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IN THE CHANCERY COURT OF DAVIDSON COUNTY TENNESSEE
IN THE 20th JUDICIAL DISTRICT

WELLS FARGO BANK, N.A. AS TRUSTEE FOR THE HOLDERS OF SASCO 2007-MLN1 AND BANK OF AMERICA, N.A. Plaintiffs, v. NDEYE D. KOUATE Defendants.	CIVIL ACTION FILE NO. 11-966-IV

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D.C.M.

CONSENT ORDER AND FINAL JUDGMENT

WHEREAS, WELLS FARGO BANK, N.A. AS TRUSTEE FOR THE HOLDERS OF SASCO 2007-MLN1 (hereinafter "Wells Fargo") is the current holder of the First Deed of Trust from Ndeye D. Kouate (hereinafter "Ms. Kouate") dated September 27, 2006 and recorded October 16, 2006, at Instrument No. 20061016-0127856, Davidson County, Tennessee records (hereinafter the "First Deed of Trust") conveying the real property located at 3513 Bent Wood Drive, Antioch, Davidson County, TN 37013 (hereinafter, "the Property") according to the present system of numbering in said County and State, and as more particularly described as follows:

> Land in Davidson County, Tennessee, being all of Lot No. 381 on the Final Plat, Village Seven, Summerfield Subdivision, as shown by plat appearing of record in Instrument No. 20041130-0142175, of the Register's Office of Davidson County, Tennessee, to which plat reference is hereby made for more complete details of said lot; and

WHEREAS, Bank of America, N.A. (hereinafter, "Bank of America") is the servicer of the Second Deed of Trust from Ms. Kouate dated September 27, 2006 and

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recorded October 16, 2006, at Instrument No. 20061016-0127857, Davidson County, Tennessee records (hereinafter the "Second Deed of Trust"); and

WHEREAS, on September 27, 2006, the Property was conveyed from Capitol Homes, Inc., a Tennessee Corporation to Ms. Kouate (as Ndeye Dior Kouate) via Warranty Deed recorded October 16, 2006, at Instrument No. 20061016-0127855, Davidson County, Tennessee records (hereinafter the "Warranty Deed"); and

WHEREAS, on September 27, 2006, Ms. Kouate obtained a loan for One Hundred Eighty Thousand, Eight Hundred and 00/100 Dollars ($180,800.00) (hereinafter, the "Loan") from Mortgage Lenders Network USA, Inc. As evidence of this indebtedness, Ms. Kouate executed a promissory note dated September 27, 2006 (hereinafter, the "Note"); and

WHEREAS, to secure repayment of the Loan, Ms. Kouate executed the First Deed of Trust; and

WHEREAS, Ms. Kouate executed the Second Deed of Trust to Mortgage Electronic Registration Systems, Inc. as nominee for Mortgage Lenders Network USA, Inc. in the amount of Forty Five Thousand, Two Hundred and 00/100 Dollars ($45,200.00); and

WHEREAS, on February 3, 2010, the First Deed of Trust was assigned (hereinafter, "the Assignment) from Mortgage Electronic Registration Systems, Inc. as nominee for Mortgage Lender Network USA, Inc. to Wells Fargo. The Assignment was recorded on February 4, 2010, at Instrument No. 20100204-0008951, Davidson County, Tennessee records; and

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WHEREAS, Ms. Kouate defaulted under the terms of the Note and First Deed of Trust. As a result Wells Fargo initiated foreclosure proceedings; and

WHEREAS, on February 4, 2011, the First Deed of Trust was foreclosed and the Property conveyed to Wells Fargo as evidenced by the Substitute Trustee's Deed recorded February 18, 2011, at Instrument No. 20110218-0013837, Davidson County, Tennessee records; and

WHEREAS, the foreclosure sale was completed however the parties intend to reverse the foreclosure sale; and

WHEREAS, Wells Fargo, Bank of America, and Ms. Kouate have consented and agreed that the real estate records of Davidson County, Tennessee should be reformed by voiding the Substitute Trustee's Deed recorded at Instrument No. 20110218-0013837; Davidson County, Tennessee records; and

WHEREAS, Wells Fargo, Bank of America, and Ms. Kouate have further consented and agreed that the First Deed of Trust, recorded October 16, 2006, at Instrument No. 20061016-0127856, Davidson County, Tennessee records should be reinstated of record so that it has full force and effect as a first priority security interest in favor of Wells Fargo; and

WHEREAS, Wells Fargo, Bank of America, and Ms. Kouate have further consented and agreed that the Second Deed of Trust, recorded October 16, 2006 at Instrument No. 20061016-0127857, Davidson County, Tennessee records should be reinstated of record so that it has full force and effect as a second priority security interest on the Property; and

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WHEREAS, Wells Fargo, Bank of America, and Ms. Kouate have further consented and agreed that Ndeye D. Kouate aka Ndeye Dior Kouate should be declared the record title owner of the Property, subject to the First Deed of Trust and Second Deed of Trust.

IT IS THEREFORE ORDERED AND ADJUDGED:

(a) That the real estate records are reformed by voiding the Substitute Trustee's Deed recorded February 18, 2011, at Instrument No. 20110218-0013837, Davidson County, Tennessee records, thus invalidating the February 3, 2010 foreclosure sale;

(b) That the First Deed of Trust, recorded October 16, 2006, at Instrument No. 20061016-0127856, Davidson County, Tennessee records is reinstated of record so that it has full force and effect as a first priority security interest in favor of Wells Fargo;

(c) That the Second Deed of Trust, recorded October 16, 2006 at Instrument No. 20061016-0127857, Davidson County, Tennessee records is reinstated of record so that it has full force and effect as a second priority security interest;

(d) That Ndeye D. Kouate aka Ndeye Dior Kouate is declared the record title owner of the Property, subject to the First Deed of Trust and Second Deed of Trust; and

(e) All court costs are assessed to the Plaintiffs.

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SO ORDERED, this ____ day of _____, 2011.

Russell T. Perkins

Chancellor, Chancery Court of Davidson County

Order prepared and presented by:

PETER L. LUBLIN
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BRIAN LINKOWSKI
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I HEREBY CERTIFY THAT THIS IS A TRUE COPY OF ORIGINAL INSTRUMENT FILED IN MY OFFICE.
THIS 13 DAY OF October 2011.
CRISTI SCOTT, CLERK & MASTER
BY _____ DEPUTY

CONSENTED TO:

N Deye Kouate

Ndeye D. Kouate

STATE OF TENNESSEE
COUNTY OF Davidson

Personally appeared before me, the undersigned, a Notary Public, in and for the state and County aforesaid, Ndeye D. Kouate, with whom I am personally acquainted or proved to me on the basis of satisfactory evidence, and who acknowledged that she executed the within instrument for the purposes therein contained.

WITNESS MY HAND, at office, this the 5 day of August, 2011.

Darnetra Marie Edwards

NOTARY PUBLIC
[SEAL]

My Commission Expires: 11-5-2011

DARNETRA M. EDWARDS
STATE OF TENNESSEE NOTARY PUBLIC
DAVIDSON COUNTY

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Copies to:

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