Davidson County DEEDTRS
Recvd: 05/04/05 09:15 2 pgs
Fees:12.00 Taxes:0.00
20050504-0049708

This instrument prepared by and return to:
Wilson & Assoc., P.L.L.C.
1521 Merrill Dr, Suite D-220
Little Rock, AR 72211

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

STATE OF ARKANSAS

COUNTY OF PULASKI

BEFORE ME, the undersigned authority, personally appeared Robert M. Wilson, Jr., who is well known to me or provided sufficient evidence of his/her identity to me and who, after being duly sworn, deposed and stated under oath and penalty of perjury as follows:

THAT default occurred in the performance of the covenants, terms, and conditions of a Deed of Trust Note dated November 15, 1999, and the Deed of Trust of even date securing the same, at Book 11749, Page 882 in the Register's Office of Davidson County, Tennessee, executed by Donald Edwin Kniffen and Margaret Mary Kniffen and conveyed to John B. Philip, as trustee for AEGIS Mortgage Corporation d/b/a UC Lending.

THAT the current holder of the indebtedness by said Deed of Trust, GMAC Mortgage offered the subject property for sale to the highest bidder on March 26, 2003, at the Davidson County Courthouse, Tennessee, to wit:

> A certain condominium apartment located in Davidson County, Tennessee, described as follows, to-wit: Unit Number 980, together with the Carport designated Number 980-C, in River Plantation, Section Six, Phase One, a Condominium, a Horizontal Property Regime, located on Sawyer Brown Road and General George Patton Road, Nashville, Davidson County, Tennessee, as shown on the plat of River Plantation, Section Six, Phase One, Condominium Apartments, recorded in Book 5200, Pages 359 and 360, Register's Office for Davidson County, Tennessee, and described in a Master Deed recorded in Book 5794, Page 526, Register's Office for Davidson County, Tennessee, to which reference is hereby made. Being the same property conveyed to Donald Edwin Kniffen and wife, Margaret Mary Kniffen by deed from Irene F. Kniffen, unmarried, of record in Book 10657, Page 215, Register's Office for Davidson County, Tennessee. The address of the above described property is: 980 General George Patton Road, Nashville, Tennessee 37221.

THAT at such time, an agent of the Successor-Trustee struck off and sold the subject property to GMAC Mortgage for the sum of $97,335.92, that being the highest and best bid offered.

THAT, GMAC Mortgage, by Trustee's Deed duly recorded in the Register's Office of Davidson County, Tennessee on April 23, 2003 at Instrument No. 20030424-0055144, the subject real property was conveyed to GMAC Mortgage for the sum of $97,335.92.

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 GMAC Mortgage, thus hereby rescinds the foreclosure sale and Trustee's Deed.

FURTHER, Affiant sayeth not.

GMAC MORTGAGE

By:_____
Robert M. Wilson, Jr.
Successor Trustee

W&A 902-25978

ACKNOWLEDGMENT

STATE OF ARKANSAS
COUNTY OF PULASKI

Before me, the undersigned, personally appeared Robert M. Wilson, Jr., Successor-Trustee, 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 GMAC Mortgage, 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 this 28 day of Apr, 2005.

Lena M. Nagle

Notary Public
My Commission Expires:_____

Lena M. Nagle
NOTARY PUBLIC
Pulaski County, Arkansas
My Commission Exp. 8-10-2011

W&A 902-25978