Davidson County DEEDTRS
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20080111-0003698

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AFFIDAVIT TO RESCIND FORECLOSURE SALE

WHEREAS, on **JUNE 9, 2004**, **TODD W HENRY, A SINGLE MAN** ("borrower"), executed a Deed of Trust to secure payment of a certain obligation in the amount of **$71,100.00**, said Deed of Trust having been placed of record in **INSTRUMENT No. 20040622-0073452**, 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, **CITIMORTGAGE, INC. AS SUCCESSOR BY MERGER TO ABN AMRO MORTGAGE GROUP, INC.**. ("lender"), appointed **J. PHILLIP JONES OR I. DYKE TATUM, EITHER OF WHOM MAY ACT**, as Substitute Trustee by Instrument of record in **INSTRUMENT NO. 20071016-0122838**, and

WHEREAS, a Foreclosure Sale was held on **NOVEMBER 16, 2007**, in accordance with the terms set forth in said Deed of Trust and a Substitute Trustee's Deed was executed and recorded on **NOVEMBER 20, 2007**, in **INSTRUMENT NO. 20071120-0135537**, conveying said property to **FEDERAL HOME LOAN MORTGAGE CORP.** and

WHEREAS, **FEDERAL HOME LOAN MORTGAGE CORPORATION** desires to rescind the foreclosure sale and allow the borrower to reinstate the loan.

NOW THEREFORE, it is hereby acknowledged and declared by the undersigned Substitute Trustee and the Grantee under said Deed, that the Foreclosure Sale held on **NOVEMBER 16, 2007**, and the resulting Substitute Trustee's Deed are voided, rescinded and vacated, have been held and recorded in error and further that the title to the subject shall remain vested in **TODD HENRY** as per the deed of record in **INSTRUMENT NO. 20000906-0088084**, Register's Office for **DAVIDSON** County, Tennessee, subject to the full force and effect of the Deed of Trust of record in **INSTRUMENT No. 20040622-0073452** said Register's Office.

Further, Affiant Sayeth not this 10th day of January, 2008.

J. PHILLIP JONES, Subst. Ho Trustee

J. PHILLIP JONES
Substitute Trustee
c/o TATUM & JONES, PLLC
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One Vantage Way
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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, Substitute Trustee 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 10th day of **JANUARY, 2008**.

Melissa Biddle
NOTARY PUBLIC

My Commission Expires: 5/2/2011

