BOOK 10493 PG 716

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE

RECEIVED FOR ENTRY
MAY 6 1997
BY _____ DEPUTY CLERK

A True Copy
Certified this 6-5-97
U. S. Bankruptcy Court
By _____ Deputy Clerk

IN RE:

JOHN P. STEWART, JR.,

Debtor.

No. 397-01223
Chapter 13
Judge Lundin

AGREED ORDER

It appearing to the Court that the parties have agreed, as evidenced by the signatures of Counsel and the Chapter 13 Trustee below, that the foreclosure sale and resulting Substitute Trustee's Deed to Citizens Mortgage Corporation which took place while the automatic stay provisions of 11 U.S.C. 362(a) were in effect should be set aside and held for naught.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that the foreclosure sale conducted on behalf of Citizens Mortgage Corporation on March 7, 1997, and the resulting Substitute Trustee Deed which is of record in Book 10372, Page 784, Register's Office for Davidson County, Tennessee, are null and void and that title to the secured real property should remain in John P. Stewart, Jr. and wife, Shirley Stewart, by virtue of the Warranty Deed conveying them the secured property which is of record in Book 8572, Page 339, Register's Office for Davidson County, Tennessee.

IT IS, FURTHER, ORDERED, ADJUDGED AND DECREED that the Deed of Trust against the property held by Dovenmuehle Mortgage, Inc., (successor to Citizens Mortgage Corporation) which is of record in Book 7559, Page 850, as rerecorded on Book 7570, Page 515, Register's Office for Davidson County, Tennessee, shall remain in full force and effect and of the same priority as it was before the attempted foreclosure sale by the Substitute Trustee.

32

BOOK 10493 PG 717

ENTERED this 5th day of ~~April~~ May, 1997.

Keith M. Lundin
U. S. Bankruptcy Judge

APPROVED FOR ENTRY:

TATUM AND JONES, ATTORNEYS

J. Phillip Jones
Attorney for Dovenmuehle Mortgage, Inc.
Suite 200, Arena Place
2001 Charlotte Avenue
Nashville, Tennessee 37203
(615) 321-5540

Thomas J. Drake, Jr.
Attorney for Debtor
305 14th Avenue North
Nashville, Tennessee 37203

Henry E. Hildebrand, III
Chapter 13 Trustee
PO Box 190664
Nashville, Tennessee 37219-0664
(615) 244-1101

97 JUN 16 PM 2:11
FELIX A. ... REGISTER
DAVIDSON COUNTY, TN.

0316357
IDENTIF. A REFERENCE

MAIL TO:

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

ALL MAILING TO BE DONE BY:
(NOTE: send copy of routing slip)

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: _____

8-00 06/16 0101 03CHECK 0325

RECORDER'S MEMO
LEGIBILITY OF WRITING, TYPING OR PRINTING IN THIS DOCUMENT UNSATISFACTORY WHEN RECEIVED