689627
RECEIVED
DEC 15 2008
Dav. Co. Chancery Court

IN THE CHANCERY COURT OF DAVIDSON COUNTY
STATE OF TENNESSEE

COUNTRYWIDE HOME LOANS, INC.,

Plaintiff,

vs.

JANIN BROCK, JASON BROCK, and PROSSER PROPERTIES, LLP,

Defendants.

F0-9

CASE NO.: 08-2527-II

FILED
2008 DEC 19 PM 3:15
CLERK & MASTER
DAVIDSON CO. CHANCERY CT.

CONSENT ORDER SETTING ASIDE FORECLOSURE SALE

Countrywide Home Loans, Inc. ("Countrywide"), Plaintiff in the above-referenced civil action, by and through its undersigned counsel, Janin Brock and Jason Brock, Defendants, and Prosser Properties, LLP, by its General Partner, Marc Prosser, as indicated by their respective signatures below, have agreed to the terms of this Consent Order. After considering the agreement and consent of the parties hereto, the Court finds as follows:

On or about September 22, 2000, Andrew M. Cuomo, Secretary of Housing and Urban Development executed and delivered a Warranty Deed conveying ownership of the Property to Defendants Janin Brock and Jason Brock, husband and wife.

The property is located in Davidson County, Tennessee, commonly known as 432 Cedarview Dr. Nashville, Tennessee 37211 (the "Property") and more particularly described as:

The following described real estate situate, lying and being in the County of Davidson, State of

Davidson County ORDER
Recvd: 01/21/09 15:22 6 pgs
Fees:32.00 Taxes:0.00
20090121-0005250

Tennessee, to wit:

Land in Davidson County, Tennessee, being Lot No.3 on the plan of Dreamland Estates Southeast, Section 1, as of record in Book 5200 Page 646, Register's Office for Davidson County, Tennessee, reference to which is here made for a more complete and accurate description of said property.

Being the same property conveyed from Andrew M. Cuomo, Secretary of Housing and Urban Development to Janin Brock and Jason Brock by deed recorded 10/12/00, in Instrument # 20001012-0101413 in the Register's Office of Davidson County, Tennessee.

Address: 432 Cedarview Drive, Nashville, Tennessee 37211 Tax Map or Parcel ID No. : 162-13-134.00

On or about April 11, 2007, Janin Brock executed a Note and in order to secure the indebtedness evidenced by the Note, Jason Brock and Janin Brock executed and delivered a Deed of Trust (the "Deed of Trust") to Robert M. Wilson, as Trustee for Countrywide Home Loans, Inc. as beneficiary. The Deed of Trust was duly recorded on April 30, 2007 in the Office of the Register of Deeds for Davidson County, Tennessee at Instrument No. 20070430-0051060.

The Brocks defaulted under the terms of the Note and the Deed of Trust by failing to make payments of the indebtedness as and when due.

On or about October 16, 2008, the Property was offered for sale in accordance with the laws of the State of Tennessee and the terms and provisions of the Deed of Trust at the courthouse in Shelby County, Tennessee, to the highest

bidder for cash. At the auction, the Property was knocked down and sold to Prosser Properties, LLP, for $64,000.00.

On or about October 16, 2008, the Substitute Trustee, Nationwide Trustee Services, Inc. executed and delivered a Substitute Trustee's Deed conveying the legal title of the property to Prosser Properties, LLP. The Substitute Trustee's Deed was duly recorded on October 23, 2008 in the Office of the Register of Deeds for Davidson County, Tennessee, at Instrument No. 20081023-0106120.

The Plaintiff and Defendants have entered into an agreement to set aside the foreclosure sale and to reinstate the Note and Deed of Trust.

THEREFORE, IT IS HEREBY ORDERED that the foreclosure sale conducted on behalf of Countrywide on October 16, 2008 is set aside;

IT IS FURTHER ORDERED that the Substitute Trustee's Deed executed on October 16, 2008 and recorded on October 23, 2008 in the Office of the Register of Deeds for Davidson County, Tennessee, at Instrument No. 20081023-0106120 is null, void and of no legal effect.

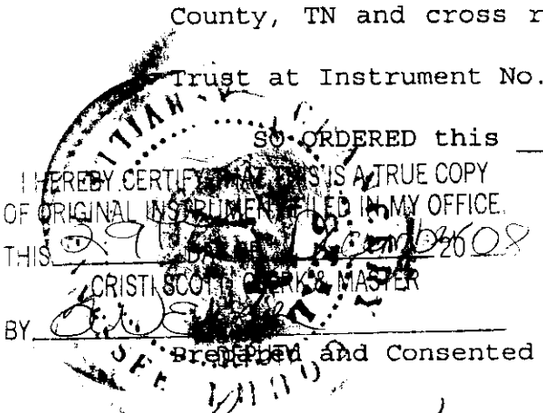
IT IS FURTHER ORDERED that the Deed of Trust held by the Plaintiff recorded on April 30, 2007 in the Office of the Register of Deeds for Davidson County, Tennessee at Instrument No. 20070430-0051060 is hereby reinstated, that

the Deed of Trust remains a lien on the Property, and that the parties and assignees thereto have the same rights and remedies as though the October 16, 2008 foreclosure sale had never occurred.

IT IS FURTHER ORDERED that this action is hereby dismissed with prejudice as to the Defendants, and all costs shall be taxed to the Plaintiff;

This is a final order as contemplated by Rule 54.02 of the Tennessee Rules of Civil Procedure with respect to the Parties and claims hereto. A copy of this Order shall be recorded in the Office of the Register of Deeds of Davidson County, TN and cross referenced to the face of the Deed of Trust at Instrument No. 20070430-0051060.

SO ORDERED this ____ day of _____, 2008.



CHANCELLOR, CHANCERY COURT OF
DAVDISON COUNTY, TENNESSEE

Prepared and Consented to by:

Lawrence W. Kelly
TN B.P.R. 019229
Morris, Schneider, Prior,
Johnson & Freedman, LLC
1587 Northeast Expressway
Atlanta, GA 30329
(678) 298-8883
Attorney for Plaintiff

Consented to by:

Marc Prosser
General Partner
Prosser Properties, LLP
126 Jacksonian Dr.
Hermitage, TN 37076
(615) 474-1165
Defendant

Janin Brock
P.O. Box 110847
Nashville, TN 37222
(615) 945-7913
Defendant

Jason Brock
P.O. Box 110847
Nashville, TN 37222
(615) 945-7913
Defendant

Distribution List

Lawrence W. Kelly, Esq.
Morris, Schneider, Prior, Johnson & Freedman, LLC
1587 Northeast Expressway
Atlanta, GA 30329

Marc Prosser
Prosser Properties, LLP
126 Jacksonian Dr.
Hermitage, TN 37076

Janin Brock
P.O. Box 110847
Nashville, TN 37222

Jason Brock
P.O. Box 110847
Nashville, TN 37222