AFFIDAVIT TO RESCIND FORECLOSURE SALE

Davidson County DEEDTRS
Recvd: 10/04/05 16:00 2 pgs
Fees:12.00 Taxes:0.00
20051004-0119640

STATE OF ARKANSAS)
COUNTY OF PULASKI)

The actual consideration or value, whichever is greater, for this transfer is $0.00.

Robert S. Coleman, Jr.

Subscribed and sworn before me this the 15th day of September 2005

"NOTARY SEAL"
[illegible] Gann Notary Public
[illegible] County, State of Arkansas
My [illegible] Expires Feb 25, 2013.

Notary Public

My commission expires: 2/25/2013

This instrument was prepared by:

Robert S. Coleman, Jr.
1405 North Pierce, Suite 306
Little Rock, Arkansas 72207

Whereas, on November 15, 2002, Patricia Diane Lane executed a Deed of Trust to secure payment of a certain obligation in the amount of $77,400.00, said Deed of Trust having been placed of record as Instrument No. 20021204-0149634 of the Register's Office of Davidson County, Tennessee, and

Whereas, default occurred in the terms, condition and payments provided in said Deed of Trust and the holder of said indebtedness, Novastar Mortgage, Inc., appointed Robert S. Coleman, Jr., as Successor Trustee as Instrument No. 20041108-0134144; and

Whereas, a foreclosure sale was held on August 25, 2005, in accordance with the terms set forth in said Deed of Trust and a Successor Trustee's Deed was executed and recorded on September 7, 2005, as Instrument No. 20050907-0107065; and

Whereas, the said Patricia Diane Lane obtained a Temporary Restraining Order in the U.S. Bankruptcy Court, Middle District of Tennessee, on August 25, 2005 under case number 05-10206; and

Whereas, the Successor Trustee did not receive notice of the bankruptcy filing and the Successor Trustee held the sale on August 25, 2005, and filed the Successor Trustee's Deed on September 7, 2005. The Successor Trustee's Deed was recorded in the Register's office of Davidson County, Tennessee as Instrument NO. 20050907-0107065.

THEREFORE, it is hereby acknowledged and declared by the undersigned Successor Trustee that the above referenced sale is rescinded, voided and vacated and the Successor Trustee's Deed is hereby held to be null and void, and the property in the legal description contained therein remains entitled of it's previous owner.

Further Affiant sayeth not this 15th day of Sept., 2005.

Robert S. Coleman, Jr.
Successor Trustee

STATE OF ARKANSAS)
COUNTY OF PULASKI)

Personally appeared before me, the undersigned, a Notary Public in and for said county and state. ROBERT S. COLEMAN, with whom I am personally acquainted, and who acknowledged that he executed the within instrument for the purposes therein contained, and who further acknowledged that he is the SUCCESSOR TRUSTEE of the holder (or a constituent of the holder) and is authorized by the holder (or by its constituent, the constituent being authorized by the holder) to execute this instrument on behalf of the holder.

Witness my hand, at Little Rock, Arkansas, this 15th day of September, 2005.

My commission expires: 2/25/2013

Notary Public

"NOTARY SEAL."
Krista L. Gann, Notary Public
Pulaski County, State of Arkansas
My Commission Expires Feb 25, 2013.