PICK-UP

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

Davidson County AFFIDAVIT
Recvd: 12/19/01 14:50 2pgs
Fees:12.00 Taxes:0.00
20011219-0140197

CROSS REFERENCE TO:
Deed Book 10323, Page 623
Instrument No. 200111030120492
Davidson County, TN Records

MSP File # 560.017107TN

AFFIDAVIT

County of Dekalb
State of Georgia

This 3rd day of December, 2001, personally appeared before the undersigned officer authorized by law to administer oaths in said State and County, Joel Freedman, who states on oath:

1.

I am more than 18 years of age, suffer from no legal disability and am a member of the State Bar of Tennessee.

2.

Pursuant to a foreclosure sale of a Deed of Trust dated January 9, 1997, given by Phyllis Elaine Murphy, and recorded at Book 10323, Page 623, Davidson County, Tennessee Register's Office, First Union Home Equity Bank, N.A. caused to be filed of record a Substitute Trustee's Deed.

3.

Said Substitute Trustee's Deed pursuant to a foreclosure sale held on October 25, 2001, was filed of record at Instrument No. 200111030120492, in the Register's Office of Davidson County, Tennessee.

4.

A Chapter 13 Bankruptcy filing, Case # 01-11773, was filed by Phyllis E. Murphy on October 23, 2001. The automatic stay provisions of the U.S. Bankruptcy Code, as a result of this filing, rendered the foreclosure sale and the above described Substitute Trustee's Deed null and void.

5.

The purpose of this Affidavit is to correct for the record that the Substitute Trustee's Deed at Instrument No. 200111030120492, Davidson County, Tennessee Register's Office is null and void.

6.

This Affidavit is made with the knowledge that it may be relied upon by purchasers, lenders, attorneys and title insurance companies.

FURTHER AFFIANT SAYETH NOT.

MORRIS, SCHNEIDER & PRIOR

Signed, Sealed and Delivered
In the presence of:

By: _____
Joel Freedman

[SEAL]

_____
Witness

_____
Notary Public
My commission expires:
[NOTARY SEAL]

ANGELIA D. THACKER NOTARY PUBLIC COBB COUNTY GEORGIA EXPIRES JUNE 8, 2002