan registered on the MERS® System that is shown to be registered to the Receiver.

Agent(s) shall have full power and authority to act on behalf of MERS in these limited matters. This power and authority shall authorize Agent(s) to exercise all of MERS legal rights and powers, including all rights and powers that MERS may acquire in the future with regard to the FDIC Loans.

This Limited Power of Attorney shall be construed narrowly as a limited power of attorney. The description of specific powers above is intended to limit or restrict the powers granted in this Limited Power of Attorney.

This Limited Power of Attorney shall become effective immediately upon execution and shall expire (i) upon the termination or earlier repudiation (by the Receiver under 12 U.S.C. § 1821(e)) of the AmTrust Bank - MERS Agreement (as defined in the Letter Agreement), and (ii) as to any Agent(s), at such time as such Agent is no longer an employee or agent of the FDIC. This Limited Power of Attorney may be revoked by MERS and/or MERSCORP by providing written notice to Agent(s), but only at a time after all of the FDIC Loans have been transferred by MERS to the Receiver or a third party or parties designated by the Receiver.

Dated March 25, 2011.

Mortgage Electronic Registration Systems, Inc.,
a Delaware Corporation

By: 
Daniel McLaughlin
Vice President

SCHEDULE A**Federal Deposit Insurance Corporation, as Receiver for AmTrust Bank
(Org Id 1001625)****List of Agents for Mortgage Electronic Registration Systems, Inc.**

Arons, Jennifer	Hurt, Myers	Robert, Victor
Bartzatt, Doug	Jackson, Diane	Rouch, Terry
Binsbacher, Robert	Jones, Blake D.	Ruhnke, Russell
Boyles, James	Jones, Ophelia	Ryan, Carl
Brown, Lloyd E.	Kadel, K. Kent	Salmon, Richard
Brown, Thornton	Kato, Ed	Saville, Linda
Ciurlino, Brent	Koontz, Robert G.	Schultz, Ellen
Cohen, Steve	Kunkel, Kurt	Sherrill, Phillip J.
D'Aries, Louis	LaRue, Donna	Smith, Denyail
Dea, Linda	Lee, Michael Cody	Smith, Jay
DiPanni, Edmund	Leone, Paul	Spence, Rosanna
Ferrulli, Anthony	Lewis, Gary L.	Stell, David
Fitzgerald, Robert	Malami, Ralph	Terry, William
Flook, Marilyn	Manning, Robert	Thomas, Phillip W.
Flores, Theresa	Mason, Enrique	Tong, Jeff
Gass, Robert	Massey, Ed	Trice, Richard
Gilroy, Greg	Massey, Wade	Trimper, Daniel R.
Gray, H. Jim	Menzel, Christian E.	Troquille Jr., Willard
Hackworth, Kenneth	Micheal, Matt	Uchino, Gary
Halapoff, Nicholas	Montanez, Frank	Walker, Dan
Hansen, Terri	Moran, Tom	White, Patricia
Hearn, Janice S.	Morbee, Jordaen	Wielinski Jr., Lawrence A.
Henkes, Janine	Owens, George	Wood, William
Herron, C. Ray	Parrish, Jim	Woodward, Douglas E.
Houska, Tom	Patterson, Campbell L.	Zvara, William
Huizar, Jon	Pietri, Cesar	
Hunter, Gregory	Putzka, Briget	

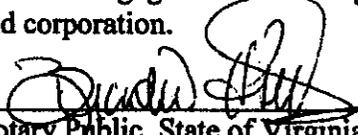
ACKNOWLEDGMENT

STATE OF VIRGINIA

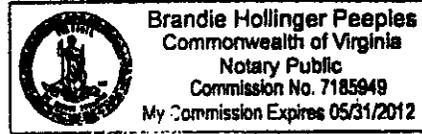
§
§
§

COUNTY OF FAIRFAX

This instrument was acknowledged before me on the 25th day of March, 2011, by Daniel McLaughlin, a duly authorized representative of Mortgage Electronic Registration Systems, Inc., a Delaware corporation, on behalf of said corporation.



Notary Public, State of Virginia



Filed and Recorded
Official Public Records
John F. Warren, County Clerk
Dallas County, TEXAS
03/31/2011 12:21:21 PM
\$28.00





201100082443