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ENTERED ON ENTRY

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE 2004 SEP 23 AM 9:00
AT NASHVILLE

A True Copy Certified this 8/3/04
U.S. Bankruptcy Court
By Doni Bondurant
Deputy Clerk

BANKRUPTCY COURT MIDDLE DISTRICT OF TN

IN RE:	)	
	)	
MICHAEL EUGENE McCLAIN,	)	
	)	
Debtor,	)	
	)	CASE NO. 3 04-08633
HOUSEHOLD FINANCIAL CENTER, INC.	)	TRUSTEE: Hildebrand, III
	)	
Creditor,	)	

Davidson County ORDER
Recvd: 08/03/06 08:57 3 pgs
Fees:17.00 Taxes:0.00
20060803-0094350

AGREED ORDER

As evidenced by signature of respective counsel of the parties, it is agreed that a foreclosure proceeding conducted during the pendency of this case, but absent notice to the creditor or its counsel, is deemed void, and that the creditor's deed of trust and underlying indebtedness should be reinstated for purposes of title records in the Register of Deeds and to be further evidenced by recording of this Order of the Bankruptcy Court.

IT IS, THEREFORE ORDERED:

1. That a Substitute Trustee's Deed executed by Substitute Trustee to convey the property to Household Financial Center, Inc. of record in Instrument No. 20040727-0089366, Register's Office of Davidson County, Tennessee, is declared null and void and is hereby set aside.

2. Title shall remain vested in Michael E. McClain and Valerie McClain as set forth in the certain deed of record in Book 6705, page 446, Register's Office of Davidson County, Tennessee subject to that Deed of Trust executed by Michael E. McClain and Valerie McClain to

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Michael Brown, Trustee, dated the 3rd day of January, 2000, and being of record in Instrument No. 200001050001408, Register's Office for Davidson County, Tennessee, referred to herein as the Deed of Trust which conveyed certain real property, appurtenances, estate, title, and interest therein in trust to secure the indebtedness described therein. The Deed and Deed of Trust are hereby reinstated with all rights, title, and interest vested to each party thereto as if the foreclosure Substitute Trustee's Deed of record at Instrument No. 20040727-0089366, Register's Office of Davidson County, Tennessee, had never been executed or recorded.

3. The parties shall cause a certified copy of this Order to be recorded in the said Register's Office to evidence the title accordingly.

ENTERED this ____ day of _____, 2004.

SEP 22 2004

Keith C Paine II
U.S. BANKRUPTCY JUDGE

APPROVED FOR ENTRY:

Ronald K. Nevin
Attorney for Debtor
404 James Robertson Pky Ste 1850
Nashville, TN 37219
(615) 244-7708

William Timothy Hill, #9487
Attorney for Creditor
AmSouth Center, Suite 1230
315 Deaderick Street
Nashville, TN 37238-1230
(615) 256-1577

A copy of this order shall be mailed in accordance with *Fed. R. Bankr. P.* 2002, LBR 9013-1 and 9013-3 by:

[ ] Debtor or Dr's Atty
[ ] Trustee or Tr's Atty
[✓] Atty for Movant
[ ] _____

[ ] Clerk's Office only:
[ ] Chief Deputy
[ ] Financial Clerk
[ ] Judgment Book
[ ] Adversary Case
[✓] UST
[ ] _____
[ ] Debtor and Dr's Atty
[✓] Trustee &/or Tr's Atty
[ ] Movant &/or Mvt's Atty
[ ] All parties to agreed order
[ ] All parties in cert of svc
[ ] All creditors

Henry E. Hildebrand, III
Chapter 13 Trustee
P.O. Box 190664
Nashville, TN 37219
(615) 244-1101

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing has been served via First-Class, U. S. Mail, postage prepaid, to:

Michael Eugene McClain
Valerie McClain
1119 Kirkland Ave.
Nashville, TN 37216

Office of the U.S. Trustee
701 Broadway
Room 318, Customs House
Nashville, TN 37203

on this the 16th day of September, 2004

William Timothy Hill