

**LOST NOTE AFFIDAVIT FOR HAWAIIAN HOME LAND MORTGAGES
(SECTION 247 MORTGAGES)**

LOST NOTE AFFIDAVIT
(/)

STATE OF)
) SS.
COUNTY OF)

Affiant, the undersigned, being first duly sworn on oath, deposes and says:

Affiant, as ____ of ____ (hereinafter Lender), am authorized to make this Affidavit as to a lost note evidencing a loan being assigned to the Secretary of Housing and Urban Development (hereinafter HUD), and to indemnify HUD, its successors and assigns, for damages incurred as a result.

Lender was the owner and holder of all legal and beneficial right, title and interest to that certain loan evidenced by a promissory note (hereinafter Mortgage Note) as follows:

FHA Loan No.: _____
Date: _____
Borrower(s): _____
Original Payee: _____
Original Amount: _____
Rate of Interest: _____
Address of Mortgaged Property: _____

The Mortgage Note was assigned to Lender by assignment dated _____, recorded in the Department of Hawaiian Home Lands on _____, in Buke _____ on Pages _____. Said Mortgage Note has not been sold, transferred or assigned to any other party.

The original of the Mortgage Note has been mislaid or lost. Affiant has made or has caused to be made a diligent search of the records and files in Lender's possession, which records are kept by Lender in the ordinary course of business under Affiant's custody and control, and has not been able to find or recover the Mortgage Note.

Attached hereto as "Exhibit A" is a true and correct copy of the Mortgage Note, which has never been amended or modified [except by that certain Loan Modification Agreement (Providing for Fixed Interest Rate), a true and correct copy of which is attached hereto as Exhibit "B"]. Affiant agrees that if the original Mortgage Note should ever come into Affiant's possession that Affiant shall immediately surrender it to HUD, or at HUD's direction, to the current holder.

Affiant agrees that pursuant to the contract of mortgage insurance between Lender and HUD, payment of insurance benefits was conditioned upon the assignment of the original loan documents, and that Affiant has failed to submit to HUD the original Mortgage Note.

In consideration of HUD's waiver of the requirement for the assignment of the original Mortgage Note, Affiant hereby agrees that Lender shall indemnify and hold HUD, its successors and assigns, harmless from any loss, liability or damage which may be occasioned by the non-delivery of the original Mortgage Note.

By _____
Type Name: _____
Its _____
(Office)

Subscribed and sworn to before me
this ____ day of _____, 20 ____.

Type Name: _____
Notary Public, State of _____

My commission expires: _____