BOOK 8401 PAGE 466

United States Bankruptcy Court

32151

Middle District of Tennessee

IDENTIFICATION REFERENCE

In re

ROBERT FRED COPE, JR.

JUL 19 11 48 AM '91

Bankruptcy Case No. 391-05034
Chapter 13

Debtor

EXEMPLIFICATION CERTIFICATE

I, Lloyd C. Ray, Jr., clerk of the bankruptcy court for this district and keeper of the records and seal of the court certify that the documents attached are true copies of

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now remaining among the records of the court. In testimony of this statement, I sign my name, and affix the seal of this court at Nashville, in the State of Tennessee, this 16th day of July, 1991.

[Seal of Court]

Clerk of the Bankruptcy Court

I, Geo. C. Paine, II, bankruptcy judge for this district certify that Lloyd C. Ray, Jr. is and was at the date of the above certificate clerk of the bankruptcy court for this district, duly appointed and sworn, and keeper of the records and seal of the court, and that the above certificate of the clerk and the clerk's attestation is in due form of law.

July 16, 1991
Date

Chief *Bankruptcy Judge*

I, Lloyd C. Ray, Jr., clerk of the bankruptcy court for this district and keeper seal of the court certify that the Honorable George C. Paine, II is and was on the date of the above certificate a judge of this court, duly appointed and sworn; and that I am well acquainted with this handwriting and official signature and know and certify the signature written above to be that of the judge.

In testimony of this statement, I sign my name, and affix the seal of the court at Nashville, in the State of Tennessee, this 16th day of July, 1991.

[Seal of Court]

Clerk of the Bankruptcy Court

RECEIVED FOR ENTRY

JUN 18 1991

UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF TENNESSEE

BY C Hopkins
DEPUTY CLERK

IN RE:

ROBERT FRED COPE, JR.,

Debtor

NO. 391-05034
Chapter 13

BOOK 8401 PAGE 467

ORDER SETTING ASIDE FORECLOSURE SALE

This cause came on to be heard upon the application of the debtor herein to set aside foreclosure sale held on May 22, 1991 pertaining to Deed of Trust of record in Book 7277, Page 673, Register's Office of Davidson County, Tennessee, held by Market Street Mortgage Corporation covering the real estate and improvements thereon known as 925 Norwalk Drive, Nashville, Tennessee, more particularly described as follows:

Being Lot No. 338, Larchwood, Section 6 of record in Plat Book 6250, Page 235, Register's Office for Davidson County, Tennessee, to which plat reference is being made for a more complete legal description.

The Court finds that the foreclosure sale should be set aside in that an Order for Relief under 11. U.S.C. Chapter 13 had been entered in this cause and that the Court further finds that since Market Street Mortgage Corporation had no notice of the filing of the Chapter 13 proceeding until subsequent to the foreclosure sale, that it is entitled to be reimbursed for the expenses and costs incurred in connection with the foreclosure and that said amount be included in its Proof of Claim for the arrearage.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that the foreclosure sale held on May 22, 1991 in connection with Deed of Trust of record in Book 7277, Page 673, Register's Office of Davidson County, Tennessee, be and the same is, hereby set aside and that Substitute Trustee's Deed of record in Book 8357, Page 29, Register's Office of Davidson County, Tennessee, be, and the same is, hereby set aside; that Market Street Mortgage Corporation be reimbursed for the expenses and costs incurred in connection with the foreclosure and that said amount be included in its Proof of Claim for the arrearage to be paid by the Trustee under the Plan.

June 17, 1991

Keith M. Lundin
JUDGE

APPROVED:

ARNOLD M. WEISS - Disc. 7816
Attorney for Market Street
Mortgage Corporation
208 Adams Avenue
Memphis, TN 38103
(901) 526-8296

JOHN C. HESS
Attorney for Debtor
Suite 101
278 Franklin Road
Brentwood, TN 37027

Attest:
A True Copy
Certified this 16th day of July
U. S. Bankruptcy Court
By _____ Deputy Clerk

UNITED STATES BANKRUPTCY COURT ★ SEAL

INTERNAL ROUTING:
Chief Deputy Clerk
Courtroom Deputy
Calendar Clerk
Conversion Clerk
Financial Clerk
Judgment Book
Discharge Clerk

Copy to be picked up at front counter by:
Walk through
attorney for debtor
attorney for movant
trustee/attorney for trustee
Other

MAIL TO:
All creditors and/or parties in interest
Debtor(s)
Attorney for debtor(s)
Trustee
Attorney for trustee
Attorney for plaintiff/movant
Attorney for defendant/respondent
Only parties listed on bottom of order
All parties listed in cert. of service
As stated in order
Debtor's employer
U.S. Trustee

DO MAILING TO BE DONE BY:
NOTE: send copy of routing slip

RECORDER'S MEMO
Legibility of Writing, Typing or Printing in This Document Unsatisfactory