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SEP 20 2007
Dav. Co. Chancery Court

IN THE CHANCERY COURT FOR DAVIDSON COUNTY, TENNESSEE

JIM ATTAR and HASSAN ESLAMI,	)	
	)	
Plaintiffs,	)	
	)	
v.	)	**Case No. 06-3037-III**
	)	
URBANO HERNANDEZ MARTINEZ,	)	
	)	
Defendant,	)	
	)	
and	)	
	)	
BAYROCK MORTGAGE CORPORATION, their Successors and/or Assigns,	)	
	)	
Defendant.	)	

NF

2007 SEP 26 PM 4:22

AGREED ORDER INVALIDATING TAX SALE

The Court finds, based on the signatures of undersigned counsel for the parties, that the parties have agreed to the entry of this order (1) invalidating and voiding the sale for delinquent taxes of the property at 76 Whitsett Road, Nashville, Tennessee 37210 (the "Property") to Plaintiff on September 14, 2005, and (2) vacating, invalidating, and voiding the Final Decree Confirming Sale entered by the Court in the case of State of Tennessee v. Delinquent Taxpayers, Davidson County Chancery Court Case No. 05-660-II on October 27, 2005 and recorded in the Register's Office for Davidson County on November 4, 2005, a copy of which is attached hereto as **Exhibit A**. Based on the agreement of the parties, the Court further finds that title to the Property should be returned to the status that such title had immediately prior to the tax sale that occurred regarding the Property on September 14, 2005. The Courts finds that this Order shall be recorded in the Register's Office for Davidson County.

Davidson County ORDER
Recvd: 10/02/07 11:07 8 pgs
Fees:42.00 Taxes:0.00
20071002-0117207

IT IS, THEREFORE, ORDERED, ADJUDGED, AND DECREED that the sale for delinquent taxes of the Property to Plaintiff on September 14, 2005 is hereby INVALIDATED and VOIDED.

IT IS, THEREFORE, FURTHER ORDERED, ADJUDGED, AND DECREED that the Final Decree Confirming Sale entered by the Court in the case of State of Tennessee v. Delinquent Taxpayers, Davidson County Chancery Court Case No. 05-660-II on October 27, 2005 and recorded in the Register's Office for Davidson County on November 4, 2005, attached hereto as **Exhibit A**, is hereby VACATED, INVALIDATED, and VOIDED.

IT IS, THEREFORE, FURTHER ORDERED, ADJUDGED, AND DECREED that title to the Property should be returned to the status such title had immediately prior to the tax sale that occurred regarding the Property on September 14, 2005.

IT IS, THEREFORE, FURTHER ORDERED, ADJUDGED, AND DECREED that this Order shall be recorded in the Register's Office for Davidson County by counsel for Wells Fargo Bank, N.A. d/b/a America's Servicing Company.

IT IS SO ORDERED.

Ellen Hobbs Lyle
CHANCELLOR

I HEREBY CERTIFY THAT THIS IS A TRUE COPY
OF ORIGINAL INSTRUMENT FILED IN MY OFFICE.
THIS 28th DAY OF APRIL, 2007
CRISTI SCOTT, CLERK & MASTER
BY _____ DEPUTY CLERK

APPROVED FOR ENTRY:

Robert F. Spann By Permission

Robert F. Spann (BPR No. 2531)
214 Second Avenue North, Suite 400
Nashville, Tennessee 37238-1545
(615) 248-2300

Attorney for Plaintiffs
Jim Attar and Hassan Eslami

Charles D. Buckholts By Permission

Charles D. Buckholts (BPR No. 19318)
2400 Crestmoor Road
Nashville, Tennessee 37215
(615) 386-7118

Attorney for Defendant
Urbano Hernandez Martinez

Andrew J. Pulliam (BPR No. 16863)
Wyatt, Tarrant & Combs, LLP
2525 West End Avenue, Suite 1500
Nashville, Tennessee 37203
(615) 244-0020

Attorney for Defendant Wells Fargo Bank, N.A.
d/b/a America's Servicing Company,
Successor and Assign to Bayrock Mortgage Corporation

CERTIFICATE OF SERVICE

I hereby certify that on September 20, 2007, a true and correct copy of the foregoing was served by First Class Mail, postage prepaid on Robert F. Spann, 214 Second Avenue North, Suite 400, Nashville, Tennessee 37238 Attorney for Plaintiffs Jim Attar and Hassan Eslami; and, Charles D. Buckholts, 2400 Crestmoor Road, Nashville, Tennessee 37215, Attorney for Defendant/Counter-Plaintiff Urbano Hernandez Martinez.

Andrew J. Pulliam

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OCT 21 2005

DAV. CO. CHANCERY COURT

FILED
2005 OCT 27 AM 10:39

IN THE CHANCERY COURT FOR DAVIDSON COUNTY, TENNESSEE

THE METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY IN ITS OWN BEHALF AND FOR THE USE AND BENEFIT OF THE STATE OF TENNESSEE,

Plaintiff,

v.

DELINQUENT TAXPAYERS AS SHOWN ON THE **2003** REAL PROPERTY TAX RECORDS OF THE METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY, TENNESSEE,

URBANO HERNANDEZ MARTINEZ

Control No. **1284-1800**
Field Book No. **USD 05208**

Defendant(s).

File - Tax Civil Action
Number **05-660-II**

I hereby certify that this is a true copy of original instrument filed in my office.
This 1st day of Nov. 2005
CRISTI SCOTT, Clerk & Master
By Judy Carnegie
Deputy

FINAL DECREE CONFIRMING SALE

This cause came to be heard upon motion of Plaintiff to confirm the Report of Sale of the Clerk and Master. It appearing to the Court that this Report has been on file more than five (5) days and is without exception.

It is, therefore, ORDERED by the Court that the Motion to Confirm be, and the same hereby is, granted. All rights, title and interest of the Defendant(s) **URBANO HERNANDEZ MARTINEZ** and any and all unknown heirs-at-law or devisees, and of all other interested parties to this suit and to said parcel of land be divested out of them and each of them and be vested in the purchaser(s) **JIM A. ATTAR & HASSAN ESLAMI** subject to the equity of redemption.

Davidson County ROS
Recvd: 11/04/05 11:45 4 pgs
Fees:23.00 Taxes:15.17
[redacted]
20051104-0133921

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EXHIBIT
A

In the names of the parties, the Clerk and Master will make, acknowledge for registration and deliver to said purchaser a deed conveying all the right, title and interest of all the parties to this suit to the purchaser(s) in and to said tract of land or will give the purchaser(s), if preferred, a certified copy of this Decree for registration.

The costs of the said deed or certified decree will be paid by said purchaser(s), and on application, a writ of possession will issue to put the purchaser(s) in possession of said parcel of land at purchaser's(s') cost.

Out of the proceeds of said sale, the Clerk and Master will make disbursements in the following order:

1. The costs of this cause.

2. All real property taxes, penalty, interest, statutory attorney fees, and costs due and payable to the Metropolitan Government on the date of the sale.

3. Any parks or other liens held by the Metropolitan Government which are of record in the Register's Office for Davidson County, Tennessee.

The Clerk and Master will retain, subject to rightful claims, whatever balance may remain after the above payments. The purchaser(s) shall be liable for the taxes assessed against the property beginning with the year **2005** and continuing so long as he shall own the property.

All other matters are reserved.

The Report of Sale of the Clerk and Master follows and is incorporated herein.

Carol L. McCoy
CHANCELLOR

APPROVED FOR ENTRY:

Margaret O. Darby #20701
Metropolitan Attorney
204 Metropolitan Courthouse
Nashville, TN 37201
(615)862-6341

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing **Final Decree Confirming Sale** has been forwarded by U.S. Mail to the following, this 21st day of October 2005.

Urbano Hernandez Martinez
76 Whitsett Rd.
Nashville, TN 37210

Jim A. Attar & Hassan Eslami
248 Burgandy Hill Rd.
Nashville, TN 37211

Margaret O. Darby

METROPOLITAN GOVERNMENT ETC.

VS.

DELINQUENT TAXPAYERS ETC.
(URBANO HERNANDEZ MARTINEZ)

FILE NO. 05-660-II

CONTROL NO. 1284-1800

FIELD BOOK NO. USD 05208

REPORT OF SALE

To the Chancellor:

FILED
2005 SEP 21 PM 4:05
CLERK & MASTER
DAVIDSON CO. CHANCERY CT.
D.C.

An order was entered in this case on JUNE 6, 2005, on page 792 of Tax Minute Book 102 directing the Clerk and Master to sell the following described property:

Land in Davidson County, Tennessee

WHITSETT RD
.00 Acres
Field Book Number USD 05208
Map and Parcel Number 119-06-0-A 002.00 CO
Deed Book 20041014, Page 0124048

TERMS OF SALE: Cash. To the highest and best bidder. Subject to the right of equity of redemption. The purchaser(s) shall be liable for payment of taxes assessed against the property beginning with the year 2004, and continuing so long as purchaser(s) shall own the property. If there are any excess funds remaining from the proceeds of said sale after distribution of all taxes and costs as specified above, a reference will be made to pay any full year's taxes, interest and penalty due and payable to the Metropolitan Government on the date of sale. Judgment in this cause is in the amount of $1,093.70 plus interest, penalty, statutory attorney's fees and costs as provided by law.

I respectfully report that I advertised for the required time in the Tennessean, a newspaper published in Nashville, stating that at the second floor of the First Image Building, 501 Great Circle Rd. (Metro Center) in the Part II Courtroom in Nashville, at 12:00 o'clock noon, on WEDNESDAY, SEPTEMBER 14, 2005, I would sell the above described property upon the stated terms. I held the sale as ordered and the property was fairly struck off and sold to JIM A ATTAR and HASSAN ESLAMI for $4,100.00. The purchaser(s) complied by paying $4,100.00.

STATE OF TENNESSEE
COUNTY OF DAVIDSON
THE ACTUAL CONSIDERATION OR TRUE VALUE, WHICHEVER IS GREATER FOR THIS TRANSFER IS
$ 4100.00

AFFIANT

SUBSCRIBED AND SWORN TO BEFORE ME, THIS
THE 4th DAY OF Nov 2005

Deputy Register

Respectfully Submitted,
CRISTI SCOTT
Clerk and Master

By _____
Deputy Clerk and Master

Jim A Attar and
Hassan Eslami
248 Burgandy Hill Rd
Nashville TN 37211