



Recording Date: 02/21/2013

Instrument: 191

Book: 8695 Page: 307-310

FILED-RECORDED  
RMC / ROD

2013 Feb 21 PM 4:06:04

DORCHESTER COUNTY

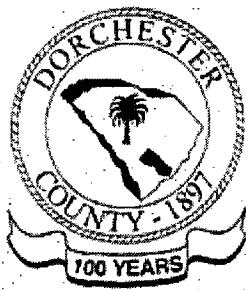
SC Deed Rec Fee: .00

Dor Co Deed Rec Fee: .00

Filing Fee: 10.00

Exemption #:

MARGARET L. BAILEY  
Register of Deeds



THIS PAGE IS HEREBY ATTACHED AND MADE PART OF  
THE PERMANENT RECORD OF THIS DOCUMENT. IT IS  
NOT TO BE DETACHED OR REMOVED AND MUST BE  
CITED AS THE FIRST PAGE OF THE RECORDED  
DOCUMENT. THE TOP OF THE PAGE IS TO BE USED FOR  
RECORDING PURPOSES AND IS NOT TO BE USED FOR  
ANY OTHER PURPOSE.

REGISTER OF DEEDS  
DORCHESTER COUNTY SOUTH CAROLINA  
MARGARET L. BAILEY, REGISTER  
POST OFFICE BOX 38  
ST. GEORGE, SC 29477  
843-563-0181 or 843-832-0181

PREPARED BY AND  
RETURN TO:  
FINKEL LAW FIRM LLC  
Post Office Box 41489  
Charleston, SC 29423  
Attn: Brendan P. Langendorfer

10  
FILED/RECORDED  
February 21, 2013  
DORCHESTER COUNTY  
REGISTER OF DEEDS

STATE OF SOUTH CAROLINA  
COUNTY OF DORCHESTER

**ESTOPPEL AFFIDAVIT**

Ben Mwaura, being first duly and separately sworn for himself, deposes and states:

That he is the identical party who made, executed and delivered that certain Deed to Heritage Trust Federal Credit Union dated the 18<sup>th</sup> day of January, 2013, conveying the following described property, to wit:

All that certain lot, piece, or parcel of land, with the buildings and improvements thereon or herein erected thereon, situate, lying and being in Oak Knoll Estates Dorchester County, South Carolina, shown and designated as Lot 68, Sec. I, Oak Knoll Estates, as shown on a plat by G. Robert George and Associates, Inc., dated November, 1978, which plat has been duly recorded in the Office of the Clerk of Court for Dorchester County in Plat Book 26, Page 122. Said lot having such size, shape, dimensions, buttings and boundings, more or less, as will be shown by reference to the aforesaid plat.

Subject to covenants, restrictions, easements of record and taxes for the current year.

TMS No.: 145-07-03-057

Property Address: 107 Thrush Lane, Summerville, SC 29485

Derivation: Being the same property conveyed to Grantors by deed of Buren Alsabrook and Janet B. Alsabrook dated August 15, 2008 and recorded in the Office of the Register of Deeds for Dorchester County on August 20, 2008 in Book 6763 at Pages 246-250.

That the aforesaid deed was an absolute conveyance of the title to said premises to the Grantee named therein in effect as well as in form, and was not and is not now intended, as a mortgage, trust conveyance, or security of any kind, and that possession of said premises has been surrendered to the said Grantee; that the consideration in aforesaid deed was and is payment to the deponent of the sum of Five (\$5.00) Dollars and other valuable consideration, by the Grantee named therein, receipt for which is hereby acknowledged, together with the full cancellation of all debts, obligations, costs and charges heretofore existing under

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and by virtue of the terms of a certain mortgage heretofore existing on the property therein executed by Ben Mwaura and Doris Finkenzeller, as mortgagors, to Heritage Trust Federal Credit Union dated August 15, 2008 and recorded in the Office of the Register of Deeds for Dorchester County, in Book 6763 at Pages 251-272 and the cancellation of record by said Grantee of said mortgage, and the delivery to this affiant of the note or other evidence of debts secured by said mortgage, duly canceled, receipt of which said canceled note is hereby acknowledged.

That the aforesaid deed and conveyance was made by this deponent as the result of his request to abandon the property and that the Grantee accepted such deed and was his free and voluntary act; that at the time of making said deed this deponent felt and still feels that the mortgage indebtedness above mentioned represented a fair value of the property so deeded; that said deed was not given as a preference against any other creditors of the deponent; that at the time it was given there was no other person or persons, firms or corporations, other than the Grantee therein named interested, either directly or indirectly in said premises that has not otherwise been disclosed to Grantee; that this deponent has no other creditors whose rights would be prejudiced by such conveyance, and that deponent is not obligated upon any bond or other mortgage whereby any lien has been created or exists against the premises described in said deed; and that deponent in offering to execute the aforesaid deed to the Grantee therein, and in executing same, was not acting under any duress, undue influence, misapprehension or misrepresentation by the Grantee in said deed, or the agent or attorney or any other representative of the Grantee in said deed, and that it was the intention of this deponent as grantor in said deed to convey and by said deed this deponent did convey to the Grantee therein all his right, title and interest absolutely in and to the premises described in said deed.

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This affidavit is made for the protection and benefit of the aforesaid Grantee in said deed, its successors and assigns, and all other parties hereafter dealing with or who may acquire an interest in the property described therein, and shall bind the respective heirs, executors, administrators and assigns of the undersigned.

Signed, Sealed, and Delivered  
in the Presence of:

Lisa Erick

Witness #1

Ben Mwaura

Ben Mwaura, Grantor

Pam Erick

Witness #2/Notary Public

STATE OF Nebraska

ACKNOWLEDGMENT

COUNTY OF Dawes

The undersigned, a Notary Public for the State of Nebraska,  
does hereby certify that Ben Mwaura, as one of the within named Grantors,  
personally appeared before me this day and acknowledged the due execution of  
the foregoing instrument.

WITNESS my hand and seal on this 18<sup>th</sup> day of January, 2013

Mary Ann Schleicher

NOTARY PUBLIC FOR THE STATE OF Nebraska

My commission expires: Feb 13, 2013

