

**NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM THIS INSTRUMENT BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.**

2 5127 HULL STREET  
HOUSTON, TX 77021  
20060134002125

Deed (3)  
y OSCAR BYRD 200

**SUBSTITUTE TRUSTEE'S DEED**

20060253726  
12/11/2006 RP2 \$20.00

DEED OF TRUST DATE: April 28, 2005

DATE OF SALE OF PROPERTY: December 5, 2006

TIME OF SALE: 11:08 AM/PM

**PLACE OF SALE OF PROPERTY:**

DESIGNATED AREA AT THE HARRIS COUNTY FAMILY LAW CENTER PER COMMISSIONER'S COURT ORDER DATED 03/18/03, CLERK'S FILE NO. W516820 OR AS FURTHER DESIGNATED BY THE COUNTY COMMISSIONERS

**GRANTEE/BUYER:**

U.S. BANK NATIONAL ASSOCIATION, AS TRUSTEE FOR CREDIT SUISSE FIRST BOSTON HEAT 2005-5 Jee

**GRANTEE/BUYER'S MAILING ADDRESS:**

108 EAST FIFTH STREET  
ST. PAUL, MN 55101

AMOUNT OF SALE: \$ 48,000.00

**CURRENT MORTGAGEE:**

U.S. BANK NATIONAL ASSOCIATION, AS TRUSTEE FOR CREDIT SUISSE FIRST BOSTON HEAT 2005-5

**MORTGAGE SERVICER:**

AMERICA'S SERVICING COMPANY

**RECORDED IN:**

CLERK'S FILE NUMBER Y477690

**PROPERTY COUNTY/LEGAL DESCRIPTION: HARRIS**

LOT ONE HUNDRED THIRTY-TWO (132), IN BLOCK FIVE (5), OF MACGREGOR TERRACE, SECTION ONE (1), A SUBDIVISION IN HARRIS COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF, RECORDED IN VOLUME 33, PAGE 69 OF THE MAP RECORDS OF HARRIS COUNTY, TEXAS. D

Grantor conveyed the property to Trustee in trust to secure payment of the Note. Mortgagee, through the Mortgage Servicer, declared that Grantor defaulted in performing the obligations of the Deed of Trust. Current Mortgagee of the Note, through the Mortgage Servicer, accordingly has appointed Substitute Trustee and requested Substitute Trustee to enforce the trust.

Notices stating the time, place and terms of sale of the property were mailed, posted and filed, as required by law. Substitute Trustee sold the property to Buyer, who was the highest bidder at the public auction, for amount of sale in the manner prescribed by law. The subject sale was conducted no earlier than 10:00AM as set forth in the Notice of Substitute Trustee's Sale and was concluded within three (3) hours of such time. All matters, duties and obligations of Mortgagee were lawfully performed.

Substitute Trustee, subject to any matters of record, and for amount of sale paid by buyer as consideration, grants, sells and conveys to Buyer, Buyer's heirs, executors, administrators, successors or assigns forever, the property together with all rights and appurtenances belonging to Grantor. Substitute Trustee hereby sells the above referenced property AS IS without any expressed or implied warranties, except as to warranties of title, and hereby conveys the property to the purchaser at the purchaser's own risk, pursuant to the terms of Texas Property Code §§ 51.002 and 51.009.

WITNESS MY HAND, this December 5, 2006.

*[Signature]*  
\_\_\_\_\_  
Substitute Trustee Jee

STATE OF TEXAS  
COUNTY OF **HARRIS**

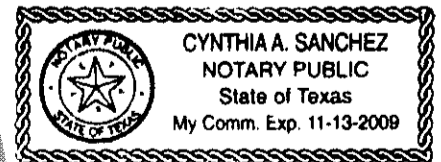
Before me, the undersigned Notary Public, on this day personally appeared \_\_\_\_\_, J. FOLLIS \_\_\_\_\_ as Substitute Trustee, known to me or proved to me through a valid State driver's license or other official identification described as \_\_\_\_\_, to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office this December 5, 2006.

My Commission Expires:

\_\_\_\_\_

*[Signature]*  
\_\_\_\_\_  
Notary Public for the State of TEXAS  
Printed Name of Notary Public



HOLD FOR: BARRETT BURKE

RETURN TO:  
BARRETT BURKE WILSON CASTLE  
DAFFIN & FRAPPIER, L.L.P.  
15000 Surveyor Boulevard, Suite 100  
Addison, Texas 75001  
Substitute Trustee's Deed (Conventional)  
FC12.rpt - (11/21/2006) / Ver-23



STD20060134002125

RP 035-64-0776

COPY

✓✓

AFFIDAVIT

STATE OF TEXAS }  
COUNTY OF DALLAS }

BEFORE ME, the undersigned authority on this day personally appeared Andrea Bennett, who after being duly sworn, deposed and stated:

- I am an employee of National Default Exchange, L.P., a subsidiary of BARRETT BURKE WILSON CASTLE DAFFIN & FRAPPIER, L.L.P., attorney for AMERICA'S SERVICING COMPANY at the time of the events hereinafter set forth and make this affidavit for the purpose of declaring the incidents of statutory and contractual compliance of the entity or entities set out below.
- This affidavit is made with respect to the foreclosure of that certain Deed of Trust dated April 28, 2005, recorded in CLERK'S FILE NUMBER Y477690, Real Property Records, HARRIS. County, TEXAS, executed by:  
  
EMMA WILLIAMS  
OSCAR BYRD  
  
to THOMAS E. BLACK JR., Trustee(s) to secure payment of a Note to MORTGAGE ELECTRONIC REGISTRATION SYSTEMS INC, ("MERS") AS NOMINEE.
- AMERICA'S SERVICING COMPANY is the Mortgage Servicer for U.S. BANK NATIONAL ASSOCIATION, AS TRUSTEE FOR CREDIT SUISSE FIRST BOSTON HEAT 2005-5, the Mortgagee of the indebtedness secured by said Deed of Trust. The Mortgage Servicer is authorized to represent the Mortgagee by virtue of a current servicing agreement with the Mortgagee.
- To the best of my knowledge and belief, proper notice of default was served prior to acceleration of the indebtedness. All obligations and duties of the Mortgage Servicer were performed in the manner required by law and all notices were served on each debtor at the last known address of each such debtor.
- To the best of my knowledge and belief, the mortgagors holding an interest in the above described property were not on active duty with any branch of the Armed Forces of the United States or were not protected by the Servicemembers Civil Relief Act on the date of the Trustee's Sale and were alive on the date of such sale.
- At the instructions and on behalf of the Mortgage Servicer, notice of acceleration of indebtedness and Trustee's Sale was served on each debtor obligated on the debt, in strict compliance with the Texas Property Code, by certified mail at least twenty-one (21) days prior to the date therein specified for sale at the last known address of each such debtor.
- At the instructions and on behalf of the Mortgage Servicer, Notice of Trustee's Sale was filed with the County Clerk in the county or counties in which the subject property is situated and copies thereof posted at said courthouse(s) as required by law and in the manner specified by ordinance and custom.

DATED: December 05, 2006

*Andrea Bennett*  
\_\_\_\_\_  
AFFIANT: Andrea Bennett

STATE OF TEXAS }  
COUNTY OF DALLAS }

Sworn to and subscribed before me, the undersigned Notary Public, on this day personally appeared Andrea Bennett, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he/she executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office this 5 day of December, 2006.

My Commission Expires:

*[Signature]*  
\_\_\_\_\_  
Notary Public for the State of TEXAS

Printed Name of Notary Public: MARIE LUNA  
Notary Public  
State of Texas  
My Comm. Exp. 04-13-09



HARRIS COUNTY CLERK  
COUNTY CLERK  
HARRIS COUNTY, TEXAS  
*[Signature]*  
2006 DEC 11 PM 12:41  
FILED

\* EXCEPT FOR *Emma Williams*  
WHO DIED PRIOR TO THE FORECLOSURE SALE

RECORDER'S MEMORANDUM:  
At the time of recordation, this instrument was found to be inadequate for the best photographic reproduction because of illegibility, carbon or photo copy, discolored paper, etc. All blockouts additions and changes were present at the time the instrument was filed and recorded.

ANY PROVISION HEREIN WHICH RESTRICTS THE SALE, RENTAL, OR USE OF THE DESCRIBED REAL PROPERTY BECAUSE OF COLOR OR RACE IS INVALID AND UNENFORCEABLE UNDER FEDERAL LAW THE STATE OF TEXAS  
COUNTY OF HARRIS  
I hereby certify that this instrument was FILED in file number Sequence on the date and at the time stamped hereon by me, and was duly RECORDED. in the Official Public Records of Real Property of Harris County Texas on

DEC 11 2006



*Dorely B. Kaufman*  
\_\_\_\_\_  
COUNTY CLERK  
HARRIS COUNTY TEXAS

RETURN TO:  
BARRETT BURKE WILSON CASTLE  
DAFFIN & FRAPPIER, L.L.P.  
15000 Surveyor Boulevard, Suite 100  
Addison, Texas 75001



STA20060134002125