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8/02/07 12:10:39
BK 565 PG 326
DESOTO COUNTY, MS
W.E. DAVIS, CH CLERK

Current Borrower: WILLIAM GARNER
Client Loan Number: 1327720
B&H File Number: 247145
VA/FHA/PMI Number: 35737030
Loan Type: FHA
Property Address: 5796 Shiloh Cove S, Olive Branch, MS 38654

**RESCISSION OF SUBSTITUTE TRUSTEE'S SALE AND
CANCELLATION OF SUBSTITUTE TRUSTEE'S DEED**

*****IMPORTANT NOTICE TO CHANCERY CLERK
INDEX WILLIAM GARNER AKA WILLIAMS J. GARNER AND DAWN GARNER AKA DAWN R.
GARNER AS GRANTEEES**

STATE OF MISSISSIPPI §
COUNTY OF DESOTO §

BEFORE ME, the undersigned authority, on this day personally appeared James L. DeLoach, the Substitute Trustee ("Substitute Trustee") for MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC., known to the undersigned to be the person whose name is subscribed to this instrument, and after being first duly sworn, did state as follows:

1. "As Substitute Trustee for MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC., I am familiar with the non-judicial foreclosure sale conducted with respect to the following described real property:

LOT 68, COUNTRY VILLAGE WEST SUBDIVISION, SECTION "C" LOCATED IN SECTION 3, TOWNSHIP 2 SOUTH, RANGE 6 WEST, OLIVE BRANCH, DESOTO COUNTY, MISSISSIPPI, AS RECORDED IN PLAT BOOK 52, PAGE 42, IN THE RECORDS OF THE CHANCERY CLERK OF DESOTO COUNTY, MISSISSIPPI.

BEING THE SAME PROPERTY CONVEYED TO WILLIAM J. GARNER AND WIFE DAWN R. GARNER FROM MICHAEL A. ROSS D/B/A ROSS AND SON CONSTRUCTION, HEREIN BY DEED DATED SEPTEMBER 13, 1996, AND RECORDED SEPTEMBER 26, 1996, IN BOOK 306 PAGE 737, CHANCERY CLERK'S OFFICE FOR DESOTO COUNTY, MISSISSIPPI.

2. Based upon information provided by MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC., is the owner and holder of a promissory note dated May 24, 2002 in the original principal amount of \$99,587.53 from William Garner aka Williams J. Garner and Dawn Garner aka Dawn R. Garner to Countrywide Home Loans, Inc. Said note is secured by that certain Deed of Trust dated May 24, 2002, and recorded in Deed of Trust Book 1511 at Page 0015 in the office of the Chancery Clerk of the County of DESOTO, State of Mississippi; said Deed of Trust was assigned to MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC., by instrument dated June 11, 2007, and recorded in Book 2736 at Page 776 of the record of the aforesaid Chancery Clerk

3. On July 20, 2007, a foreclosure sale was conducted whereby the Property was sold to MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC. as set out in the Substitute Trustee's Deed dated July 20, 2007, executed by James L. DeLoach as Substitute Trustee and recorded in Book 564 at Page 94 in the office of the Chancery Clerk of DESOTO, State of Mississippi.

4. Unknown to James L. DeLoach at the time of the foreclosure sale and recording of the Substitute Trustee's Deed, MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC. did not wish to proceed and could not proceed with the scheduled foreclosure sale because the borrower had a loan modification approved on the same day; through error and mutual mistake, said Substitute Trustee's Deed was filed for record. Accordingly, as Substitute Trustee, I am rescinding the foreclosure sale and canceling the Substitute Trustee's Deed previously executed and recorded.

5. As Substitute Trustee for MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC., the holder of the above described Note and Deed of Trust, I do hereby stipulate and declare that the Substitute Trustee's Deed dated July 20, 2007 is void and of no effect whatsoever and that all acts conducted with regard to the foreclosure sale of July 20, 2007 are hereby rescinded and said property remains the property of William Garner aka Williams J. Garner and Dawn Garner aka Dawn R. Garner, subject to said lien.

6. This document is executed and filed for record to purge such real property records of all evidence of such foreclosure by the Substitute Trustee's sale including, without limitation, such Substitute Trustee's Deed described above as if such deed had not been filed of record.

AFTER RECORDING RETURN TO:
BUTLER & HOSCH, P.A.
13800 Montfort Drive, Suite 155
Dallas, Texas 75240

B&H # 247145
Loan # 1327720

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FURTHER AFFIANT SAYETH NOT."

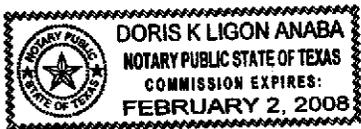
EXECUTED this 15th day of August, 2007.

James L. DeLoach
Substitute Trustee for MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC.

STATE OF TEXAS §
COUNTY OF DALLAS §

Sworn to and subscribed before me, the undersigned Notary Public, on this day personally appeared James L. DeLoach, as Substitute Trustee for MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC., on behalf of said Corporation, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that she executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office this 15th day of August, 2007.



Doris K. Ligon-Anaba
Notary Public in and for the State of Texas