This Instrument Prepared by:
Wilson & Associates, P.L.L.C.
1521 Merrill Drive, Suite D-220
Little Rock, AR 72211
(501) 219-2388

Davidson County DEEDTRS
Recvd: 03/14/03 14:27 2pgs
Fees:12.00 Taxes:0.00
20030314-0034544

AFFIDAVIT TO RESCIND TRUSTEE'S SALE AND SUBSTITUTE TRUSTEE'S DEED

STATE OF PA
COUNTY OF Montgomery

BEFORE ME, the undersigned authority, on this day personally appeared Madeline Ramos, who acknowledged himself/herself to be the Dir Control Officer of The Bank of New York, acting solely in its capacity as Trustee for EQCC Trust 2001-2, who after being duly sworn, deposed and stated:

THAT default occurred in the performance of the covenants, terms, and conditions of a Deed of Trust Note dated August 19, 1998 and recorded on August 31, 1998, and the Deed of Trust of even date securing the same, at Book 11088, Page 617 in the real estate records of Davidson County, Tennessee, executed by Alondra Woodard and Lorenzo Roberts and conveyed to John Lowe, as Trustee for NationsCredit Financial Services Corporation.

THAT the current holder of the indebtedness by said Deed of Trust, The Bank of New York, acting solely in its capacity as Trustee for EQCC Trust 2001-2, offered the subject property for sale to the highest bidder on December 26, 2002, at the Davidson County Courthouse in Nashville, Tennessee, to wit:

> A certain tract or parcel of land located in Davidson County, Tennessee, described as follows, to-wit: Land in Davidson County, Tennessee, being Lot Number 319 on the Plan of Burchwood Gardens, Section 3, of record in Book 2900, Page 116, Register's Office for Davidson County, Tennessee, to which reference is hereby made for a more complete and accurate description. Being the same property conveyed to grantors herein by deed being recorded simultaneously herewith.
>
> Commonly known as: 1923 Pinehurst Drive, Nashville, Tennessee 37216.

THAT at such time, an agent of the Successor-Trustee struck off and sold the subject property to The Bank of New York, acting solely in its capacity as Trustee for EQCC Trust 2001-2, for the sum of $80,245.65, that being the highest and best bid offered.

THAT, by Trustee's Deed duly recorded in the real estate records of Davidson County, Tennessee on January 24, 3003 as Instrument No. 20030124-0010215, the subject real property was conveyed to The Bank of New York, acting solely in its capacity as Trustee for EQCC Trust 2001-2 for the sum of $80,245.65 pursuant to the Tennessee Statutory Foreclosure Act.

THAT subsequent to said sale, sufficient conditions arose to warrant the rescission of the sale and restoration of the subject property to its former state.

THAT the Note and Deed of Trust are hereby ratified and reformed to their former status.

THAT The Bank of New York, acting solely in its capacity as Trustee for EQCC Trust 2001-2, a Delaware Corporation, thus hereby rescinds the foreclosure sale and Trustee's Deed.

FURTHER, Affiant sayeth not.

Fairbanks Capital Corp. Attorney In Fact for:

THE BANK OF NEW YORK, ACTING SOLELY IN ITS CAPACITY AS TRUSTEE FOR EQCC TRUST 2001-2

By: Madeline Ramos

Madeline Ramos
Document Control Officer

ACKNOWLEDGEMENT

STATE OF PA
COUNTY OF Montgomery

On this 6 day of March, 2003 before me, a Notary Public within and for the county and state aforesaid, personally appeared Madeline Ramos who stated that he/she was the Dir Control Officer of The Bank of New York, acting solely in its capacity as Trustee for EQCC Trust 2001-2, and whose name is subscribed to the foregoing instrument, and who acknowledges that the contents of said Affidavit were true and correct and that the Affidavit was executed for the purposes therein contained.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

Notary Public

NOTARIAL SEAL
NIKOLE SHELTON, Notary Public
Hatboro Boro, Montgomery County
My Commission Expires May 1, 2006

NIKOLE ... COMMONWEALTH OF PENNSYLVANIA NOTARY ...

My Commission Expires:

W&A No. 845-202907
70017039601