Davidson County AFFIDAVIT
Recvd: 11/30/07 09:26 2 pgs
Fees:12.00 Taxes:0.00
20071130-0138807

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 AND SUBSTITUTE TRUSTEE'S DEED

STATE OF TENNESSEE
COUNTY OF DAVIDSON

BEFORE ME, the undersigned authority, on this 6th day of November, 2007, personally appeared Toney Brasuell, 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 The Bank of New York Trust Company N.A. as successor to JPMorgan Chase Bank N.A. as Trustee, and who after being duly sworn, deposed and stated:

THAT default occurred in the performance of the covenants, terms, and conditions of a Deed of Trust dated November 8, 2001 and recorded on November 19, 2001 as Instrument No. 20011119-0126705 in the Registers Office of Davidson County, Tennessee executed by Michael Lee Holt and Gwendolyn Reed Holt a/k/a Gwendolyn Rogers and delivered to Rudy title & Escrow, LLC.

THAT the current holder of the indebtedness secured by said The Bank of New York Trust Company N.A. as successor to JPMorgan Chase Bank N.A. as Trustee, offered the subject property for sale to the highest bidder on or about October 17, 2007 at 10:00 a.m. at the Davidson County Courthouse in Nashville, Tennessee, to wit:

Being Lot No. 62 on the Plan of the Bordeaux Hills, Section 4, as of record in Book 3600, page 49, Register office for Davidson County, Tennessee.
Said Lot No.62 fronts 51.99 feet on the southeasterly margin of Mexico Drive and runs back 107.28 feet on its southwesterly line and 127.35 feet on the northeasterly line, to a line in the rear on which it measures 71.06 feet thereon.
Being the same property conveyed to the within named grantors by deed of even date, such instrument being recorded simultaneously herewith in instrument No. 20011119-0126704 Register's Office for Davidson County, Tennessee.
This conveyance is subject to any and all existing easements and restrictions as shown of record.
This conveyance is subject to restrictions of record in Book 4405, Page 427, Book 4397, Page 742, Book 4037, Page 588, Book 3917, Page 529, Book 3805, Page 783, Book 3765, Page 101, Register's Office for Davidson County, Tennessee

Commonly known as: 3202 Mexico Drive, Nashville, TN 37218.

Tax Parcel No.: 67.00

THAT at such time, an agent of The Bank of New York Trust Company N.A. as successor to JPMorgan Chase Bank N.A. as Trustee, struck off and sold the subject property to The Bank of New York Trust Company N.A. as successor to JPMorgan Chase Bank N.A. as Trustee at and for the sum of $81,175.00, that being the highest and best bid offered.

THAT by Trustee's Deed duly recorded in the Office of the Register of Deeds of Davidson County, Tennessee, on October 29, 2007 as Instrument No. 20071029-0127148, the subject real property was conveyed to Rudy Title & Escrow, LLC, as Trustee for EquiFirst Corporation.

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 Deed of Trust is hereby ratified and reformed to their former status.

THAT The The Bank of New York Trust Company N.A. as successor to JPMorgan Chase Bank N.A. as Trustee thus hereby rescinds the foreclosure sale and Trustee's Deed.

FURTHER, Affiant sayeth not.

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

By: _____
Toney Brasuell (024932)

ACKNOWLEDGEMENT

Before me, the undersigned, personally appeared Toney Brasuell, 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 The Bank of New York Trust Company N.A. as successor to JPMorgan Chase Bank N.A. as Trustee, 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 28th day of November, 2007.

Melissa D. Rudder
Notary Public

My Commission Expires:

_____

Notary Seal present,
but could not be reproduced.

W&A No. 122080

Bill Garrett
Davidson County Register of Deeds