IN THE CHANCERY COURT OF DAVIDSON COUNTY
STATE OF TENNESSEE

BAC HOME LOANS SERVICING, L.P. f/k/a COUNTYWIDE HOME LOANS SERVICING, LP

Petitioner

v.

DARRELL HORTON and DONNA MAGUIRE, TRUSTEE OF THE HORTON FAMILY TRUST

Respondents

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CIVIL ACTION FILE NO. 09-2351-II

**FINAL CONSENT ORDER BETWEEN BAC HOME LOANS AND DARRELL HORTON**

WHEREAS, BAC Home Loans Servicing, LP f/k/a Countrywide Home Loans Servicing, LP (hereinafter, "BAC Home Loans") is a lender holding a Deed of Trust, granted by Respondent Darrell Horton (hereinafter, "Horton") on April 24, 2003, and recorded on May 2, 2003, Instrument Number 20030602-0074497, Davidson County, Tennessee records. (hereinafter, the "Deed of Trust"), to real property located at 1124 Pin Oak Drive, Antioch, Davidson County, Tennessee 37013 (hereinafter, the "Property"), to secure repayment of a loan evidenced by a Promissory Note (hereinafter, the "Note"); and

WHEREAS, BAC Home Loans and Horton have consented and agreed that the correct legal description for the Property is as follows:

LAND IN DAVIDSON COUNTY, TENNESSEE, BEING LOT NO. 150 ON THE PLAN OF MEADOW WOODS, SECTION TWO, OF RECORD IN INSTRUMENT NO 20000309002416B, REGISTER'S OFFICE FOR



BILL GARRETT, Davidson County
Trans:T20120035417 ORDER
Recvd: 05/14/12 14:44 4 pgs
Fees:22.00 Taxes:0.00
20120514-0041599

DAVIDSON COUNTY, TENNESSEE TO WHICH PLAN IS HEREBY MADE FOR A MORE COMPLETE AND ACCURATE DESCRIPTION.

WHEREAS, BAC Home Loans and Horton have further consented and agreed that the February 19, 2009 foreclosure sale should be rescinded and that this Order, once executed by the Chancellor, can be presented to any credit reporting agency as evidence that the February 19, 2009 foreclosure sale of the property is void.

WHEREFORE, IT IS HEREBY ORDERED AND ADJUDGED:

1) That the Deed of Trust, recorded at Instrument Number 20030602-0074497, Davidson County, Tennessee records, the Successor Trustee's Deed recorded at Instrument Number 20090415-0034381, Davidson County, Tennessee records, and the Quitclaim Deed recorded at Instrument Number 20090630-0060650, Davidson County, Tennessee records are hereby reformed to include the correct legal description as follows:

LAND IN DAVIDSON COUNTY, TENNESSEE, BEING LOT NO. 150 ON THE PLAN OF MEADOW WOODS, SECTION TWO, OF RECORD IN INSTRUMENT NO. 20000030090024168, REGISTER'S OFFICE FOR DAVIDSON COUNTY, TENNESSEE TO WHICH PLAN IS HEREBY MADE FOR A MORE COMPLETE AND ACCURATE DESCRIPTION.; and

2) That the Davidson County the real estate records are hereby reformed to reflect that the Successor Trustee's Deed recorded at Instrument Number 20090415-0034381, Davidson County, Tennessee records is void, thus invalidating the foreclosure sale of the Property ; and

3) That the Parties are restored to their rights, interests, duties and obligations under the aforesaid instruments as prevailed prior to the Successor Trustee's Deed being executed; and

4) That the Deed of Trust recorded in Instrument Number 20030602-0074497, Davidson County, Tennessee records is a valid, enforceable, first position lien on the entire Property; and

5) That Court costs are hereby assessed against the Plaintiff.

SO ORDERED, this ____ day of _____, 2012.

Carol L McCoy

HONORABLE
Chancellor, Circuit Court of Davidson County

Order prepared and presented by:

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CONSENTED TO:

Robert J. Hill signed by express permission

Robert J. Hill, II Esq.
Counsel for Respondent Darrel Horton

I HEREBY CERTIFY THAT THIS IS A TRUE COPY OF ORIGINAL INSTRUMENT FILED IN MY OFFICE THIS 2nd DAY OF May 2012
CRISTI SCOTT, CLERK & MASTER
BY B Finley DEPUTY

Copies to:

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