Prepared by:
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Attorney at Law
Suite C-205, Nashville House
One Vantage Way
Nashville, TN 37228

AFFIDAVIT TO RESCIND FORECLOSURE SALE

WHEREAS, on AUGUST 21, 1985, DAVID R. HICE AND WIFE, PAMELA D. HICE, ("borrowers"), executed a Deed of Trust to secure payment of a certain obligation in the amount of $57,000.00, said Deed of Trust having been placed of record in Book 6640, Page 619, Register's Office for 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, U.S. BANK, N.A. ("lender"), appointed J. PHILLIP JONES, as Substitute Trustee by Instrument of record in Instrument No. 20050406-0038004.

WHEREAS, a Foreclosure Sale was held on DECEMBER 15, 2006, in accordance with the terms set forth in said Deed of Trust and a Substitute Trustee's Deed conveying the property to Integrity Real Estate, LLC was executed and recorded on DECEMBER 15, 2006, in Instrument No. 20061215-0154758 and

WHEREAS, unknown to the Substitute Trustee the borrowers and the lender had worked out a forbearance arrangement wherein the default would be cured over time and the Foreclosure Sale should therefore have NOT taken place.

NOW THEREFORE, it is hereby acknowledged and declared by the undersigned Substitute Trustee that the Foreclosure Sale held on DECEMBER 15, 2006, and the resulting Substitute Trustee's Deed to Integrity Real Estate, LLC are voided, rescinded and vacated, have been held and recorded in error and further that the title to the subject shall remain vested in the borrowers as per the deeds of record in Book 6640, Page 616 and Instrument No. 20060607-0067566, Register's Office for DAVIDSON County, Tennessee, and the Deed of Trust held by U.S. Bank, N.A. of record in Book 6640, Page 619, Register's Office for DAVIDSON County, Tennessee shall remain in full force and effect as if the Foreclosure Sale had not been held.

Further, Affiant Sayeth not this 21st day of DECEMBER, 2006.

J. PHILLIP JONES
Substitute Trustee
Suite C-205, Nashville House
One Vantage Way
Nashville, TN 37228
(615) 254-4430

Davidson County DEEDTRS
Recvd: 12/27/06 08:14 2 pgs
Fees:12.00 Taxes:0.00
20061227-0158671

STATE OF TENNESSEE
COUNTY OF DAVIDSON

Personally appeared before me, the undersigned, a Notary Public, in and for said County, and State aforesaid, personally appeared J. PHILLIP JONES, with whom I am personally acquainted or proved to me on the basis of satisfactory evidence, and who acknowledged that he executed the within instrument for the purposes therein contained.

Witness my hand and official seal at Nashville, Tennessee, this the 21st day of DECEMBER, 2006.

Dawn M.E. McMahon
NOTARY PUBLIC

My Commission Expires: NOV. 2, 2009

