

DOC # 795638
01/11/2012 03:41PM Deputy: SG

OFFICIAL RECORD

Requested By:

First American National De
Douglas County - NV
Karen Ellison - Recorder

Page: 1 of 9 Fee: \$22.00
BK-112 PG-1731 RPTT: 871.65

APN#: 1318-23-810-007

**RECORDING REQUESTED BY:
FIRST AMERICAN NATIONAL DEFAULT
TITLE
3 FIRST AMERICAN WAY
SANTA ANA, CA 92707**



**MAIL TAX STATEMENTS TO AND
WHEN RECORDED MAIL TO:
THE BANK OF NEW YORK MELLON
FKA THE BANK OF NEW YORK, AS TRUSTEE
FOR THE CERTIFICATEHOLDERS OF THE
CWMBS INC., CHL MORTGAGE PASS -THROUGH
TRUST 2005-HYB5, MORTGAGE PASS THROUGH
CERTIFICATES, SERIES 2005-HYB5**

5952537

**The Undersigned Hereby Affirms That There Is No Social Security Number
Contained In This Document.**

**RECORDING REQUESTED BY
FIRST AMERICAN TITLE COMPANY
AS AN ACCOMMODATION ONLY**

DEED IN LIEU OF FORECLOSURE

TITLE OF DOCUMENT



APN: 1318-23-810-007
Recording Requested by:
Miles Bauer Bergstrom & Winters, LLP
2200 Paseo Verde Parkway, Suite 250
Henderson, NV 89052

When Recorded Mail to:
THE BANK OF NEW YORK MELLON FKA THE BANK
OF NEW YORK, AS TRUSTEE FOR THE CERTIFICATEHOLDERS
OF THE CWMBS INC., CHL MORTGAGE PASS-THROUGH TRUST
2005-HYB5, MORTGAGE PASS THROUGH CERTIFICATES, SERIES 2005-HYB5
400 Countrywide Way, MS SV-46
Simi Valley, CA 93065

Title Order No.: 5952537
File Number: 11-NV0288

**RECORDING REQUESTED BY
FIRST AMERICAN TITLE COMPANY
AS AN ACCOMMODATION ONLY**

DEED IN LIEU OF FORECLOSURE

THE UNDERSIGNED GRANTOR(s) DECLARE(s):

- 1) The Grantee herein was the current beneficiary under the deed of trust, dated **June 6, 2005**, of which was executed by the undersigned Grantor(s) in favor of the lenders/beneficiaries stated in each respective deed of trust. *RE-RECORDED **DECEMBER 28, 2005** AS INSTRUMENT NO. **0664551**,
- 2) The amount of the unpaid debt with costs was: \$ 444,181.09
- 3) The amount paid by the grantee over the above and the unpaid debt was \$ 223,032.09
- 4) The documentary transfer tax is: \$ 871.65
- 5) Said property is in: () unincorporated area (X) City of STATELINE, County of DOUGLAS, State of NEVADA;

And FOR VALUABLE CONSIDERATION, receipt and sufficiency of which is hereby acknowledged, **MATTHEW A TEMPLE AND TAKAKO ISHIKAWA, HUSBAND AND WIFE AS JOINT TENANTS** "Grantor(s)" hereby grants and conveys to **THE BANK OF NEW YORK MELLON FKA THE BANK OF NEW YORK, AS TRUSTEE FOR THE CERTIFICATEHOLDERS OF THE CWMBS INC., CHL MORTGAGE PASS-THROUGH TRUST 2005-HYB5, MORTGAGE PASS THROUGH CERTIFICATES, SERIES 2005-HYB5**, "Grantee", the following described real property in the County of **DOUGLAS**, State of **NEVADA**:

SEE EXHIBIT "A" LEGAL DESCRIPTION, ATTACHED HERETO AND MADE A PART HEREOF;

SEE EXHIBIT "B" ESTOPPEL AFFIDAVIT, ATTACHED HERETO AND MADE A PART HEREOF;

Said property is commonly known as **170 Cottonwood Dr., Stateline, NV 89449**



Title Order: 5952537

File Number 11-NV0288

Dated: 10-19-2011

By: [Signature]
MATTHEW A. TEMPLE, Grantor

By: [Signature]
TAKAKO ISHIKAWA, Grantor

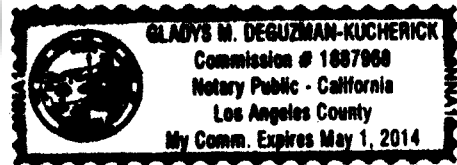
STATE OF California
COUNTY OF Los Angeles

On October 19, 2011 before me, Gladys M. deGuzman-Kucherick Notary Public, personally appeared MATTHEW A. TEMPLE and TAKAKO ISHIKAWA, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/hers/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

[Signature] (SEAL)





Title Order: 5952537

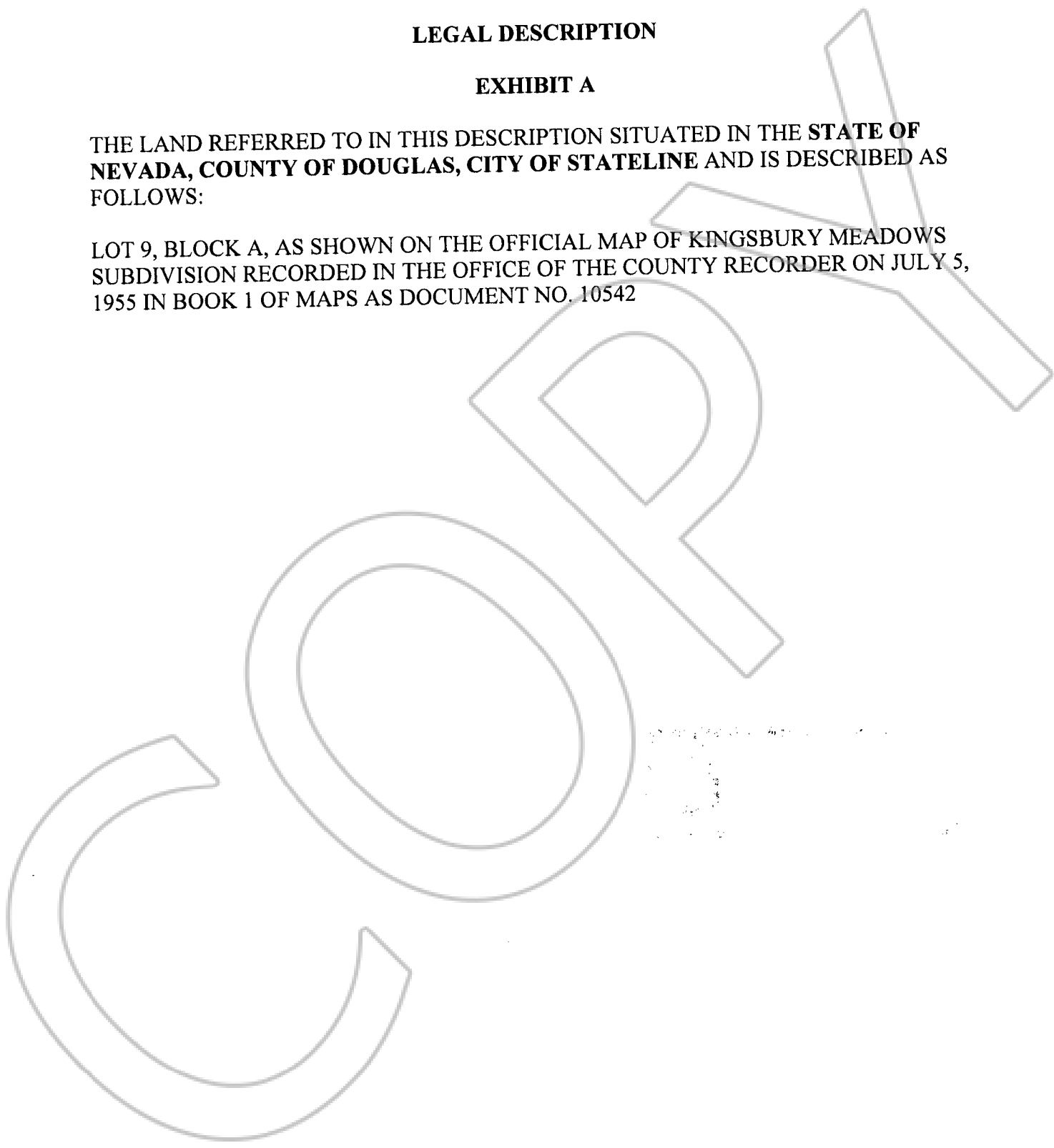
File Number 11-NV0288

LEGAL DESCRIPTION

EXHIBIT A

THE LAND REFERRED TO IN THIS DESCRIPTION SITUATED IN THE **STATE OF NEVADA, COUNTY OF DOUGLAS, CITY OF STATELINE** AND IS DESCRIBED AS FOLLOWS:

LOT 9, BLOCK A, AS SHOWN ON THE OFFICIAL MAP OF KINGSBURY MEADOWS SUBDIVISION RECORDED IN THE OFFICE OF THE COUNTY RECORDER ON JULY 5, 1955 IN BOOK 1 OF MAPS AS DOCUMENT NO. 10542





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File Number 11-NV0288

EXHIBIT "B"

ESTOPPEL AFFIDAVIT

That the aforesaid deed is intended to be and is an absolute conveyance of the title to said premises to the Grantee named therein, and was not and is not now intended as a mortgage, trust conveyance, or security of any kind; That it was intention of affiants as Grantor(s) in said deed of conveyance, and by said deed these affiants did convey to the Grantee therein all their rights, title and interest absolutely in and to said premises; **and that possession of said premises has been surrendered to the Grantee;**

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

That the consideration for said deed was payment and is payment to affiants the sum of \$0.00, by Grantor **MATTHEW A. TEMPLE and TAKAKO ISHIKAWA**, as Trustor, as follows:

DEED OF TRUST, STEWART TITLE OF DOUGLAS COUNTY, original Trustee, MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC. AS NOMINEE FOR LENDER, as original Beneficiary and Lender, recorded June 9, 2005, as Instrument No. 0646450 and re-recorded December 28, 2005, as Instrument No. 0664551 in the official records of the County of DOUGLAS, State of NEVADA. The beneficial interest having been assigned to THE BANK OF NEW YORK MELLON FKA THE BANK OF NEW YORK, AS TRUSTEE FOR THE CERTIFICATEHOLDERS OF THE CWMBS INC., CHL MORTGAGE PASS-THROUGH TRUST 2005-HYB5, MORTGAGE PASS THROUGH CERTIFICATES, SERIES 2005-HYB5, the Grantee herein, AND THE RECONVEYANCE OF SAID PROPERTY UNDER SAID DEED OF TRUST:

That at the time of making said deed, affiant believed and now believes that the aforesaid consideration therefore represents the fair value of the property so deeded;

This affidavit(s) is made for the protection and benefit of the Grantee in said deed, its successors and assigns, and all other parties hereafter dealing with or who may acquire an interest in the property herein described, and particularly for the benefit of First American Title Insurance Company, the title company which will insure the title to said property in reliance thereon, and any other title company which may hereafter insure the title to said property.



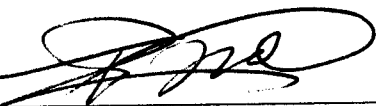
Title Order: 5952537

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THAT AFFIANT(S), 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.

Dated: 10-19-2011

By: 
MATTHEW A. TEMPLE, Grantor

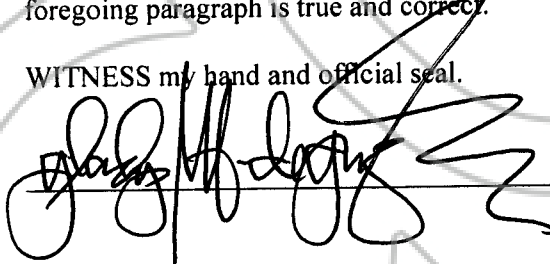
By: 
TAKAKO ISHIKAWA, Grantor

STATE OF California
COUNTY OF Los Angeles

On October 19, 2011 before me, Gladys M. deGuzman-Kucherick Notary Public, personally appeared MATTHEW A. TEMPLE and TAKAKO ISHIKAWA, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/hers/their authorized capacity(ies), and that by his/hers/their signature(s) on the instrument the person(s) or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

 (SEAL)





Title Order: 5952537

File Number 11-NV0288

EXHIBIT "B"
(continued)

RECITALS IN DEEDS

DEEDS GIVEN BY GRANTOR(S) PERSONALLY LIABLE FOR PAYMENT OF THE INDEBTEDNESS SECURED BY THE ENCUMBRANCE:

"THIS DEED IS AN ABSOLUTE CONVEYANCE. THE GRANTOR(S) HAVING SOLD SAID LAND TO THE GRANTEE FOR A FAIR AND ADEQUATE CONSIDERATION. SUCH CONSIDERATION IN ADDITION TO THAT ABOVE RECITED, BEING PARTIAL SATISFACTION OF ALL OBLIGATIONS SECURED BY DEED OF TRUST EXECUTED BY **MATTHEW A TEMPLE AND TAKAKO ISHIKAWA, HUSBAND AND WIFE AS JOINT TENANTS**, AS TRUSTOR AS FOLLOWS:

DEED OF TRUST, **STEWART TITLE OF DOUGLAS COUNTY**, original Trustee, **MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC. AS NOMINEE FOR LENDER**, as original Beneficiary and Lender, recorded **June 9, 2005**, as Instrument No. **0646450** and re-recorded **December 28, 2005**, as Instrument No. **0664551** in the official records of the County of **DOUGLAS**, State of **NEVADA**. The beneficial interest having been assigned to **THE BANK OF NEW YORK MELLON FKA THE BANK OF NEW YORK, AS TRUSTEE FOR THE CERTIFICATEHOLDERS OF THE CWMBS INC., CHL MORTGAGE PASS-THROUGH TRUST 2005-HYB5, MORTGAGE PASS THROUGH CERTIFICATES, SERIES 2005-HYB5**, the Grantee herein:

GRANTOR(S) DECLARES THAT THIS CONVEYANCE IS FREELY AND FAIRLY MADE. AND THAT THERE ARE NO AGREEMENTS, ORAL OR WRITTEN, OR OTHER THAN THIS DEED BETWEEN GRANTOR AND GRANTEES WITH RESPECT TO SAID LAND."



Title Order: 5952537

File Number 11-NV0288

Dated: 10-19-2011

TRUSTOR(s)/GRANTOR(s):

By: [Signature]
MATTHEW A. TEMPLE, Grantor

By: [Signature]
TAKAKO ISHIKAWA, Grantor

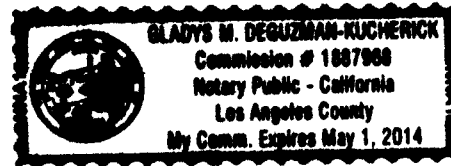
STATE OF California
COUNTY OF Los Angeles

On October 19, 2011 before me, Gladys M. deGuzman-Kucherick Notary Public, personally appeared MATTHEW A. TEMPLE and TAKAKO ISHIKAWA, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s) or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

[Signature] (SEAL)





Title Order: 5952537

File Number 11-NV0288

Dated: December 20, 2011

Beneficiary: **THE BANK OF NEW YORK MELLON FKA THE BANK OF NEW YORK, AS TRUSTEE FOR THE CERTIFICATEHOLDERS OF THE CWMBS INC., CHL MORTGAGE PASS-THROUGH TRUST 2005-HYB5, MORTGAGE PASS THROUGH CERTIFICATES, SERIES 2005-HYB5, Grantee**


Eric Lugo-Geigel
Print Name and Title **Vice President**

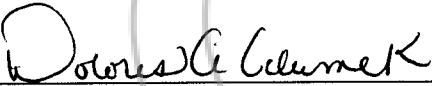
Bank of America, NA as Attorney in Fact

STATE OF Delaware
COUNTY OF New Castle

On December 20, 2011 before me, Dolores A. Adamek Notary Public, personally appeared, Eric Lugo-Geigel, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of Delaware that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

By:  (SEAL)
Dolores A. Adamek

DOLORES A. ADAMEK
NOTARY PUBLIC
STATE OF DELAWARE
My Commission Expires Oct. 21 2013