BILL GARRETT, Davidson County
Trans:T20100072049 DEEDTRS
Recvd: 11/15/10 08:50 2 pgs
Fees:12.00 Taxes:0.00
20101115-0091063

This Instrument Prepared by:
Robert M. Wilson, Jr.
WILSON & ASSOCIATES, P.L.L.C.
1521 Merrill Drive, Suite D-220
Little Rock, Arkansas 72211
(501) 219-9388

MUTUAL AGREEMENT TO RESCIND SALE AND REINSTATE SECURITY INSTRUMENT

The purpose and intent of this agreement is to restore all parties to the positions they held prior to the sale of the property to CitiMortgage, Inc. on July 28, 2010. It is the intent of the parties to rescind the sale held on July 28, 2010 and set aside the Trustee's Deed in favor of CitiMortgage, Inc. which was recorded in the Register's Office of Davidson County, Tennessee, on August 3, 2010, as Instrument No. 20100803-0060670.

The sale and Trustee's Deed were in reference to: deed of trust dated December 11, 2006, securing the sum of $112,200.00, executed by Richard Weaver and Mary M. Weaver, in favor of Cumberland Title Company, as trustee, for Mortgage Electronic Registration Systems Inc., as a separate corporation that is acting solely as a nominee for Primary Residential Mortgage, Inc. and Primary Residential Mortgage, Inc.'s successors and assigns, recorded in the Register's Office of Davidson County, Tennessee on December 27, 2006, as Instrument No. 20061227-0159001.

By signing this agreement all parties agree that the above referenced sale is rescinded and the Trustee's Deed is set aside. The above described deed of trust is revived and remains unreleased and unsatisfied. All parties agree that by signing this agreement they are hereby returned to the positions they held prior to the sale.

Richard C. Weaver
Richard Weaver

Mary M. Weaver
Mary M. Weaver

ACKNOWLEDGMENT

STATE OF Tennessee
COUNTY OF Davidson

Personally appeared before me, the undersigned, a Notary Public of the state and county aforesaid, duly commissioned and qualified, Richard Weaver and Mary M. Weaver, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who acknowledged his/herself to have executed the foregoing instrument for the purposes therein contained.

Witness my hand and seal at office this 3 day of September 2010

NICOLE BURTON
STATE OF TENNESSEE NOTARY PUBLIC
DAVIDSON COUNTY

Nicole Burton
Notary Public
My Commission Expires: 3/10/2012

FV-1, Inc. in trust for Morgan Stanley Mortgage Capital Holdings LLC by Saxon Mortgage Services, Inc., as its attorney-in-fact **ATTEST:**

By: _____ **By:** _____

Title: Regina Alexander Assistant Vice President **Title:** John Cottrell Assistant Vice President

ACKNOWLEDGMENT

STATE OF Texas

COUNTY OF Tarrant

Personally appeared before me, the undersigned, a Notary Public of the state and county aforesaid, duly commissioned and qualified, Regina Alexander and John Cottrell with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who acknowledged his/herself to be the Assistant Vice President and Assistant Vice President of FV-1, Inc. in trust for Morgan Stanley Mortgage Capital Holdings LLC by Saxon Mortgage Services, Inc., as its attorney-in-fact and that he/she, as such officer, executed the foregoing instrument for the purposes therein contained.

Witness my hand and seal at office this 2 day of November, 2010.

_____
Notary Public

ALLISON A. WALTERS
Notary Public, State of Texas
My Commission Expires
April 08, 2014

My Commission Expires: 4-8-14

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