

ESTOPPEL AND SOLVENCY AFFIDAVIT

6/30/08 3:53:35
BK 588 PG 156
DESOTO COUNTY, MS
W.E. DAVIS, CH CLERK

STATE OF FLORIDA

COUNTY OF SARASOTA

BEFORE ME, the undersigned authority, Gary J. Saunders and Eileen P. Saunders, personally appeared, who are personally known to me or provided a drivers license as identification, and who were separately sworn and say:

They are the parties who made, executed, and delivered that certain deed to BANK OF NEW YORK AS TRUSTEE FOR THE CERTIFICATEHOLDERS CWABS, INC. ASSET-BACKED CERTIFICATES, SERIES 2005-17 grantee's successors, and assigns, dated the 15 day of APRIL, 2008, conveying the following described property:

LOT 10, FOUNTAIN GATE SUBDIVISION, SITUATED IN SECTION 9, TOWNSHIP 3 SOUTH, RANGE 7 WEST, DESOTO COUNTY MISSISSIPPI, AS PER PLAT RECORDED IN PLAT BOOK 79, PAGES 33-38, CHANCERY CLERK'S OFFICE, DESOTO COUNTY, MISSISSIPPI.

THE WARRANTY IN THIS DEED IS SUBJECT TO SUBDIVISION AND ZONING REGULATIONS IN EFFECT IN DESOTO COUNTY, MISSISSIPPI AND FURTHER SUBJECT TO RIGHT OF WAY TO MISSISSIPPI POWER & LIGHT AS RECORDED IN BOOK 200, PAGE 127, OF THE LAND DEED RECORDS IN SAID OFFICE AND FURTHER SUBJECT TO EASEMENTS TO SHORT FORK CREEK WATERSHED DRAINAGE DISTRICT AS RECORDED IN BOOK 204, PAGE 650 AND BOOK 218, PAGE 11 OF LAND DEED RECORDS, CHANCERY CLERK'S OFFICE, DESOTO COUNTY, MISSISSIPPI AND RIGHT OF WAY TO ENTERGY AS RECORDED IN BOOK 391, PAGE 166 AND BOOK 428, PAGE 703 OF THE LAND DEED RECORDS, CHANCERY CLERK'S OFFICE, DESOTO COUNTY, MISSISSIPPI AND RESTRICTIVE COVENANTS TO FOUNTAIN GATE SUBDIVISION, AS RECORDED IN BOOK 425, PAGE 721, OF THE LAND DEED RECORDS, CHANCERY CLERK'S OFFICE, DESOTO COUNTY, MISSISSIPPI.

BEING THE SAME PROPERTY CONVEYED TO GARY J. SAUNDERS AND WIFE, EILEEN P. SAUNDERS, BY WARRANTY DEED DATED JUNE 25, 2004, OF RECORD IN BOOK 475, PAGE 578, IN THE OFFICE OF THE CHANCERY CLERK OF DESOTO COUNTY, MISSISSIPPI.

The deed was an absolute conveyance of the title to the property to the grantee named in it, in effect as well as in form, and was not intended as a mortgage, trust conveyance, or security of any kind, and possession of the premises has been surrendered to the grantee; the consideration in the deed was the full cancellation of all debts, obligations, costs, and charges previously existing under and by virtue of the terms of a certain mortgage previously existing on the property described in that mortgage and in this instrument, executed by Gary J. Saunders and Eileen P. Saunders, husband and wife, as mortgagors, to ("MERS") Mortgage Electronic Registration Systems, INC., as nominee for First Residential Mortgage Network, Inc. D/B/A Sure Point Lending, as mortgagee, dated, and recorded in Official Records Book 2372, at Page 785, of the Chancery Clerk Records of Desoto County, Mississippi, and the cancellation of record of the mortgage by its holder.

Delgado

The deed and conveyance were made by these deponents as the result of their request that the grantee accept the deed and was their free and voluntary act; at the time of making the deed these deponents felt and still feel that the mortgage indebtedness above mentioned represented a fair value of the property so deeded; the deed was not given as a preference against any other creditors of the deponents or either of them; at the time it was given there was no other person or persons, firms or corporations, other than the grantee named in the deed, interested, either directly or indirectly, in the property; these deponents are solvent and have no other creditors whose rights would be prejudiced by the conveyance; deponents are not obligated on any bond or other mortgage by which any lien has been created or exists against the property described in the deed; deponents in offering to execute the deed to the grantee and in executing the deed were not acting under any duress, undue influence, misapprehension, or misrepresentation by the grantee in the deed, or the agent or attorney or any other representative of the grantee in the deed; and it was the intention of these deponents as grantors in the deed to convey and by the deed these deponents do convey to the grantee all their right, title, and interest absolute in and to the property described in the deed.

This affidavit is made for the protection and benefit of the grantee in the deed, the grantee's successors and assigns, and all other parties hereafter dealing with or who may acquire any interest in the property described in the deed, and shall bind the respective heirs, executors, administrators, and assigns of the undersigned.

[Signature]

Gary J Saunders, Affiant

[Signature]

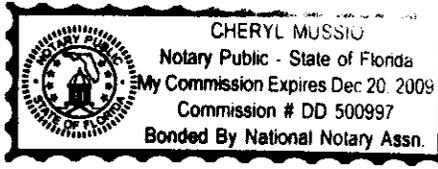
Eileen P Saunders, Affiant

Sworn to and Subscribed before me
this 15 day of APRIL, 2008

[Signature]
Notary Public

CHERYL MUSSIO

Printed Name of Notary
My Commission Expires:
Notary Seal



Return to:
Delgado Law Firm, PLLC
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~~XXXXXXXXXXXXXXXXXXXX~~
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