BILL GARRETT, Davidson County
Trans:T20100025768 DEEDTRS
Recvd: 04/30/10 08:12 1 pgs
Fees:12.00 Taxes:0.00
20100430-0032819

This Instrument Prepared By:
White & Polk, P.C.
Attorneys at Law
107 West College Street
Murfreesboro, Tennessee 37130

AFFIDAVIT TO RESCIND FORECLOSURE SALE

WHEREAS, on September 6, 2006, T.F. Homes, LLC ("Borrower") executed a Deed of Trust to secure payment of a certain obligation in the amount of One Million Four Hundred Seventy Eight Thousand Four Hundred and 00/100 Dollars ($1,478,400.00), said Deed of Trust having been place of record in Instrument No. 20060907-0110537, as modified in Instrument No. 20071114-0133373, both of record in the Register's Office of Davidson County, Tennessee; and

WHEREAS, a Foreclosure Sale was held on October 13, 2009, in accordance with the terms set forth in said Deed of Trust and a Trustee's Deed was executed and recorded on October 13, 2009, in Instrument No. 20091013-0094953 conveying said property to Pinnacle National Bank; and

WHEREAS, subsequent to said sale, sufficient conditions arose to warrant the recession of the sale and restoration of the subject property to its former state.

NOW, THEREFORE, it is hereby acknowledged and declared by the undersigned, **Pinnacle National Bank**, the Grantee under said deed, that the Foreclosure Sale held on October 13, 2009 and the resulting Trustee's Deed are voided, rescinded and vacated, have been held and recorded in error and further that the title to the subject property shall remain vested in **T.F. Homes, LLC** as per the deed of record in Instrument No. 20060907-0110536 of said Register's Office, subject to the full force and effect of the Deed of Trust of record in Instrument No. 20060907-0110537, and as modified in Instrument No. 20071114-0133373, both of record in said Register's Office.

Further, Affiant sayeth not this 26th day of April, 2010.

Pinnacle National Bank

By: _____

Title: Assistant Vice President

STATE OF TENNESSEE)
ss.
COUNTY OF Rutherford)

Before me, the undersigned authority, of the state and county aforesaid, personally appeared James V. Gregory, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who upon oath, acknowledged himself/herself to be Asst. Vice President, of Pinnacle National Bank, the within named bargainor, a corporation, and that he/she as such Asst. Vice President, executed the foregoing instrument for the purposes therein contained, by signing the name of the corporation by himself/herself as Asst. Vice President

WITNESS MY HAND and official seal at office in Murfreesboro Tennessee, on this 26th day of April, 2010.

My commission expires: 4/16/2011

Notary Public

DEBORAH D. TURNER
STATE OF TENNESSEE NOTARY PUBLIC
RUTHERFORD COUNTY, TENN.

My Commission Expires APR. 16, 2011

MR-2010-10133