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THIS INSTRUMENT PREPARED BY:
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Davidson County ORDER
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IN THE UNITED STATES BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE

IN RE:	)	
	)	
CHANTELLE YVONNE	)	
(PATTON) JACKSON	)	CASE NO. 04-13740
	)	CHAPTER 7
DEBTOR.	)	JUDGE HARRISON

AGREED ORDER GRANTING RELIEF FROM STAY TO NATIONAL BANK OF COMMERCE

It appearing to the Court, as evidenced by the signature of counsel for the respective parties below, that the parties are in agreement as follows:

National Bank of Commerce is the beneficiary of the Deed of Trust of record in Book 11623, page 284 and re-recorded in Book 11674, page 647, Register's Office for Davidson County, Tennessee (hereinafter referred to as "Deed of Trust"). Said Deed of Trust secures to National Bank of Commerce the payment in full of the note evidencing the subject indebtedness in the original principal sum of $132,573.00.

The grantor, Chantelle Y. Patton (the "Debtor" or "Borrower"), conveyed the real property described herein to Charles A. Neale and R. Grattan Brown, Jr., Trustees, for the benefit of the Lender, with power of sale;

The real property ("Property") is described as follows:

> Land in Davidson County, Tennessee, being Lot. No. 59, on the plan of Section Four, Chelsea Village Addition, as shown on plat of record in Plat Book 9700, page 110, in the Register's Office of Davidson County, Tennessee, to which plat reference is hereby made for a more particular description.

Attest:
A True Copy
Certified this 12-22-04

U.S. Bankruptcy Court
By Doni Bordelon
Deputy Clerk

Being the same property conveyed to Chantelle Y. Patton by Quitclaim Deed of record in Book 11623, Page 282, Register's Office for Davidson County, Tennessee.

Possible Map and Parcel: 149-3-A/102

Possible Address: 2905 Split Oak Trail, Antioch, Tennessee 37013

(The map and parcel above are believed to be correct; but same is not part of the legal description of the property and in the event of any discrepancy, the legal description herein shall control.)

National Bank of Commerce, pursuant to the terms and conditions of the above Deed of Trust, did appoint Amy Smith as Substitute Trustee, to serve in the stead of the Trustee with all powers granted unto the Trustee, such appointment appearing of record at Instrument Number 20040928-0116608, Register's Office for Davidson, Tennessee;

National Bank of Commerce notified the Trustee of the default by the Borrower in the payments called for in the note secured by the above Deed of Trust and demanded that the Trustee advertise the subject property for sale pursuant to the terms and conditions of the said Deed of Trust;

The Substitute Trustee did advertise the property for sale in the "Nashville Record" on October 21, October 28, and November 4, 2004, in accordance with and in fulfillment of the requirements of the above Deed of Trust;

The Debtor, under the name Chantelle Yvonne Jackson, filed for bankruptcy relief on November 10, 2004;

The Bank and the Substitute Trustee were unaware that the Bankruptcy Case had been filed;

The Substitute Trustee and/or her agent, in accordance with the requirements of the above Deed of Trust and the published advertisement for sale of the subject property, did on the 16th day of November, 2004, appear and conduct the sale of the herein described property;

National Bank of Commerce did place the highest bid for the subject property, being the sum of $112,000.00; one other person did appear at the foreclosure sale but did not place a bid;

The Debtor intended to surrender the Property upon filing bankruptcy, and the Chapter 7 Trustee has agreed to abandon any interest he has in the Property; and

Further, the parties agree and acknowledge that the foreclosure is valid and is unaffected by the bankruptcy filing; therefore, is not void or voidable.

It is therefore **ORDERED, ADJUDGED and DECREED** that the automatic stay of 11 U.S.C. §362 be and is hereby terminated as to National Bank of Commerce, that said relief shall be effective retroactively to the date of the bankruptcy filing of November 10, 2004, that the November 16, 2004 foreclosure sale of the Property to National Bank of Commerce is valid, that no further action as to the foreclosure need be taken by National Bank of Commerce, and that the possession and disposition of the above-described Property by National Bank of Commerce did occur in accordance with its contract with the Debtor, the deed of trust, and applicable law.

It is further **ORDERED, ADJUDGED and DECREED** that the Chapter 7 Trustee hereby abandons said Property as burdensome or of inconsequential value and benefit to the estate pursuant to 11 U.S.C. §554, and that the trustee is relieved of the requirements of giving notice of this abandonment pursuant to the local rules of practice since the equity to the estate in the assets being abandoned is less than $500.00 per item and less than $1,000.00 in the aggregate.

IT IS SO ORDERED.

ENTERED nunc pro tunc, this the _____ day of _____, 2004.

/s/Marian F. Harrison DEC 21 2004

U.S. BANKRUPTCY JUDGE
JUDGE M. HARRISON

APPROVED FOR ENTRY:

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Chapter 7 Trustee

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