

Order Number: 9999999

This instrument prepared by:

Julie Mira Canes., (Georgia Bar Number: 9999) and Jay Sample, Esq., Sample LPA, Attorneys At Law, 9999 Edwards Road, Suite 550, Sample, Ohio 45209 (999) 247-999 Fax: (999) 999-0170.

After Recording Mail/Return To:

Bank of Sample, N.A.

Deed in Lieu

9999 Sample Carter

Fort Worth, TX 99999

Mail Stop TX 2-999-99-34

Mail Tax Statements To:

Bank of Sample, N.A.

9999 Sample Carter Blvd., Fort Sample, TX 76155 Mail Code: TX2-999-01-34.

Parcel Number or APN: 99999999

DEED IN LIEU OF FORECLOSURE

KNOWN ALL MEN BY THESE PRESENTS, that Phillippe A. Jones and Patricia L. Jones a married couple, hereinafter called grantors, for \$1.00 and the consideration hereinafter stated, do hereby grant, bargain, sell and convey unto Bank of Sample, N.A., whose tax mailing address is 9999 Sample Carter Blvd., Fort Sample, TX 9999 Mail Code: TX2-999-01-34, hereinafter called grantee, and unto grantee's successors and assigns all of that certain real property with the tenements, hereditaments and appurtenances thereto belonging or in any way appertaining, situated in Henry County, Georgia, described as follows:

SEE EXHIBIT "A" ATTACHED HERETO FOR LEGAL DESCRIPTION

SEE EXHIBIT "B" ATTACHED HERETO AS ESTOPPEL AFFIDAVIT

Property Address: 999 Sample Drive, Sample GA 30281

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COMMONLY known as: **999 Sample Drive, Sample, GA 30281**

To have and to hold the same unto the said grantee and grantee's successors and assigns forever.

This deed is absolute in effect and conveys fee simple title of the premises above described to the grantee and does not operate as a mortgage, deed of trust or security of any kind.

Grantor does hereby assign and transfer to grantee any equity of redemption and statutory rights of redemption concerning the real property and the mortgage described below.

Grantor is not acting under any misapprehension as to the legal effect of this deed, nor under duress, undue influence or misrepresentation of grantee, its agent, attorney or any other person. Grantor declares that this conveyance is freely and fairly made in accord with the Estoppel Affidavit attached hereto as Exhibit B.

Consideration. This Deed in Lieu of Foreclosure relates to real property secured by the following mortgage(s) or deed(s) of trust:

SEE EXHIBIT "C" ATTACHED HERETO FOR DESCRIPTION OF MORTGAGE OR DEED OF TRUST

No Merger. Grantor agrees and acknowledges that its entry into this Deed and the other documents contemplated hereby shall not result in a merger of Assignee's interest under the Deed of Trust with Grantee's interest under the Deed. The terms, covenants, representations, and warranties of this Agreement shall not merge into the Deed but shall survive the close of the transaction contemplated hereby.

In construction this deed and where the context so requires, the singular included the plural and the plural includes the singular and all grammatical changes shall be implied to make the provisions hereof apply equally to corporations and to individuals.

Representations and Warranties. Grantor represents, warrants, and acknowledges that:

(a) it is in default of its obligations under the Loan and the Note and that the unpaid principal balance thereof together with interest thereupon is immediately due and payable to Bank of Sample, N.A. without offset, defense, or counterclaim;

(b) the Note and the Deed of Trust or Mortgage are valid and binding agreements enforceable in accordance with their terms;

Advice of Counsel. Grantor hereby agrees, represents, and warrants that it has had advice of competent counsel of its own choosing, or has willingly forgone advice of counsel, in negotiations for and the preparation of this Deed, that it has read this Deed or has had the same read to it by its counsel, that it has had this Deed fully explained by such counsel, and that it is fully aware of its contents and legal effect.

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RIGHT TO FORECLOSE

TRANSFEROR AGREES AND ACKNOWLEDGES THAT NOTHING CONTAINED HEREIN SHALL AFFECT, AND TRANSFEREE HEREBY EXPRESSLY RESERVES, THE RIGHT TO FORECLOSE THE "MORTGAGE", "DEED TO SECURE DEBT" OR "DEED OF TRUST" BY JUDICIAL OR, TO THE EXTENT PERMITTED BY APPLICABLE LAW, NONJUDICIAL FORECLOSURE AND, IN CONNECTION WITH ANY SUCH FORECLOSURE, TRANSFEROR AND/OR GUARANTOR MAY, IN TRANSFEREE'S SOLE DISCRETION, BE NAMED AS A PARTY DEFENDANT, AND TO THE EXTENT PERMITTED BY APPLICABLE LAW, TRANSFEROR SHALL AGREE TO ANY CONSENT TO JUDGMENT (OR SIMILAR PROCESS) AVAILABLE TO TRANSFEREE, AND TRANSFEREE WILL BE PERMITTED TO SEEK, OBTAIN, AND SATISFY A JUDGMENT IN ANY SUCH FORECLOSURE PROCEEDINGS, PROVIDED, HOWEVER, THAT TRANSFEROR AND GUARANTOR SHALL NOT BE PERSONALLY LIABLE FOR SATISFACTION OF SUCH JUDGMENT. IF TRANSFEREE PURSUES ITS RIGHTS UNDER THIS SECTION, IT MAY DETRIMENTALLY AFFECT TRANSFEROR'S CREDIT RATING.

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WITNESS the hand of said Grantor this _____ day of _____, 2014.

Phillippe A. Jones

Patricia L. Jones

Signed in my presence:

Signed in my presence:

(Witness Signature)

(Witness Signature)

Print Name:

Print Name:

STATE OF _____
COUNTY OF _____

The foregoing instrument was acknowledged before me on _____, 2016 by **Phillippe A. Jones** and **Patricia L. Jones** who are personally known to me or have produced _____ as identification, and furthermore, the aforementioned persons have acknowledged that their signatures were their free and voluntary act for the purposes set forth in this instrument.

Notary Public

Stamping Devices?

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EXHIBIT "B"

COVID-recording
time modified

ESTOPPEL AFFIDAVIT

STATE OF _____
COUNTY OF _____

An estoppel affidavit is a legal document that prohibits the parties from taking any action that's contrary to an agreement previously made. ... The affidavit usually states that the parties entered into the agreement willingly and cites the fair market value of the property at the time the deal is made.

Phillippe A. Jones and Patricia L. Jones being first duly sworn, depose and say: That they are the identical parties who made, executed, and delivered that certain Deed in Lieu of Foreclosure to **Bank of Sample, N.A.**, conveying the following described property, to-wit:

SEE EXHIBIT "A" ATTACHED HERETO FOR LEGAL DESCRIPTION

That the aforesaid deed was intended to be and was an absolute conveyance of the title to said premises to **Bank of Sample, N.A.**, and was not and is not now intended as a mortgage, trust conveyance, or security of any kind; that it was the intention of affiants as grantors in said deed to convey, and by said deed these affiants did convey to **Bank of Sample, N.A.**, therein all their right, title, and interest absolutely in and to said premises; that possession of said premises has been surrendered to **Bank of Sample, N.A.**;

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

That aforesaid deed was not given as a preference against any other creditor or the deponents or either of them; that at the time it was given there was no other person or persons, firms or corporations, other than **Bank of Sample, N.A.**, who have interest, either directly or indirectly, in said premises; that these deponents are solvent and have not other creditors whose rights would be prejudiced by such conveyance, and that deponents are not obligated upon any bond or mortgage or other security whereby any lien has been created or exists against the premises described in said deed.

That the consideration for said deed was and is payment to affiants of the sum of \$1.00 by **Bank of Sample, N.A.**, agreement to forebear taking any action against affiants to collect on the obligations secured by the mortgage described below, other than by foreclosure of that mortgage

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and to not seek, obtain or permit a deficiency judgment against affiants in such foreclosure action. The mortgage(s) or deed(s) of trust referred to herein as described as follows:

**SEE EXHIBIT "C" ATTACHED HERETO FOR DESCRIPTION OF MORTGAGE OR
DEED OF TRUST**

At the time of making said deed in lieu of foreclosure affiants believed and now believe that the aforesaid consideration therefore represents the fair value of the property so deeded, or more.

This affidavit is made for the protection and benefit of Bank of Sample, N.A., its successors and assigns, and all other parties hereafter dealing with or who may acquire an interest in the property herein described.

I understand and agree that I have waived or released any and all claims, known or unknown, that I have or might have against Bank of Sample, N.A.; and/or Samplelink, and/or their accountants, agents, attorneys, directors, employees, managers, members, officers, servants, and/or shareholders.

That affiants, 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.

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WE (THE BORROWERS) UNDERSTAND THAT WE HAD A RIGHT TO OBTAIN LEGAL
ADVICE BEFORE SIGNING THE AFORESAID DEED. WE HAVE EITHER DONE SO OR
HAVE ELECTED TO PROCEED WITHOUT LEGAL ADVICE.

Dated: _____

Phillippe A. Jones

Patricia L. Jones

Signed in my presence:

Signed in my presence:

(Witness Signature)

(Witness Signature)

Print Name:

Print Name:

STATE OF _____
COUNTY OF _____

The foregoing instrument was acknowledged before me on _____, 2016 by
Phillippe A. Jones and **Patricia L. Jones** who are personally known to me or have
produced _____ as identification, and furthermore, the aforementioned persons
have acknowledged that their signatures were their free and voluntary act for the purposes set
forth in this instrument.

Notary Public

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GRANTOR(S) AFFIDAVIT

State of _____ }
County of _____ }

Phillippe A. Jones and Patricia L. Jones, named in the attached deed, being first duly sworn upon oath, each for himself or herself and not one for the other, deposes and says:

That he or she has read the attached deed and knows the contents thereof, and that every statement contained in the terms, warranties and covenants therein set forth is true of his or her own knowledge.

Phillippe A. Jones

Patricia L. Jones

Signed in my presence:

Signed in my presence:

(Witness Signature)

(Witness Signature)

Print Name:

Print Name:

STATE OF _____
COUNTY OF _____

The foregoing instrument was acknowledged before me on _____, 2016 by **Phillippe A. Jones** and **Patricia L. Jones** who are personally known to me or have produced _____ as identification, and furthermore, the aforementioned persons have acknowledged that their signatures were their free and voluntary act for the purposes set forth in this instrument.

Notary Public

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EXHIBIT A
(LEGAL DESCRIPTION)

~~All that certain parcel of land situate in the County of George, State of Georgia~~
being known and designated as follows: ... recorded plat is incorporated herein by this
reference and made a part of this description.

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EXHIBIT C
(DESCRIPTION OF MORTGAGE(S) OR DEED(S) OF TRUST)

~~Security Deed Dated 01/08/2013, Recorded 01/25/2013 in the office of the Recorder~~
of George County, Georgia, in Book ...

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