BILL GARRETT, Davidson County
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20120502-0037382

Prepared by:
J. PHILLIP JONES
Attorney at Law
1800 Hayes St.
Nashville, TN 37203

**AFFIDAVIT TO RESCIND FORECLOSURE SALE**

WHEREAS, on **DECEMBER 17, 1999**, **NORBERTO R ACOSTA, A SINGLE PERSON**("borrower"), executed a Deed of Trust to secure payment of a certain obligation in the amount of **$69,939.00**, said Deed of Trust having been placed of record in **INSTRUMENT NO. 199912230306893**, Register's Office for **DAVIDSON** County, Tennessee and

WHEREAS, default occurred in the terms, condition and payments provided in said Deed of Trust and the holder of said indebtedness, **U.S. BANK NATIONAL ASSOCIATION AS SERVICER AND AUTHORIZED AGENT FOR TENNESSEE HOUSING DEVELOPMENT AGENCY**. ("lender"), appointed **J. PHILLIP JONES**, as Substitute Trustee by Instrument of record in **INSTRUMENT NO. 20120106-0001771**, and

WHEREAS, a Foreclosure Sale was held on **MARCH 2, 2012**, in accordance with the terms set forth in said Deed of Trust and a Substitute Trustee's Deed was executed and recorded on **MARCH 9, 2012**, in **INSTRUMENT NO. 20120309-0020569**, conveying said property to **TENNESSEE HOUSING DEVELOPMENT AGENCY.** and

NOW THEREFORE, it is hereby acknowledged and declared by the undersigned Substitute Trustee and the Grantee under said Deed, that the Foreclosure Sale held on **MARCH 2, 2012**, and the resulting Substitute Trustee's Deed are voided, rescinded and vacated, have been held and recorded in error and further that the title to the subject shall remain vested in **NORBERTO ACOSTA, UNMARRIED** as per the DEED of record in **INSTRUMENT NO. 199912230306892,** Register's Office for **DAVIDSON** County, Tennessee, subject to the full force and effect of the Deed of Trust of record in **INSTRUMENT NO. 199912230306893** said Register's Office.

Further, Affiant Sayeth not this 1ST day of MAY, 2012.

J. PHILLIP JONES
1800 Hayes St.
Nashville, TN 37203
(615) 254-4430

STATE OF TENNESSEE
COUNTY OF DAVIDSON

Personally appeared before me, the undersigned, a Notary Public, in and for said County, and State aforesaid, personally appeared J. PHILLIP JONES, Substitute Trustee, with whom I am personally acquainted or proved to me on the basis of satisfactory evidence, and who acknowledged that he executed the within instrument for the purposes therein contained.

Witness my hand and official seal at Nashville, Tennessee, this the 1ST day of **MAY, 2012**.

Elizabeth P. Guye
NOTARY PUBLIC

My Commission Expires: 12/1/2013

Elizabeth P. Guye
STATE OF TENNESSEE NOTARY PUBLIC
Rutherford County