BILL GARRETT, Davidson County
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20150210-0012375

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

AFFIDAVIT TO RESCIND FORECLOSURE SALE

WHEREAS, on **JULY 27, 2011**, **CARNELL BOMAR-WILLIAMS, AN UNMARRIED PERSON**("borrower"), executed a Deed of Trust to secure payment of a certain obligation in the amount of **$82,845.00**, said Deed of Trust having been placed of record in **INSTRUMENT NO. 20110728-0057908**, 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, **TENNESSEE HOUSING DEVELOPMENT AGENCY BY AND THRU ITS AUTHORIZED AGENT AND SERVICER U.S. BANK NATIONAL ASSOCIATION** ("lender"), appointed **J. PHILLIP JONES**, as Substitute Trustee by Instrument of record in **INSTRUMENT NO. 20120110-0002623**, and

WHEREAS, a Foreclosure Sale was held on **JANUARY 23, 2015**, in accordance with the terms set forth in said Deed of Trust and a Substitute Trustee's Deed was executed and recorded on **JANUARY 26, 2015**, in **INSTRUMENT NO. 20150126-0007308**, conveying said property to **TENNESSEE HOUSING DEVELOPMENT AGENCY** and

WHEREAS, unknown to the Substitute Trustee or the lender the said **CARNELL BOMAR-WILLIAMS HAD FILED A CHAPTER 13 BANKRUPTCY PETITION IN THE U.S. BANKRUPTCY COURT, MIDDLE DISTRICT OF TENNESSEE UNDER CASE NO. 15-00430.**

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Deed, that the Foreclosure Sale held on **JANUARY 23, 2015**, and the resulting Substitute Trustee's Deed are voided, rescinded and vacated, have been held and recorded in error and further that the title to the subject shall remain vested in **CARNELL BOMAR-WILLIAMS, AN UNMARRIED PERSON** as per the deed of record in **INSTRUMENT NO. 20110728-0057907**, Register's Office for **DAVIDSON** County, Tennessee, subject to the full force and effect of the Deed of Trust of record in **INSTRUMENT NO. 20110728-0057908** said Register's Office.

Further, Affiant Sayeth not this 4TH day of FEBRUARY, 2015.

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 4TH day of **FEBRUARY , 2015**.

NOTARY PUBLIC

My Commission Expires: _____

SARAH PAVLIK
STATE OF TENNESSEE NOTARY PUBLIC
DAVIDSON COUNTY
My Commission Expires January 8, 2019