Davidson County DEEDTRS
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Fees:12.00 Taxes:0.00
20050224-0020727

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

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

STATE OF ARKANSAS
COUNTY OF PULASKI

BEFORE ME, the undersigned authority, on this day personally appeared Christopher L. Palmer who acknowledged himself to be an Attorney of Wilson & Associates, P.L.L.C. for the limited purpose of foreclosing the Deed of Trust stated below on behalf of Mortgage Electronic Registration Systems, Inc., and 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 dated January 31, 2003 and recorded on February 5, 2003 and a Deed of Trust of even date securing the same as Instrument No. 20030205-0015883 in the real estate records of Davidson County, Tennessee, executed by Forrest M. Garrett and Patricia A. Garrett and conveyed to Arnold M. Weiss, Attorney, as Trustee for America's Wholesale Lender.

THAT the current holder of the indebtedness secured by said Deed of Trust, Mortgage Electronic Registration Systems, Inc., offered the subject property for sale to the highest bidder on or about January 12, 2005 at the Gaylord Entertainment Center in Nashville, Tennessee:

> Land in Davidson County, Tennessee, being Lot No. One Hundred and Seven (107) on the Plan of Trimble's First Addition to Nashville, as of record in Book 19, page 220, Register's Office for said County. Said Lot No. 107 fronts fifty (50) feet on the southerly side of Trimble Street, and runs back between parallel lines one hundred and sixty (160) feet to an alley. Being the same property conveyed to Forrest M. Garrett and wife, Patricia A. Garrett by deed dated 12/2/98 from Nancy E. Palmer of record in Book 11232, page 166, Register's Office for Davidson County, Tennessee.
>
> Commonly known as: 11 Trimble Street, Nashville, Tennessee 37210

THAT at such time, an agent of Mortgage Electronic Registration Systems, Inc. struck off and sold the subject property to Mortgage Electronic Registration Systems, Inc. at and for the sum of $73,780.18, that being the highest and best bid offered.

THAT by Trustee's Deed duly recorded in the Real Estate Records of Davidson County, Arkansas, on January 31, 2005 as Instrument No. 20050131-0010749, the subject real property was conveyed to Mortgage Electronic Registration Systems, Inc. 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 Mortgage Electronic Registration Systems, Inc. thus hereby rescinds the foreclosure sale and Trustee's Deed.

FURTHER, Affiant sayeth not.

WILSON & ASSOCIATES, P.L.L.C.

By: _____

ACKNOWLEDGEMENT

Before me, the undersigned, personally appeared Christopher L. Palmer, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who, upon oath acknowledged such person to be an officer authorized to execute the instrument of Mortgage Electronic Registration Systems, Inc., 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.

Felesia L. Booker
Notary Public

FELESIA L. BOOKER
NOTARY PUBLIC-STATE OF ARKANSAS
PULASKI COUNTY
My Commission Expires 5-1-2012

My Commission Expires:

5/1/12

W&A No. 79667