

SUBSTITUTE TRUSTEE'S NOTICE OF SALE

WHEREAS, on October 10, 2009, **JMH DEVELOPMENT, LLC**, a Mississippi limited liability company, executed a Real Estate Deed of Trust (the "Deed of Trust") to **J. PATRICK CALDWELL**, as Trustee, for the use and benefit of **BANCORPSOUTH BANK**, as Beneficiary and Lender named therein, a Mississippi banking corporation, which Deed of Trust is recorded in **Book 3,136**, at **Page 705** thereof, in the office of the Chancery Clerk of DeSoto County, at Hernando, Mississippi, and covers and describes certain real property and improvements consisting of Lot 2, Airport Industrial Park, in DeSoto County, Mississippi; and

WHEREAS, said Deed of Trust authorized the appointment and substitution of another trustee in the place of the Trustee named in said Deed of Trust and BancorpSouth Bank, pursuant to said Deed of Trust, duly and legally appointed and substituted **Harry E. Neblett, Jr.** as Substitute Trustee in the place and stead of said original Trustee, **J. Patrick Caldwell**, by written Appointment of Substitute Trustee dated May 9, 2011, filed for record on May 17, 2011, and duly recorded in Book 3,303, at Page 230, in the records of substitution of trustees in the office of the Chancery Clerk of DeSoto County, at Hernando, Mississippi, all as authorized and in strict accordance with the terms of the Deed of Trust; and

WHEREAS, **JMH Development, LLC** filed a petition for relief under Chapter 11 of the United States Bankruptcy Code on June 14, 2011, with said bankruptcy being Case No. 11-25968-PJD in the United States Bankruptcy Court for the Western District of Tennessee (the "Bankruptcy"); and

WHEREAS, pursuant to a Consent Order Granting Relief From the Automatic Stay dated, filed, and entered on July 26, 2012, in the Bankruptcy, said BancorpSouth Bank was granted relief from the automatic stay provisions of 11 U.S.C. § 362 and was permitted to proceed with the enforcement of the Deed of Trust and to pursue foreclosure with respect to the property described therein, and the Chapter 11 case of **JMH Development, LLC** was subsequently dismissed pursuant to Order Dismissing Chapter 11 Case dated August 1, 2012, and filed and entered on August 2, 2012, in the Bankruptcy and an Order Closing Case dated August 24, 2012, was filed and entered in the Bankruptcy on August 27, 2012; and

WHEREAS, default having been made in the performance of the terms, conditions and stipulations as set out in the Deed of Trust, and the entire indebtedness secured thereby having been declared to be due and payable in accordance with the terms of said Deed of Trust, and the undersigned Substitute Trustee having been requested and directed by said BancorpSouth Bank, as the legal holder of said indebtedness, to execute the trust therein contained and to sell the property described in and covered by said Deed of Trust in accordance with the terms of said Deed of Trust aforesaid and the laws of the State of Mississippi, for the purpose of raising the sums due thereunder together with attorney's fees, trustee's fees, and expenses of sale, with this Substitute Trustee's Notice of Sale being posted at the County Courthouse for DeSoto County in Hernando, Mississippi, and with the dates for publication of this Substitute Trustee's Notice of Sale in the *DeSoto Times-Tribune*, a newspaper published in the City of Hernando in DeSoto County, Mississippi, having been set as the following, to-wit: the 27th day of November, 2012; the 4th day of December, 2012; the 11th day of December, 2012; and the 18th day of December, 2012;

NOW, THEREFORE, I, **Harry E. Neblett, Jr.**, Substitute Trustee in and for said Deed of Trust, will, on the **19th day of December, 2012**, during legal hours (being between the hours of 11:00 a.m. and 4:00 p.m.), before the main East front door of the County Courthouse for DeSoto County, in Hernando, Mississippi, offer for sale, at public auction and sell to the highest and best bidder for cash, the following described real property situated in the County of DeSoto, State of Mississippi, and more particularly described as follows, to-wit:

Lot 2, Airport Industrial Park, situated in Section 24, Township 1 South, Range 8 West, City of Southaven, DeSoto County, Mississippi, as per plat thereof recorded in Plat Book 77, Pages 16-17, in the office of the Chancery Clerk of DeSoto County, Mississippi.

The Substitute Trustee reserves the right to sell said property as a whole or in separate parcels or parts and to adjourn or postpone said sale to another date without further advertisement or notice, all in accordance with the terms of the Deed of Trust and the laws of the State of Mississippi.

I will convey only such title as is vested in me as Substitute Trustee and such conveyance will be subject to any outstanding and unpaid taxes and any covenants, restrictions, easements, right-of-way, and other matters of record.

Witness my signature in my capacity as Substitute Trustee this the 21st day of November, 2012.



Harry E. Neblett, Jr.
Substitute Trustee

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12-19-12