This Instrument Prepared by:
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Davidson County AFFIDAVIT
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AFFIDAVIT TO RESCIND TRUSTEE'S SALE

STATE OF TENNESSEE
COUNTY OF SHELBY

BEFORE ME, the undersigned authority, on this 9th day of May, 2008, personally appeared Denise Griffin, who acknowledged herself to be an Attorney of Shapiro & Kirsch, LLP, for the limited purpose of foreclosing the Deed of Trust stated below on behalf of Deutsche Bank National Trust Company, as Trustee for the registered holders of Meritage Mortgage Loan Trust 2005-3, Asset-Backed Certificates, Series 2005-3, 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 September 30, 2005 and recorded in Instrument No. 20051011-0122560, in the Register's Office of Davidson County, Tennessee, Elaine Cato conveyed to Service Escrow & Title, Inc., as Trustee for Meritage Mortgage Corporation.

THAT the current holder of the indebtedness secured by said Deed of Trust, Deutsche Bank National Trust Company, as Trustee for the registered holders of Meritage Mortgage Loan Trust 2005-3, Asset-Backed Certificates, Series 2005-3 offered the subject property for sale to the highest bidder on or about February 8, 2008 at the Davidson County Courthouse in Tennessee, to wit:

Described property located in Davidson County, Tennessee to wit:

Lot Number 153, Section 3, Sequoia Valley, of record in Book 4460, Page 83, Register's Office for said County, to which plan reference is hereby made for a more particular description of said property.

Commonly known as: 1276 Cheyenne Boulevard, Madison, TN 37115

Tax Parcel No.: 5305013

THAT as such time, agent of Deutsche Bank National Trust Company, as Trustee for the registered holders of Meritage Mortgage Loan Trust 2005-3, Asset-Backed Certificates, Series 2005-3 struck off and sold the subject property to Deutsche Bank National Trust Company, as Trustee for the registered holders of Meritage Mortgage Loan Trust 2005-3, Asset-Backed Certificates, Series 2005-3 at and for the sum of $130,084.12 that being the highest and best bid offered as evidenced in Substitute Trustees Deed of record at Instrument Number 20080220-0016577

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 Deutsche Bank National Trust Company, as Trustee for the registered holders of Meritage Mortgage Loan Trust 2005-3, Asset-Backed Certificates, Series 2005-3 thus hereby rescinds the foreclosure sale and Trustee's Deed.

FURTHER, Affiant sayeth not.

SHAPIRO & KIRSCH, LLP

By: _____
Denise Griffin

ACKNOWLEDGEMENT

STATE OF TENNESSEE
COUNTY OF SHELBY

Before me, the undersigned notary public of the state and county aforesaid, personally appeared Denise Griffin, 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 a Director (or other such officer authorized to execute the instrument) of Shapiro & Kirsch, LLP, and that such officer executed the foregoing instrument for the purposes therein contained by personally signing his name thereto.

Witness my hand and seal at office in Memphis, Tennessee the May 9, 2008

_____
Notary Public

12/28/08
My Commission Expires

DEEANNA McKIERNAN STATE OF TENNESSEE NOTARY PUBLIC SHELBY COUNTY MY COMM. EXP. 12-28-08