

JAMES E. WOODS, GRANTOR

TO

TRUSTEE'S DEED

LEO FORTUNE, JR., ET AL

WHEREAS, on the 4th day of March, 1980, L. O. Valentine and wife, S. M. Valentine, executed a Deed of Trust to James E. Woods, Trustee for the benefit of Leo Fortune, Jr., E. L. King and James W. Futrell, said Deed of Trust being recorded on the 7th day of April, 1980, in Trust Deed Book 257, Page 587, Office of the Chancery Clerk of DeSoto County, Mississippi; and

WHEREAS, by instrument dated January 19, 1981, James W. Futrell, assigned all his right, title and interest in and to said Note and Deed of Trust unto Leo Fortune, Sr. by Assignment recorded in Land Trust Deed Book 268, Page 561, Land Trust Deed Records, DeSoto County, Mississippi; and

WHEREAS, the said Leo Fortune, Sr. is now deceased and his estate was probated in Cause No. 81-10-717, DeSoto County Chancery Court; and

WHEREAS, all of his interest in said Note and Deed of Trust passed to his wife, Sarah Fortune and son, Leo Fortune, Jr.; and

WHEREAS, default having been made in the terms and conditions of said Deed of Trust and the entire debt secured thereby having been declared to be due and payable in accordance with the terms of said Deed of Trust, and the holder of said indebtedness, Leo Fortune, Jr., E. L. King and Sarah Fortune, having requested the undersigned Trustee to execute the trust and sell the land in accordance with the Deed of Trust.

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NOW, THEREFORE, in consideration of the premises, I, James E. Woods, Trustee, did pursuant to said request, on the 25th day of April, 1986 within legal hours at the East door of the Courthouse in the City of Hernando, DeSoto County, Mississippi, offer for sale and sell at public auction to Leo Fortune, Jr., Sarah Fortune and E. L. King, they being the highest bidder for cash, the sum of Five Thousand Dollars (\$5,000.00), the land mentioned in said Deed of Trust, lying and being situated in DeSoto County, Mississippi, described as follows, to wit:

10.1 Acres in northwest quarter of Section 29, Township 3 South, Range 5 West, DeSoto County, Mississippi; commence at the southwest corner of Section 29, Township 3 South, Range 5 West, DeSoto County, Mississippi; thence run North 0 degrees 18 minutes 46 seconds West 2,640 feet to a point; thence run South 89 degrees 30 minutes 19 seconds East 2,440.82 feet to the point of beginning for herein described parcel; thence from said point of beginning run North 2,088.25 feet to a point in the center of Old Red Banks Creek; thence following the meanderings of said creek run South 31 degrees 37 minutes 44 seconds East 12.1 feet to a point; thence run South 63 degrees 50 minutes 34 seconds East 103.94 feet to a point; thence run South 88 degrees 41 minutes 50 seconds East 94.96 feet to a point; thence run South 01 degree 10 minutes 08 seconds East 2,032.51 feet to an iron pin 2 inches in diameter from a previous survey; thence run North 89 degrees 30 minutes 19 seconds West 8 feet + to a new fence; thence continue North 89 degrees 30 minutes 19 seconds West 228 feet to the point of beginning. Containing 10.1 acres, more or less, and being the same property described and of record in Deed Book 137, Page 648, in the Land Deed Records of DeSoto County, Mississippi.

The time, terms and place of sale were duly advertised for four (4) consecutive weeks immediately preceding the said sale by publication in the DeSoto County Times, a newspaper published in and having a general circulation in DeSoto County, Mississippi, with proof of said publication being attached hereto and made a part hereof, and by posting a notice of said sale on the bulletin board of the Courthouse in said County on the

28th day of March, 1986, and said notice remaining on said bulletin board until the date of sale of said land to-wit: April 25, 1986.

The proceeds of said sale were distributed by me as follows: DeSoto County Times, publication fee \$92.50; Substitute Trustee's fee \$300⁰⁰; balance remaining in my hands was paid to Leo Fortune, Jr., Sarah Fortune and E. L. King and to apply on the indebtedness due them by L. O. Valentine and S. M. Valentine.

THEREFORE, in consideration of the premises and the payment of said sum of Five Thousand Dollars (\$5,000.00) by the said Leo Fortune, Jr., Sarah Fortune and E. L. King, the receipt of all of which is hereby acknowledged, I, James E. Woods, Trustee, do hereby sell and convey to Leo Furtune, Jr., Sarah Fortune and E. L. King, the land hereinbefore described.

I convey only such title as is vested in me as Trustee.

WITNESS MY SIGNATURE this the 28th day of April, 1986.

James E. Woods
JAMES E. WOODS
TRUSTEE

STATE OF MISSISSIPPI
COUNTY OF DESOTO

This day personally appeared before me, th undersigned authority in and for said county and state, the within named James E. Woods, who acknowledged that he signed and delivered the above and foregoing Trustee's Deed on the day and year therein mentioned as his free and voluntary act and for the purposes therein expressed.

GIVEN UNDER MY HAND and Official Seal of office this the 28th day of April, 1986.

Bartan A. Hermit
NOTARY PUBLIC

My Commission Expires:
My Commission Expires February 11, 1989

PROOF OF PUBLICATION

THE STATE OF MISSISSIPPI
COUNTY OF DESOTO

Personally appeared before me the undersigned authority in and for said County and State, Celean Davis who states on oath that he is the Clerk of the DeSoto Times, a newspaper published and printed in the Town of Hernando, State and County aforesaid, and having a general circulation in said county, and that the publication of the notice, a copy of which is hereto attached, has been made in said paper 4 consecutive times,

as follows, to-wit:

TRUSTEE'S NOTICE OF SALE

WHEREAS, on the 4th day of March, 1980, L.O. Valentine and wife, S.M. Valentine, executed a Deed of Trust to James E. Woods, Trustee for the benefit of Leo Fortune Jr., E.L. King and James W. Futrell, said Deed of Trust being recorded on the 7th day of April, 1980, in Trust Deed Book 257, Page 587, Office of the Chancery Clerk of Marshall County, Mississippi; and WHEREAS, by instrument dated January 19, 1981, James W. Futrell, assigned all his right, title and interest in and to said Note and Deed of Trust unto Leo Fortune Sr. by Assignment recorded in Land Trust Deed Book 268, Page 561, Land Trust Deed Records, DeSoto County, Mississippi; and

WHEREAS, the said Leo Fortune Sr. is now deceased and his estate was probated in Cause No. 81-10-717, DeSoto County Chancery Court; and

WHEREAS, all of his interest in said Note and Deed of Trust passed to his wife, Sarah Fortune and son, Leo Fortune Jr.; and

WHEREAS, default having been made in the terms and conditions of said Deed of Trust and the entire debt secured thereby having been declared to be due and payable in accordance with the terms of said Deed of Trust, and the holder of said indebtedness, Leo Fortune Jr., E.L. King and Sarah Fortune, having requested the undersigned Trustee to execute the trust and sell the land in accordance with the Deed of Trust.

NOW, THEREFORE, I, James E. Woods, Trustee, under the provisions of and by virtue of the authority conferred upon me in said Deed of Trust, will on the 25th day of April, 1986, offer for sale at public outcry and sell, within legal hours, being between the hours of 11 a.m. and 4 p.m. at the East door of the County Courthouse of DeSoto County in Hernando, Mississippi, to the highest and best bidder for cash, the land lying and being situated in DeSoto County, Mississippi, described as follows, to-wit:

10.1 Acres in northwest quarter of Section 29, Township 3 South, Range 5 West, DeSoto County, Mississippi, commence at the southwest corner of Section 29, Township 3 South, Range 5 West, DeSoto County, Mississippi; thence run North 0 degrees 18 minutes 46 seconds West 2,640 feet to a point; thence run South 89 degrees 30 minutes 18 seconds East 2,440.82 feet to the point of beginning for herein described parcel; thence from said point of beginning run North 2.088.25 feet to a point in the center of Old Red Banks Creek; thence following the meanderings of said creek run South 31 degrees 37 minutes 44 seconds East 12.1 feet to a point; thence run South 83 degrees 50 minutes 34 seconds East 103.94 feet to a point; thence run South 88 degrees 41 minutes 50 seconds East 94.98 feet to a point; thence run South 01 degree 10 minutes 08 seconds East 2,032.51 feet to an iron pin 2 inches in diameter from a previous survey; thence run North 89 degrees 30 minutes 19 seconds West 8 feet * to a new fence; thence continue North 89 degrees 30 minutes 19 seconds West 228 feet to the point of beginning. Containing 10.1 acres, more or less, and being the same property described and of record in Deed Book 137, Page 648, in the Land Deed Records of DeSoto County, Mississippi.

I will convey only such title as is vested in me as Trustee

WITNESS MY SIGNATURE this the 28th day of March, 1986

James E. Woods, Trustee

April 3, 10, 17 & 24, 1986

- Volume No. 91 on the 3rd day of April, 1986
- Volume No. 91 on the 10th day of April, 1986
- Volume No. 91 on the 17th day of April, 1986
- Volume No. 91 on the 24th day of April, 1986
- Volume No. on the day of , 19

Celean Davis, Clerk

(Title)

Sworn to and subscribed before me, this the

29th day of April, 1986

Joseph G. Clark
Notary Public



My Commission Expires October 3, 1988

Fees of DeSoto Times, Publisher

A. Publishing	first insertion	<u>610</u> words @ .06	\$ <u>36.60</u>
B.	<u>B</u> subsequent insertions	<u>610</u> words @ .03	\$ <u>57.90</u>
C. Making proof of publication and depositing to same			\$ <u>1.00</u>
TOTAL PUBLISHER'S FEE			\$ <u>92.50</u>

Filed @ 10:00 AM, May 7, 1986
Recorded in Book 186 Page 419
H. G. Ferguson, Clerk