THIS INSTRUMENT PREPARED BY & RETURN TO:
Patrick A. Taggart, Esq.
MCCURDY & CANDLER, LLC
3525 Piedmont Road, Suite 700
Atlanta, GA 30305
File

CROSS REFERENCE THIS INSTRUMENT TO THE SUBSTITUTE TRUSTEE'S DEED FOUND AT INSTRUMENT NO. 20081112-0111903.

AFFIDAVIT TO VOID FORECLOSURE HELD NOVEMBER 6, 2008

State of Georgia
County of Fulton

On the 23rd day of August, 2010 personally appeared before the undersigned authorized by law to administer oaths in said State and County, Patrick Taggart, who states on oath:

1.

I am more than 18 years of age, suffer from no legal disability and am an attorney with McCurdy and Candler, LLC and, pursuant to the instrument recorded at Instrument No. 20090904-0083465, I am the Substitute Trustee appointed by the holder and owner of the Deed of Trust dated March 22, 2002, and recorded in the Register's Office of Davidson County, Tennessee, on April 2, 2002 at Instrument No. 20081112-0111903.

2.

Pursuant to a default under the Note and Deed of Trust, a non-judicial foreclosure sale of said Deed of Trust, was held on November 6, 2008 and, subsequent thereto, a Substitute Trustee's Deed was recorded at Instrument No. 20081112-0111903, in the Register's Office of Davidson County, Tennessee.

3.

Prior to the cry of the sale on November 6, 2008, GMAC Mortgage, LLC (Loan Servicer) and Shawn Pruitt (Borrower) on the aforesaid Note and Deed of Trust entered into a loan modification agreement which re-instated the said Note and Deed of Trust.

4.

The purpose of this Affidavit is to put the world on notice that the Substitute Trustee's Deed recorded and found at Instrument No. 20081112-0111903 in the Register's Office of Davidson County, Tennessee is ***null and void***.

5.

This Affidavit is made with the knowledge that it may be relied upon by purchasers, lenders, attorneys and title insurance companies.

FURTHER AFFIANT SAYETH NOT.

BILL GARRETT, Davidson County
Trans:T20100054635 AFFIDAVIT
Recvd: 09/01/10 10:15 2 pgs
Fees:12.00 Taxes:0.00
20100901-0069420

McCurdy and Candler, LLC

By: _____

Patrick Taggart

STATE OF GEORGIA

COUNTY OF FULTON

Before me, the undersigned Notary Public in and for the County and State aforesaid, personally appeared Patrick Taggart with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who acknowledged herself/himself to be an attorney with McCurdy and Candler, LLC, the within named affiant, and as such being duly authorized to do so, executed the foregoing instrument for the purpose therein.

Witness my hand and seal this 23rd day of August, 2010.

_____

Notary Public

My commission expires:

OFFICIAL SEAL
CATHERINE COLLYMORE
NOTARY PUBLIC, NEWTON COUNTY, GA
MY COMMISSION EXPIRES FEB. 19, 2012