

FILE # 2733714 RCD: 10/11/2011 @ 12:03 PM, BK: 3004 PG: 4746 RECORDING: \$10.50 RECORDING ARTICLE V: \$8.00 DEPUTY CLERK ABUSBEE DON W. HOWARD, CLERK OF COURTS, OKALOOSA COUNTY FL

Notary Acceptor Address: Alba D. Mendez
5994 Cobbler Lane, Crestview, Florida 32536
File # 0004333101

**VERIFIED DECLARATION IN THE NATURE OF AN AFFIDAVIT
NOTARY CERTIFICATE OF DEFAULT, NON RESPONSE, AND DISHONOR**

NOTICE OF DEFAULT

**Notice To Agent (Servicer) Is Notice To Principal (Lender) Is Notice To (Trust) Is
Notice To (Assigns)**

Parties: David A. Young and/or Johana M. Griggs
111 Mohawk trail,
Crestview, Florida 32536

Lender and Servicer: National City Mortgage, A Division Of National City Bank Of Indiana, now (PNC)
Plus: **Joe Cartellone**, CEO and President; **Phil Cunningham**, Executive V.P of Mortgage Services,
John Bollman, Executive V.P of Retail Lending; **Octavia Coleman**, Executive Officer; **MaryBeth Roar**, Executive Officer; **Judith Lakes** Executive Officer
Attention: Octavia Coleman, Respondent
3232 Newmark Drive
Miamisburg, OH 45342

Mortgage Loan/Account Number: [REDACTED]
Date: 11 October, 2011

COMMERCIAL OATH AND VERIFICATION

The State of FLORIDA)
) Commercial Oath and Verification
County of OKALOOSA)

NOTARY WITNESS, **David A. Young and/or Johana M. Griggs**, under his and/or her Commercial Oath with unlimited liability, proceeding in good faith being of sound mind states that the facts contained herein are true, correct, complete, and not misleading to the best of his and/or her private, firsthand, knowledge and belief under penalty of Commercial, Federal, and State Law.

Lender/Servicer: National City Mortgage A Division Of National City Bank Of Indiana, now (PNC) is additionally subject to postal statutes and the jurisdiction of the Universal Postal Union.

1. On **6 September, 2011**, a HUD and RESPA Qualified Written Request (QWR) for Verification of Proof of Claim and Account information was sent by certified mail to Lender/Servicer, National City Mortgage A Division Of National City Bank Of Indiana, now (PNC) and other Government entities.
2. The evidence shows that the Lender/Servicer named in this HUD and RESPA Qualified Written Request for Verification of Proof of Claim were duly served by Certified Mail with Return Receipt on **12 September, 2011**.
3. Neither the Lender nor the Servicer answered the Qualified Written Request, point by point, as per HUD-398-H(4) and RESPA, **Section 6, Cortez v. Keystone Bank, Inc., 2000 U.S. Dist. Lexis 5705, *36-37 (E.D. Pa. May 2, 2000)** and did not provide Verification of Proof of Claim within the given 60 days to respond, including mail time, with proof of claim that they were the Servicer, Note Holder in Due Course, Assigns, or alleged Lender that was authorized to collect payments on this alleged

mortgage loan and did not produce the original nor a Court certified true copy of the alleged Promissory Note that was to be legally recorded in Okaloosa County, State of Florida as per Florida Statutes in the HUD and RESPA Qualified Written Request.

4. On **27 September, 2011**, Notary sent a Re-Presenting question letter request as to why the Lender/Servicer dishonored the HUD and RESPA QUALIFIED WRITTEN REQUEST by not providing requested proof of claim as requested within 10 business days to cure and for response.

5. That no valid proof of claim of the above HUD and RESPA Qualified Written Request notice or the Re-Presenting question letter request is evidenced by U.S. Mail, or any other private carrier as of **11 October, 2011**. **HUD-398-H(4) and RESPA, Section 6**

6. That the Lender, Servicer, and all named officers are now in **DEFAULT** and **WITHOUT RECOURSE**.

7. When Lender and Servicer does not object to this notice within 3 days upon receipt and 4 days mailing time, the new balance for this mortgage loan account # [REDACTED] will be a prepaid balance of zero, the alleged promissory note will be Null and Void, due to a prepaid, fraudulent Promissory Note under the Affidavit Of Default Provisions and Power of Attorney under this HUD and RESPA QUALIFIED WRITTEN REQUEST with an automatic, passive, unlimited Power of Attorney, to act as an Agent for the Lender, Servicer, and note holder in due course is to be; therefore, automatically granted to only the home owner(s), **David A. Young and/or Johana M. Griggs**, to correct all mistakes of this mortgage loan # **0004333101** and to Satisfy the alleged Mortgage and the alleged Promissory Note and to sign, as agent, all necessary contracts and legal forms under an **ADMINISTRATIVE JUDGMENT BY ESTOPPEL** in accordance with **UCC 3-509...**

8. Therefore, we are giving you one more opportunity to cure the default by sending the requested documents and answers to the QWR questions before the judgment is final and is not appealable.

9. NOTARY WITNESS further sayeth naught.

SUBSCRIBED AND SWORN

David A. Young
David A. Young, Owner

NOTARY

STATE OF FLORIDA
COUNTY OF OKALOOSA

The above Affidavit is certified true, correct, complete, and certain, under the penalty of Perjury.

By: **Alba D. Mendez**, Notary Public under court seal in her capacity as Florida Notary, the foregoing instrument was acknowledged before me this 11th day of **October, 2011**, by **David A. Young**, the above named affiant, personally known to me, or who has produced a **Florida Driver License** appeared before me a Notary, Sworn, and Under Oath.

Alba D Mendez

My Commission Expires: August 18 2015

Name Typed, Printed, or Stamped

Alba D Mendez

Notary

