

GAP AFFIDAVIT

State of **Florida**
County of **Orange**

Before me, the undersigned authority, this **31st** day of **January, 2007**, personally appeared **Michael G. Stephens and Mary F. Stephens, husband and wife**, who after being duly sworn by me under oath depose(s) and say(s) of their own personal knowledge:

1. They are of legal age and have never been known by any other names, except: (If none, state "NONE", if yes, give names and dates known as same)
2. They are the owner(s) of the following property described property described to-wit:

Lot 15, Block C, of Celery Fields, as recorded in 90, at 22, as recorded in the public records of Orange County, Florida.

and my/our enjoyment thereof has been peaceable and undisturbed, and my/our title to said property has never been disputed or questioned to my/our knowledge, nor do I/we know of any facts by reason of which the title to, or possession of said property might be disputed or questioned, or by reason of which any claim to said property might be asserted adversely to me/us.

3. I/We represent and warrant that I/we have examined the document(s) attached hereto as Exhibit "A", including, but not necessarily limited to, judgments, decrees, bankruptcies, incompetency proceedings, divorces, change of name proceedings, Federal Tax Liens, State Tax Liens and Statements of Claim against persons whose names are the same as or similar to mine/ours and I am/we are not the person(s) described in such document(s) except: (If none state "NONE").
4. I/We represent and warrant that there are no unsatisfied or unreleased judgments, decrees, Federal or State Tax Liens or Statements of Claim of record in the State of Florida, against me/us, except: (If none, state "NONE").
5. I/We represent and warrant that no proceedings in bankruptcy have ever been instituted by, or against, me/us, and I/we have never made an assignment for the benefit of creditors.
6. I/We represent and warrant that I/we know of no action or proceeding relating to said property which is now pending in any State or Federal Court in the United States nor do I/we know of any State or Federal Judgment or any State or Federal Lien of any kind or nature whatsoever which now constitutes a lien or charge upon the property.
7. We were married to each other on the date indicated hereinafter and we have been continuously married to each other, without interruption from that date to the date hereof, or if no date of marriage is filled in, that I was at the time I became the fee simple owner of said property and have continued from that date to the date hereof be and still am, a single person.

DATE OF MARRIAGE: _____

8. I/We represent and warrant that I/we have never been adjudged incompetent.
9. I/We represent and warrant that there are no other person(s), other than the undersigned, now in possession or claiming possession of the property, except: (If none, state "NONE").
10. I/We represent and warrant that there are no tenancies, leases or other occupancies oral or written, affecting the property, except: (If none, state "NONE").
11. I/We represent and warrant that there have been no notices of intentions to claim a lien, Notices to Owner, or other cautionary notices of any kind filed or served on the undersigned regarding labor or services performed or material furnished to the property in accordance with the Mechanic's Lien Law of the State of Florida, except: (If none, state "NONE").
12. I/We represent and warrant that there are no unpaid bills or claims for labor or services performed or materials furnished or delivered during the last ninety (90) days for alterations, repair work or new construction on the Property, except: (If none, state "NONE").
13. I/We represent and warrant that I/we have not conveyed, transferred or encumbered the property between to and the date hereof to any persons, firm or corporation except: (if none, state "NONE").
14. I/We represent and warrant that the property is free and clear of all liens, taxes, encumbrances and claims of every kind, nature and description whatsoever, including, but not necessarily limited to, mortgage liens, mechanic's, materialman's, laborers or other statutory liens, judgment liens, writs of attachment and Federal or State income tax or intangible property tax liens, except for the mortgage lien described in Paragraph 13 above, if any, and except for real estate and personal property taxes for the year

15. This affidavit is being made for the purpose of inducing to make a mortgage loan on the property in the amount of **\$187,000.00** and to induce **TitleSoft, Inc.**, as Title Agent for **Stewart Title Guaranty Company** to issue a Mortgage Title Insurance Policy on the property without the possibility of (1) unfiled mechanic's liens and materialman's liens appearing; (2) unfiled leases appearing; and (3) persons, other than the undersigned being in or claiming possession of the property, and with the knowledge that the said Mortgagee, Title Agent and Title Company will rely upon the statements and representations herein made in paying out the proceeds of such first/second mortgage loan at the closing thereof and/or issuing a Mortgage Title Insurance Policy.

Michael G. Stephens

Mary F. Stephens

State of **Florida**)
County of **Orange**)

This foregoing instrument was acknowledged before me this _____ **day of January, 2007**, by **Michael G. Stephens and Mary F. Stephens, husband and wife**. (Check one:) Said person(s) is/are personally known to me. Said person(s) provided the following type of identification:

| NOTARY RUBBER |
| STAMP SEAL |

Notary Signature

Print Name