

When recorded send to: **FIRST AMERICAN TITLE COMPANY OF NEVADA**
1213 S. Carson St.
Carson City, NV 89701-1684

✓ **FROM:** Heritage Guardian Trust
Dale Duane Andrews, Trustee
% 8802 E. Broadway PMB# 417
Tucson, Arizona 85710

TO: Fairbanks Capital Corp.
3815 S. West Temple
Salt Lake City, Utah 84165-0250

&

FIRST AMERICAN TITLE COMPANY OF NEVADA
1213 S. Carson St.
Carson City, NV 89701-1684

&

MANUFACTURERS AND TRADERS TRUST
ONE M & T PLAZA
Buffalo, New York 14203-2399

AFFIDAVIT OF TRUTH

Pima County)
(ss AFFIDAVIT OF Dale Duane Andrews
Arizona)

Having been duly sworn, Affiant declares the following:

1. I, Dale Duane Andrews, am competent to state to the matters included in this Affidavit, has knowledge of the facts, and hereby declares that to the best of Affiant's knowledge, the statements made in this Affidavit are true, correct, complete, and not meant to mislead, and under full commercial liability.

2. Affiant is not in possession of any supporting evidence showing that authority is not granted by, the Statute of Frauds; Regulation Z; Paperwork Reduction Act; Privacy Act; Secured rights, Bill of Rights, and all other rights secured by law. This Notice shall be construed as the first step in administrative due process.
3. Affiant is not in possession of any supporting evidence showing that Fairbanks Capital Corp., of 3815 S. West Temple, Salt Lake City, Utah 84165-0250, and FIRST AMERICAN TITLE COMPANY OF NEVADA, of 1213 S. Carson St., Carson City, NV 89701-1684, have submitted any proof of Administrative Remedy Prior To Request For Judicial Relief, containing any pertinent information or Statute Violations or case information before any hearing scheduled.
4. Affiant is not in possession of any supporting evidence that HERITAGE GUARDIAN TRUST is not the legal owner of the Parcel # 1220-01-001-019, as evidenced by Douglas County Nevada's Accossor's Office.
5. Affiant is not in possession of any supporting evidence that Dale Duane Andrews is not the Trustee for HERITAGE GUARDIAN TRUST.
6. Affiant is not in possession of any supporting evidence showing any proof of claim that Fairbanks Capital Corp., of 3815 S. West Temple, Salt Lake City, Utah 84165-0250, or FIRST AMERICAN TITLE COMPANY OF NEVADA, of 1213 S. Carson St., Carson City, NV 89701-1684 by their continued harassment in this matter would not be tacitly granting Affiant permission to take said Corporation's and or there Corporate Officers and/or any of there employees into involuntary bankruptcy and begin seizing assets pursuant to the newly revised provisions in Article 9 of the UCC (Uniform Commercial Code).
7. Please send any documents along with the short letter signed in blue ink by a title-identified party asserting your claim. Any unsigned, anonymous letter will have to be ignored by me as a matter of law, since someone (a man or women) must take responsibility and liability for asserting the validity of your claim.
8. "Party having superior knowledge who takes advantage of another's ignorance of the law to deceive him by studied concealment or misrepresentation can be held responsible for that conduct." Fina Supply, Inc. v. Abilene Nat. Bank, 726 S.W.2d 537, 1987.
9. "When circumstances impose duty to speak and one deliberately remains silent, silence is equivalent to false representation." Fisher Controls Intern., Inc. v. Gibbons, 911 S.W. 2d 135, 1995.
10. "When a person sustains to another a position of trust and confidence, his failure to disclose facts that he has a duty to disclose is as much a fraud as an actual misrepresentation." Blanton v. Sherman Compress Co., 256 S.W. 2d 884, 1953.

This Affidavit of Truth will be submitted to Fairbanks Capital Corp., of 3815 S. West Temple, Salt Lake City, Utah 84165-0250, and FIRST AMERICAN TITLE COMPANY OF NEVADA, of 1213 S. Carson St., Carson City, NV 89701-1684, and MANUFACTURERS AND TRADERS TRUST, of One M & T Plaza, Buffalo, New York 14203-2399, on behalf of HERITAGE GUARDIAN TRUST, Dale Duane Andrews, Trustee, and therefore is part of the Official record of any ensuing action and must be introduced as evidence in said action. It will be noted that willful suppression of evidence is a felony.

CAVEAT

Upon receipt of this Affidavit of Truth, to the intended party, as either a "Public Servant" who by "Oath of Office" or duty as an "Officer" of a corporation, Municipality, etc., and/or by your "superior knowledge of the law," you have 10 days to review and correct any errors by Affidavit point for point within this Affidavit of Truth and respond by Certified, U.S. Mail, as to any corrections to the Affidavit of Truth herein. Failure to do so within 10 days, allowing up to three days grace for Mail delivery, will place you and your office in Fault in Dishonor, and the presumptions will be taken upon the public record that you and your office fully agree to the Affidavit of Truth and the authorities contained within this Affidavit of Truth and that they are true, correct and certain. (F.R.C.P. 8d)

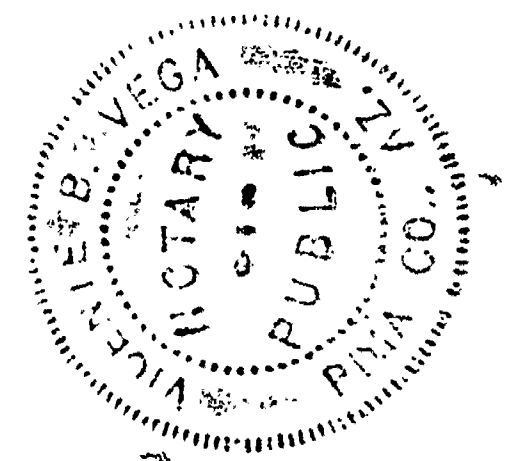
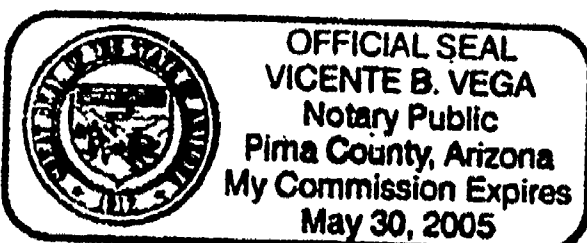
**NOTICE TO PRINCIPALS IS NOTICE TO AGENTS IN THEIR PERSONAL CAPACITY
NOTICE TO AGENTS IS NOTICE TO PRINCIPALS IN THEIR PERSONAL CAPACITY
SILENCE IS ACQUIESCENCE
WITH RESERVATION OF ALL MY RIGHTS**


Dale Duane Andrews

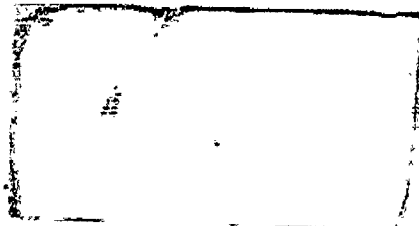
Pima County)
(ss ACKNOWLEDGMENT
Arizona)

On this 14th day of April 2003, for the purpose of verification of signature only. I the undersigned Notary Public, being commissioned in the above named County, do declare that the one known to me, or proved to me to be Dale Duane Andrews did execute this document before me.


Notary Public



0574262
3
BK0403PG10414



FROM :

FAX NO. :

May. 25 2002 08:47AM P16

Douglas County Assessor's Office Search



Page 1 of 1

Douglas County Database Search

County Database Search:

Parcel Number 1220-01-001-019

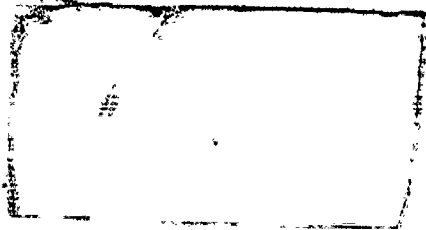
Search Provided by: [Nanosecond Inc](#)

Current Year		All Years	
Parcel #	Area Name		Outstanding
1220-01-001-019	500 HERITAGE GUARDIAN TRUST		\$0
1919 CURRANT			
Current Taxes Billed Year 2002-2003 --> \$2860.45			

	Total Due	Tax Due	Penalty Due	Interest Due	Costs Due
Current Due	\$0	\$0	\$0	\$0	\$0
Prior Due	0	0	0	0	0
Total Due	\$0	\$0	\$0	\$0	\$0

Year	Qtr	Tax Due	Date Paid	Penalty Due	Interest Due
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0574262
BK0403PG10415



FROM :

FAX NO. :

May. 25 2002 09:56AM P2

Parcel # 1220-U1-001-019

Prior Parc #

23-483-040 Changed 6/27/00

Last Chg 1/24/03 by ASDEB

Ownership..... (F6=All Owners, F7=Documents)
Legal Owner..... HERITAGE GUARDIAN TRUST Force Assmt Notice....

Assessed Owner..... HERITAGE GUARDIAN TRUST

Mail Address..... C/O DALE ANDREWS

City, State..... TUCSON, AZ

Vesting Doc #, Date. 546630 7/09/02 Yr, Bk, Pg 02 007 02403 Zip... 85710 Corr Rq'd

Map Document #s..... Description (F11=Additional Locations)

Property Location... # Dir Street or Other Description Type Unit #(s)

Subdivision..... 1919 CURRANT CT Block.... Lot.... 9-A

Town..... GEN CO/CWS/MOSO

Property Name.....

Remarks.....

Parcel # Containing Descriptive/Document Data....

Size Total Acres... 2.36 Square Feet... 0

Ag Acres..... .00 W/R Acres..... .00

F9=Scan >/< > F10=Other Functions F12=Cancel F14=Improvements/Appraisal Data

F15=Legal Description F16=Misc Notes F17=Factoring History F20=Tax Years

F21=Personal Property F22=Ag Land F23=Exemptions F24=Livestock Counts

0574262

BK0403PG10416

**F. ANN RODRIGUEZ, RECORDER
RECEIPT OF RECORDING**

F. ANN RODRIGUEZ, RECORDER
RECORDED BY: JLW
DEPUTY RECORDER
1541 ES3



W
MANUFACTURERS AND TRADERS TRUST
1 M&T PLAZA
BUFFALO NY 14203

DOCKET: 12028
PAGE: 3727
NO. OF PAGES: 7
SEQUENCE: 20030710795
04/14/2003
AFF 16:51

MAIL

AMOUNT PAID \$ 12.00

CONVERSION FEE \$ 4.00
7 PAGES 7.00
0 AFFIDAVITS 2.00 EACH 0.00
0 COPIES 1.00 EACH 0.00
1 POSTAGE 1.00 EACH 1.00

TOTAL \$ 12.00
CHECK \$ 12.00
AMOUNT DUE \$ 0.00
AMOUNT OVER \$ 0.00

F ANDREWS DALE DUANE ND
T AFFIDAVIT ND

AFFIDAVIT

Pima County Recorder, 115 N. Church Avenue, Tucson, AZ 85701-1199, (520) 628-3177

REQUESTED BY
Heritage Guardian
IN OFFICIAL RECORDS OF
DOUGLAS CO. NEVADA
Trust

2003 APR 22 PM 2: 00

WERNER CHRISTEN
RECORDER

\$19.00 PAID *W* DEPUTY

0574262

BK0403PG10417

