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January 13, 2009



Law Office of Timothy G. McFarlin
A Professional Law Corporation
4 Park Plaza, Suite 1025
Irvine, CA 92614

Re: Trustor :
Loan No. :
Property :
M&H File No. :

Dear

We have been advised by Rick Dalton at IndyMac Federal Bank FSB that your client wishes to execute a Deed in Lieu of Foreclosure with reference to the above captioned loan. It will be necessary for the following documents to be executed and returned to this office within 10 days from the date of this letter. The Grant Deed-in-Lieu and Estoppel Affidavit must be notarized or we cannot record them.

- Grant Deed-in-Lieu: This must be signed and notarized where indicated.
- Estoppel Affidavit: This must be signed and notarized where indicated.

The execution of these documents does not constitute a Deed in Lieu of Foreclosure unless it is approved by IndyMac Federal Bank FSB and the title report comes back showing no Junior Liens. The subject property **must be vacated prior to recording the Deed.** If we do not receive the executed documents and the property is not vacated, we will have no alternative but to proceed with foreclosure.

If you have any questions, please do not hesitate to contact me directly at 619-955-1591.

Very truly yours,
McCarthy & Holthus, LLP

A handwritten signature in black ink, appearing to be 'MCH', written over a horizontal line.

Recording Requested By:

When Recorded Mail To:
Mail Tax Statements To:
IndyMac Federal Bank FSB
6900 Beatrice Drive
Kalamazoo, MI 49009

Loan No. [REDACTED]
File No. [REDACTED]

GRANT DEED IN LIEU OF FORECLOSURE

The Grantee Herein Is The Beneficiary

The Documentary Transfer Tax is \$0.00

The Amount of Unpaid Debt, Together with Costs is \$

The Consideration for the Transfer is \$

Declarant's Signature or Agent Determining Tax

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged, [REDACTED]
[REDACTED]

HEREBY GRANTS TO: **Indymac Bank, FSB** and to their successors and assigns the following described real property in the County of , State of CA, described as:

All that certain real property situated in the County of Riverside, State of California, described as follows:

Property is purported to be: [REDACTED]

This deed is an absolute conveyance, the grantor having sold said land to the grantee for a fair and adequate consideration; said consideration being that Lender agrees not to bring a personal action on the debt against the grantor as related to the obligations of the deeds of trust existing on said property executed by [REDACTED] as Trustor, First American Title , as Trustee, and "MERS" Mortgage Electronic Registration Systems, Inc., solely as nominee for IndyMac Bank, F.S.B., the Beneficiary; which was recorded on March 17, 2006, as [REDACTED], in the Official Records of Riverside County, CA. and a second deed of trust executed by [REDACTED] as Trustor, First American Title , as Trustee, and "MERS" Mortgage Electronic Registration Systems, Inc., solely as nominee for IndyMac Bank, F.S.B., the Beneficiary, which was recorded on March 24, 2006 as [REDACTED] in the official Records of Riverside County, CA

Grantor declares that this conveyance is free and fairly made pursuant to conditions set forth in the Estoppel Affidavit recorded concurrently with this conveyance.

Dated:

By: _____

State of _____)
County of _____) ss

On _____, before me, _____, personally appeared _____ who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his/ authorized capacity, and that by his/ signature on the instrument the person, or the entity upon behalf of which the person 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.

Notary Public

ESTOPPEL AFFIDAVIT

STATE OF _____)
COUNTY OF _____)

_____ a single man declares the following:

_____ is the same party that executed and delivered the certain Grant Deed to **Indymac Bank, F.S.B.** on the same date as this document, which conveyed the interest in real property commonly known as: _____ and described as follows:

All that certain real property situated in the County of Riverside, State of California, described as follows:

The Grant Deed is an absolute conveyance of the title and is not intended as a mortgage, trust conveyance or security of any kind;

That as a condition precedent to recording the Grant Deed and this Affidavit, the Grantor has vacated the property and surrendered possession to the Grantee;

That the consideration for said Grant Deed is that the Lender agrees not to bring a personal action on the debt against the grantors as related to the obligations of the deeds of trust existing on said property executed by _____ as Trustor, First American Title , as Trustee, and "MERS" Mortgage Electronic Registration Systems, Inc., solely as nominee for IndyMac Bank, F.S.B., the Beneficiary; which was recorded on March 17, 2006, as _____ in the Official Records of Riverside County, CA. and a second deed of trust executed by _____ as Trustor, First American Title , as Trustee, and "MERS" Mortgage Electronic Registration Systems, Inc., solely as nominee for IndyMac Bank, F.S.B., the Beneficiary, which was recorded on March 24, 2006 as _____ in the official Records of Riverside County, CA.

That Grantor believes that the consideration given is adequate for the real property so deeded in that the fair market value of the property is not in excess of the indebtedness of grantors as of the date hereof;

That the parties intend that the deed of trust or mortgage survive and not merge with the fee interest transferred by the Grant Deed;

That the Grantors was solvent at the time of making said Grant Deed;

This Affidavit is made for the benefit of the Grantee in said Grant Deed, **Indymac Bank, F.S.B.** its successor and assigns, and all other parties hereafter dealing with or who may acquire any interest in the property herein described and particularly for the benefit of the title insurer which insures the title to said property in reliance thereon;

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

That the undersigned 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 set forth herein.

Dated:

By: _____
[Redacted]

State of _____)
County of _____) ss

On _____, before me, _____, personally appeared [Redacted] who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person 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.

Notary Public