IN THE CHANCERY COURT OF DAVIDSON COUNTY, TENNESSEE

CITIMORTGAGE, INC., and FEDERAL NATIONAL MORTGAGE ASSOCIATION

Petitioners,

VS.

LAWRENCE M. NELTNER; VICKI NELTNER; and CAPTIAL ONE BANK (USA), NA.

Respondents.

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Case No. 11-761-I

2012 APR -4 AM 8:29

FILED

AGREED ORDER ON PETITION TO SET ASIDE FORECLOSURE SALE REGARDING REAL PROPERTY LOCATED AT 3346 PERCY PRIEST DRIVE, NASHVILLE, TENNESSEE 37214

COME NOW your Petitioners, CitiMortgage Inc., and Federal National Mortgage Association, by and through counsel; and Respondents, Lawrence M. Neltner and Vicki Neltner, and agree as follows:

1. That Lawrence M. Neltner executed a Promissory Note on or about December 5, 2007, in the amount of $125,000, and Lawrence M. Neltner and Vicki Neltner secured said Note by a real property Deed of Trust as to the real property commonly known as 3346 Percy Priest Drive, Nashville, Tennessee 37214 recorded in the Register's Office of Davidson County, Tennessee under Instrument No 20080122-0006493.

2. That Vicki Neltner did not execute the Note, and is not obligated under said Note for any portion of any remaining indebtedness.

3. That CitiMortgage, Inc.was the holder of said Note and conducted a foreclosure sale pursuant to the terms of said Deed of Trust on February 8, 2011.

BILL GARRETT, Davidson County
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Fees:17.00 Taxes:0.00
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4. That CitiMortgage, Inc. and Lawrence M. Neltner had entered into a loan modification agreement prior to the foreclosure sale.

5. That the Foreclosure Sale memorialized by a Substitute Trustee's Deed recorded in the Davidson County Register's Office under Instrument No. 20080122-0006493 should be rescinded.

6. That the Deed of Trust recorded in the Davidson County Register's Office under Instrument No. 20080122-0006493 should be reinstated to its former priority.

7. That the fees and costs associated with the Petition shall be assessed against the Petitioner, CitiMortgage, Inc.

IT IS SO ORDERED.

CHANCELLOR
Date:

I HEREBY CERTIFY THAT THIS IS A TRUE COPY OF ORIGINAL INSTRUMENT FILED IN MY OFFICE.
THIS 20 DAY OF April 2012
CRISTI SCOTT, CLERK & MASTER
BY
DEPUTY

APPROVED FOR ENTRY

Sharon Fewell #19193
Attorney for Petitioners
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Lawrence M. Neltner
3346 Percy Priest Drive
Nashville ,Tennessee 37214
(615) 390-1824

Vicki Neltner
3112 Eastlake Drive
Nashville, Tennessee 37214
(615) 883-7173

CERTIFICATE OF SERVICE

I certify that a copy of this AGREED ORDER ON PETITION TO SET ASIDE FORECLOSURE SALE REGARDING REAL PROPERTY LOCATED AT 3346 PERCY PRIEST DRIVE, NASHVILLE, TENNESSEE 37214 was mailed by regular first class mail, postage prepaid, to Capital One Bank (USA) N.A., c/o Morgan & Pottinger, P.S.C., 204 E. Market Street, Louisville, Kentucky 40202, this 29th day of March, 2012

Sharon Fewell