IN THE CHANCERY COURT OF DAVIDSON COUNTY, TENNESSEE

DEUTSCHE BANK NATIONAL TRUST COMPANY, AS TRUSTEE FOR AMERIQUEST MORTGAGE SECURITIES INC., ASSET-BACKED PASS-THROUGH CERTIFICATES, SERIES 2003-11

Plaintiff,

v.

BARRY WADE BURNETTE,

Defendants.

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JUN 10 2016
Dav. Co. Chancery Court
2016 JUN 17 AM 8:51

Case No. 15-766-I

Davidson County ORDER
Recvd: 07/12/16 12:16 4 pgs
Fees:22.00 Taxes:0.00
20160712-0071288

ORDER FOR DEFAULT JUDGMENT

This matter came before the Court on Tuesday, June 7, 2016, on Plaintiff's Motion for Default Judgment. Plaintiff appeared by counsel, Jerry Morgan. Defendant did not appear. This Court finds that:

1. The defendant, Barry Wade Burnette, was personally served with summons for more than thirty (30) days before this date as required by law.

2. The defendant has failed to plead or otherwise respond as required by the Tennessee Rules of Civil Procedure.

3. The defendant has failed to appear and defend, and the plaintiff's motion for default judgment is well taken and proper.

4. The defendant is not incompetent or a minor.

5. Plaintiff's counsel explained to the Court that by unwinding the foreclosure sale and setting aside the trustee's deed, the parties are able to completely formalize the modification reinstating the note and deed of trust as if they had not been foreclosed. This is what is meant by "loss mitigation" in this particular pleading and lawsuit.

IT IS, THEREFORE, ORDERED AND ADJUDGED:

A. Plaintiff's motion for default judgment is hereby granted:

B. That the foreclosure sale held on March 27, 2008, is rescinded and set aside;

C. That the trustee's deed recorded on April 25, 2008, as Instrument No. 20080425-0042286, be canceled and voided; because after the March 27, 2008, sale, the loan was approved for loss mitigation by virtue of a loan modification;

D. That the and deed of trust recorded on October 14, 2003, as Instrument No. 20031014-0152118, and its underlying promissory note remains in full force and effect as the priority lien encumbering the subject property as if no foreclosure had occurred;

E. That the said deed of trust is reinstated on the record;

F. That the deed of trust is declared to constitute a valid enforceable lien upon the property that is superior and paramount to the interests of the defendant in said property; and

G. Costs are assessed to Plaintiff.

ENTERED this ____ day of _____, 20__.

CHANCELLOR

I HEREBY CERTIFY THAT THIS IS A TRUE COPY
OF ORIGINAL INSTRUMENT FILED IN MY OFFICE.
THIS 30th DAY OF June 2016
MARIA M. SALAS, CLERK & MASTER
BY Bethwelch
DEPUTY

APPROVED FOR ENTRY:

WILSON & ASSOCIATES, P.L.L.C.
1521 Merrill Drive, Suite D-220
Little Rock, AR 72211
(501) 734-2244 (direct line)
Myoder@wilson-assoc.com

By: _____
Maria Yoder (TN BPR # 30713)
Attorneys for Plaintiff

CERTIFICATE OF SERVICE

I hereby certify that on this 7 day of June, 2016, a true and copy of the foregoing was sent via U.S. Mail postage prepaid to the last known address of Barry Wade Burnette.

_____
Maria Yoder

True Copy Certification

I, Lina Nguyen, do hereby make oath that I am a custodian of the electronic version of the attached document tendered for registration herewith and that this is a true and correct copy of the original document executed and authenticated according to law.

Signature

State of ARKANSAS

County of PULASKI

Personally appeared before me, Matt Robins, a notary public for this county and state, Lina Nguyen who acknowledges that this certification of an electronic document is true and correct and whose signature I have witnessed.

NOTARY PUBLIC ARKANSAS
MATT ROBINS
No. 12399751
PULASKI COUNTY
Commission Expires 4-25-2024

Notary's Signature

My Commission Expires: 4-25-2024
Notary' Seal (if on paper)