This Instrument Prepared by:
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Davidson County DEEDTRS
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AFFIDAVIT TO RESCIND TRUSTEE'S SALE AND SUBSTITUTE TRUSTEE'S DEED

STATE OF ARKANSAS
COUNTY OF PULASKI

BEFORE ME, the undersigned authority, on this 5th day of April, 2005, personally appeared Christopher 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 U.S. Bank National Association, f/k/a First Bank National Association Trust, acting solely in its capacity as trustee for EQCC Home Equity Loan Trust 1999-2, and who after being duly sworn, deposed and stated:

THAT default occurred in the performance of the covenants, terms, and conditions of a Note dated January 4, 1999 and a Deed of Trust of even date securing the same at Book 11297, Page 971 in the Register's Office of Davidson County, Tennessee, executed by Laura Jane Evans aka Laura Evans, and Shirley A. Peebles aka Shirley Peebles and delivered to John Lowe, as Trustee for EQCC of TN.

THAT the current holder of the indebtedness secured by said Deed of Trust, U.S. Bank National Association, f/k/a First Bank National Association Trust, acting solely in its capacity as trustee for EQCC Home Equity Loan Trust 1999-2, offered the subject property for sale to the highest bidder on or about July 23, 2003 at 10:00 a.m. at the Davidson County Courthouse in Tennessee, to wit:

> Land in Davidson County, Tennessee, being Lot Number 5 on the Plan of Benedict Land Company's Subdivision of Lindsley Tract of record in Book 332, Page 40, Register's Office for Davidson County, Tennessee, described as follows: Said Lot Number 5 fronts 50 feet, on the Northerly side of Cleveland Street and extends back 150 feet between parallel lines to an alley in the rear. Being the same property conveyed to the within named grantors by deed of record in Book 332, Page 40 Register's Office for said county. This conveyance is subject to any and all existing easements and restrictions of record.
>
> Commonly known as: 205 Cleveland Street, Nashville, Tennessee 37207.

THAT at such time, an agent of U.S. Bank National Association, f/k/a First Bank National Association Trust, acting solely in its capacity as trustee for EQCC Home Equity Loan Trust 1999-2 struck off and sold the subject property to U.S. Bank National Association, f/k/a First Bank National Association Trust, acting solely in its capacity as trustee for EQCC Home Equity Loan Trust 1999-2 at and for the sum of $33,537.65, that being the highest and best bid offered.

THAT by Trustee's Deed duly recorded in the Register's Office of Davidson County, Tennessee, on July 31, 2003 as Instrument No. 20030731-0108622, the subject real property was conveyed to U.S. Bank National Association, f/k/a First Bank National Association Trust, acting solely in its capacity as trustee for EQCC Home Equity Loan Trust 1999-2 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 U.S. Bank National Association, f/k/a First Bank National Association Trust, acting solely in its capacity as trustee for EQCC Home Equity Loan Trust 1999-2, thus hereby rescinds the foreclosure sale and Trustee's Deed.

FURTHER, Affiant sayeth not.

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

By: _____
Christopher Palmer

ACKNOWLEDGEMENT

Before me, the undersigned, personally appeared Christopher 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 U.S. Bank National Association, f/k/a First Bank National Association Trust, acting solely in its capacity as trustee for EQCC Home Equity Loan Trust 1999-2, 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.

Witness my hand and seal at office in Little Rock, Arkansas this 8th day of April, 2005.

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. 845-2021214-41764