RECORDERS MEMO
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Return to:

JOEL A. FREEDMAN
Prepared by: MORRIS, SCHNEIDER & PRIOR, L.L.C.
3300 N.E. EXPRESSWAY, SUITE 8B
ATLANTA, GA 30341

BOOK 11757 PAGE 913

State of Tennessee
County of Davidson

CROSS REFERENCE TO:
Book No. 10524, Page 292 TD
Book No. 11699, Page 927 STD

AFFIDAVIT

Personally appeared before me the undersigned attesting officer: JOEL A. FREEDMAN

Who, being duly sworn according to the law, deposes and states under oath as follows:

1.

I am more the managing attorney of the Foreclosure Department of Morris, Schneider & Prior, LLC, and as such am authorized to make this Affidavit.

2.

On June 30, 1997, Gwendolyn M. Walker executed a Deed of Trust on June 30, 1997 to C. Thomas Cates, Trustee, to secure a Promissory Note in the amount of Thirty Seven Thousand Dollar and 00/100 ($37,000.00) Payable to the order of Saxon Mortgage, Inc. conveying property commonly known as 1803 Seminary Street, Nashville, TN 37207 and more particularly described in Exhibit "A" and made a part hereof (the "Property"). Said Deed of Trust recorded at Book 10524, Page 292, aforesaid records.

3.

On September 23, 1999, this firm conducted a foreclosure sale of the subject property on behalf of Chase Bank of Texas, fka Texas Commerce Bank NA, as Custodian the last assignee of said Deed of Trust

4.

On October 12,1999, the Substitute Trustee's Deed reflecting Chase Bank of Texas, fka Texas Commerce Bank NA, as Custodian, as Grantee, was filed of record at Book No. 11699, Page 927, aforesaid records

5.

On September 17, 1999, Gwendolyn M. Walker, filed a Chapter 13 petition in the United States Bankruptcy Court in for the Middle District of Tennessee case number 99-07833-3KL-13.

6.

Neither Chase Bank of Texas, fka Texas Commerce Bank NA, as custodian, nor this law firm were aware that the bankruptcy case had been filed prior to conducting the sale.

7.

The purpose of this Affidavit is to cancel the Substitute Trustee's Deed and reinstate the Deed of Trust in full force and effect as if such Substitute Trustee's Deed was never filed of record.

8.

I understand that this affidavit will be recorded in the Davidson County Register's Office and that it will be relied upon in the future by those seeking to acquire or to insure an interest in the above-described realty, as well as those who examine the title to said realty.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal, this the 23 day of Nov, 1999.

_____(SEAL)
Joel A. Freedman

Signed, sealed and delivered this 23 day of Nov in the presence of:

_____
Notary Public
My commission expires:

NOTARY PUBLIC
ENGLER RAACK
DEKALB COUNTY
GEORGIA
EXPIRES
AUG 04, 2001

994407TN/mac/walker

STATE OF TENNESSEE
DAVIDSON COUNTY
99 NOV 29 AM 8:21
REGISTER
DAVIDSON COUNTY, TN.
RECEIVED
REFERENCE
06612253

EXHIBIT "A"

Land in the 17th Civil District of Davidson County, Tennessee, being Lot No. 170 on the Map of Brooklyn Heights, as Recorded in Book 332, Page 140, Register's Office for Davidson County, Tennessee, to which plan reference is hereby made for a more complete and accurate legal description.

Being the same property conveyed to Gwendolyn M. Walker by Quit Claim Deed from Milton A. Darden, unmarried of record in Book 8294, Page 927, Register's Office for Davidson County, Tennessee.

994407TN/mac/walker