

GENERAL AFFIDAVIT

State of Texas §
County of HARRIS §

BEFORE ME, the undersigned Notary, ODIAKOLA ENYI on this 13th day of December 2022 personally appeared Jonathan Anderson, known to me to be a credible person of lawful age, who being by me first duly sworn, on his oath, deposes and says:

1. I am of sound mind and capable of making this affidavit. I have personal knowledge of the facts stated below. I understand that I can be held criminally responsible if I lie in this statement. This statement is true.
2. The December 6, 2022, purported substitute trustee sale of property exclusively owned by me was unlawful, because the Defendant purported to foreclose on the entire west-half of Lots 5 and 6 of a subdivision in Harris County Texas. However, the mortgagor, my relative, only owned half of the west-half of Lots 5 and 6; and the Defendant noteholder, US BANK NATIONAL ASSOCIATION AS TRUSTEE FOR THE C BASS MORTGAGE LOAN ASSET BACKED CERTIFICATES SERIES 2005 CB5, did not have a valid lien on my half of the west-half of Lots 5 and 6; consequently, at the December 6, 2022, purported trustee sale, the Defendant Mikaela Investments LLC, did not acquire title to my half of the west-half of Lots 5 and 6.
3. October 29, 1976, my grandparents, J. Don Boney and Peggy Boney was deeded the entire property located at 2213/2215 Wheeler Avenue, Houston, Texas 77004, with the following legal description of the entire property (the "Property"):

West Fifty (50') feet of Lots Five (5) and Six (6) in Block Five (5) of the subdivision of a 10-acre Holman Outlot Sixty-Five (65), a subdivision in Harris County Texas, according to the map of record in Volume 40, Page 521, of the Deed Records of Harris County, Texas.

See Exhibit A
4. I am the owner of half of the Property.
5. J. Don Boney died and on May 5, 1983, his wife, my grandmother, acting as the personal representative of J. Don Boney deeded half of the Property to J. Don Boney, Jr. See Exhibit B
6. In 2016, my grandmother, Peggy Boney, died intestate and on May 17, 2016, all of Peggy Boney's heirs executed a special warranty deed, transferring half of the Property to me. See Exhibit C
7. Unbeknownst to me, February 16, 2005, Defendant, J. Don Boney, Jr. closed on a note for \$87,000,

GENERAL AFFIDAVIT continued

secured by a purported Deed of Trust, listing the entire Property as collateral for the loan (the "DOT").
See Exhibit D

- 8. The current loan servicer of J. Don Boney, Jr's note is Nerez.
- 9. As of November 18, 2022, the payoff of J. Don Boney, Jr's note is \$121,355.15.
- 10. Staff of Default Power Services, Inc. are designated as the purported current trustee of the DOT.
- 11. October 27, 2022, the purported current trustee posted a Substitute Trustee Sale Notice in the HARRIS County Clerk's Office of the entire Property. See Exhibit E
- 12. September 6, 2022, the substitute trustee purported to auction the entire Property to Defendant US Bank National Association As Trustee for the C Bass Mortgage Loan Asset Backed Certificates Series 2005 CB5 for \$283796.
- 13. As stated the purported substitute trustee sale of the entire Property was unlawful, because Defendant, J. Don Boney, Jr. only owned one-half of the Property and I owned the other half of the Property..



Jonathan Anderson
PO Box 667092
Houston, Texas 77266

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Sworn to and subscribed before me on the 13th day of December 2022, by Jonathan Anderson.



Notary Public, State of Texas
My Commission Expires: 5-26-2024

