This Instrument Prepared by:
Shapiro & Kirsch, LLP
6055 Primacy Parkway
Suite 410
Memphis, TN 38119
(901)767-5566
09-021649

BILL GARRETT, Davidson County
Trans:T20100004383 DEEDTRS
Recvd: 01/22/10 11:21 2 pgs
Fees:12.00 Taxes:0.00
20100122-0005692

AFFIDAVIT TO RESCIND TRUSTEE'S SALE

STATE OF TENNESSEE
COUNTY OF SHELBY

BEFORE ME, the undersigned authority, on this 6th day of January, 2010, personally appeared Denise Griffin, who acknowledged themselves to be an Attorneys of Shapiro & Kirsch, LLP for the limited purpose of foreclosing the Deed of Trust stated below on behalf of The Bank of New York Mellon f/k/a The Bank of New York, as Trustee for the holders of the Certificates, First Horizon Mortgage Pass-Through Certificates Series FHAMS 2005-FA4, by First Horizon Home Loans, a division of First Tennessee Bank National Association, Master Servicer, in its capacity as agent for the Trustee under the Pooling and Servicing Agreement, 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 March 29, 2005 and recorded in Instument No. 20050411-0039194, in the Register's Office of Davidson County, Tennessee, Charles M. Williams, Unmarried conveyed to Statewide Title & Escrow , as Trustee for First Horizon Home Loan Corporation d/b/a First Tennessee Home Loans.

THAT the current holder of the indebtedness secured by said Deed of Trust, The Bank of New York Mellon f/k/a The Bank of New York, as Trustee for the holders of the Certificates, First Horizon Mortgage Pass-Through Certificates Series FHAMS 2005-FA4, by First Horizon Home Loans, a division of First Tennessee Bank National Association, Master Servicer, in its capacity as agent for the Trustee under the Pooling and Servicing Agreement offered the subject property for sale to the highest bidder on or about December 16, 2009 at the Davidson County Courthouse in Tennessee, to wit:

Described property located in Davidson County, Tennessee, to wit:

Lot Number 30 on the Plan of Jefferson's Retreat, Section Two (2), Phase I, of record in Plat Book 5200 Pages 334-335 and ammended in Book 5972, Page 96, Register's Office for said County, to which reference is hereby made for a more complete description of said property.

Commonly known as: 1060 Jacksons Valley Road, Hermitage, TN 37076

Tax Parcel No.: 08607004600

THAT as such time, agent of The Bank of New York Mellon f/k/a The Bank of New York, as Trustee for the holders of the Certificates, First Horizon Mortgage Pass-Through Certificates Series FHAMS 2005-FA4, by First Horizon Home Loans, a division of First Tennessee Bank National Association, Master Servicer, in its capacity as agent for the Trustee under the Pooling and Servicing Agreement struck off and sold the subject property to The Bank of New York Mellon f/k/a The Bank of New York, as Trustee for the holders of the Certificates, First Horizon Mortgage Pass-Through Certificates Series FHAMS 2005-FA4, by First Horizon Home Loans, a division of First Tennessee Bank National Association, Master Servicer, in its capacity as agent for the Trustee under the Pooling and Servicing Agreement at and for the sum of $120,531.94 that being the highest and best bid offered as evidenced in Substitute Trustees Deed of record at Instrument Number 201001040000134

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 The Bank of New York Mellon f/k/a The Bank of New York, as Trustee for the holders of the Certificates, First Horizon Mortgage Pass-Through Certificates Series FHAMS 2005-FA4, by First Horizon Home Loans, a division of First Tennessee Bank National Association, Master Servicer, in its capacity as agent for the Trustee under the Pooling and Servicing Agreement thus hereby rescinds the foreclosure sale and Trustee's Deed.

FURTHER, Affiant sayeth not.

SHAPIRO & KIRSCH, LLP

By: _____

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 January 6, 2010

_____
Notary Public

My Commission Expires:
June 4, 2013
My Commission Expires

KRISSY GILLUM
STATE OF TENNESSEE
NOTARY PUBLIC
SHELBY COUNTY