

IN THE UNITED STATES DISTRICT COURT FOR  
THE SOUTHERN DISTRICT OF GEORGIA  
SAVANNAH DIVISION

JACQUELYN HARMON, )  
 )  
Plaintiff, )  
 )  
v. )  
 )  
OCWEN LOAN SERVICING, LLC and )  
U.S. BANK, NATIONAL )  
ASSOCIATION, as Trustee for C- )  
Bass 2006-CB7 Trust, Mortgage )  
Loan Asset-Backed )  
Certificates, Series 2006-CB7, )  
 )  
Defendants. )  
 )

CASE NO. CV414-128

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FILED  
U.S. DISTRICT COURT  
SAVANNAH, GA.

ORDER

Before this Court is the parties' Joint Motion to Rescind Foreclosure Sale. (Doc. 14.) In the motion, the parties request that the Court set aside and rescind the February 4, 2014 foreclosure sale of the property commonly known as 10405 Indigo Road, Savannah, Georgia 31406 (the "Property"). (Id.) Defendant U.S. Bank is the holder of a Security Deed conveying the Property to secure repayment of a loan evidenced by a Promissory Note executed on July 31, 2006 in the amount of \$141,100.00. On or about May 25, 2012, the Security Deed was assigned to Defendant U.S. Bank. Defendant Ocwen is a loan servicer that serviced

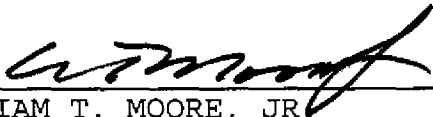
Plaintiff's loan on behalf of Defendant U.S. Bank. On or about February 4, 2014, Defendants caused the Property to be offered for sale at auction to the highest bidder. Defendant U.S. Bank was the highest bidder at the auction and was granted title to the Property via a Deed Under Power, recorded on April 17, 2014. The parties have stipulated that Defendant U.S. Bank is the current owner of the Property by virtue of the Deed Under Power.

After careful consideration, the parties' motion is **GRANTED**. The foreclosure sale of the Property on February 4, 2014, as reflected in the Deed Under Power, is hereby **SET ASIDE AND RESCINDED**. The Note and Security Deed are fully enforceable as if no foreclosure had occurred. This order **SHALL** be recorded with the Office of the Clerk for Chatham County Superior Court with a cross-reference to the Security Deed recorded on December 20, 2001 in Deed Book 311Q, Page 272, Chatham County, Georgia Records, the Assignment recorded in Deed Book 378T, Page 754, Chatham County, Georgia Records, and the Deed Under Power recorded at Deed Book 395Q, Page 179, Chatham County, Georgia Records. All remaining claims of Plaintiff, including

claims for monetary relief, are DISMISSED WITH PREJUDICE.

The Clerk of Court is DIRECTED to close this case.

SO ORDERED this 28<sup>th</sup> day of January 2015.

  
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WILLIAM T. MOORE, JR  
UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF GEORGIA