Davidson County DEEDTRS
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Fees:12.00 Taxes:0.00
20070305-0026395

This Instrument Prepared by:
Wilson & Associates, P.L.L.C.
1521 Merrill Drive, Suite D-220
Little Rock, AR 72211
(501) 219-2388

AFFIDAVIT TO RESCIND TRUSTEE'S SALE

STATE OF Arkansas
COUNTY OF Saline

BEFORE ME, the undersigned authority, on this 1st day of March, 2007, personally appeared Aaron L. Squyres, 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 EMC Mortgage Corporation, 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 November 30, 2004 and a Deed of Trust of even date securing the same as Instrument No. 20041203-0144148 in the Office of Register of Deeds for Davidson County, Tennessee, executed by Michael Hoag and Lori Woods, and delivered to Alfred E. Abbey as Trustee for Mortgage Electronic Registration Systems, Inc. acting solely as nominee for Sebring Capital Partners, Limited Partnership and Sebring Capital Partners, Limited Partnership's successors and assigns.

THAT the current holder of the indebtedness secured by said Deed of Trust, EMC Mortgage Corporation, offered the subject property for sale to the highest bidder on or about February 14, 2007 at 10:00 a.m. at the Gaylord Entertainment Center, 501 Broadway, Nashville, Tennessee, to wit:

> Being Lot No. 14 on the Plan of Oakcrest Subdivision, Phase One-B, as shown by plat of record in Plat Book 6900, Page 385, of the Register's Office of Davidson County, Tennessee, to which plat reference is hereby made for a more complete and accurate description of said lot. Being the same property conveyed to Michael Hoag and wife, Lori Woods by deed from Albert B. Barnett III and Wife, Lillian C. Barnett as of record in Record Book 2004, Page 1203, Register's Office for said County.

Commonly known as: 128 Oak Hollow Court, Hermitage, Tennessee 37076.

THAT at such time, an agent of EMC Mortgage Corporation struck off and sold the subject property to a third party at and for the sum of $167,500.00, that being the highest and best bid offered.

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 EMC Mortgage Corporation thus hereby rescinds the foreclosure sale.

FURTHER, Affiant sayeth not.

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

By:_____

ACKNOWLEDGEMENT

Before me, the undersigned, personally appeared Aaron L. Squyres, 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 EMC Mortgage Corporation, 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 1 day of March, 2007.

_____
Notary Public

My Commission Expires:

_____

Shannon L. Defoor
NOTARY PUBLIC
Saline County, Arkansas
My Commission Exp. 8-10-2011

W&A No. 113203