

ARTHUR E. HUGGINS, TRUSTEE

Grantor

To

CORRECTION TRUSTEE'S DEED

A. LEE CUMMINGS and wife, JEAN S. CUMMINGS, as joint tenants with full rights of survivorship and not as tenants in common

Grantees

WHEREAS, on September 21, 1977, CARRIAGE HILLS, LTD., A JOINT VENTURE, became justly indebted to THE GRENADA BANK, AT SOUTHAVEN, MISSISSIPPI, and did on that date for the purpose of securing said indebtedness, execute a certain Deed of Trust to ROBERT Q. WHITWELL, as Trustee for THE GRENADA BANK, AT SOUTHAVEN, MISSISSIPPI, conveying in trust to the aforementioned Trustee, the hereinafter described property; which said Deed of Trust is on file and of record in the office of the Chancery Clerk of DeSoto County, Mississippi, at Hernando, in Truste Deed Record 216, Page 280.

WHEREAS, on March 6, 1979, ARTHUR E. HUGGINS, was appointed Substitute Trustee and that said appointment was recorded in the office of the aforesaid, Chancery Clerk in Real Estate Trust Deed Book 240, Page 498, in said Clerk's Office;

WHEREAS, default has been made in the payment of the indebtedness secured by said Deed of Trust, THE GRENADA BANK, AT SOUTHAVEN, MISSISSIPPI, has directed the undersigned Substitute Trustee of said Deed of Trust to execute the same by sale of the property herein described in accordance with the terms and provisions thereof;

NOW, THEREFORE, I, ARTHUR E. HUGGINS, as Substitute Trustee, did pursuant to said request on the 20th day of March, 1987, within legal hours at the east door of the Courthouse in the Town of Hernando, DeSoto County, Mississippi, offer for sale, first in separate tracts and having no bids and no objection being made on the part of the grantor, under the aforesaid Deed of Trust, who was present at the said sale, and then by offering the real property in its entirety did sell at public auction to A. LEE CUMMINGS and wife, JEAN S. CUMMINGS, as joint tenants with full rights of survivorship and not as tenants in common, who were the highest and best bidders for cash, at and for the sum of One Hundred Thirty-Nine Thousand Dollars (\$139,000.00) the following described real estate, together

with all improvements and appurtenances thereunto belonging, lying, and being situated in DeSoto County, Mississippi, to-wit:

A parcel of land in the Southeast Quarter of Section 23, Township 1 South, Range 8 West, DeSoto County, Mississippi, and being more particularly described as follows:

Commencing at an iron railroad spike at the point of intersection of the centerline of Rasco Road and the east right-of-way line of U. S. Highway 51, and right-of-way line being located 50.00 feet east of and running parallel with the centerline of said highway; run thence N 3 degrees 15'-00" E along said east right-of-way line for a distance of 227.27 feet to the point of beginning of the herein described parcel of land.

From the point of beginning, run S 89 degrees-18'-10" E for a distance of 200.00 feet to a point; run thence N3 degrees-15'-00" E for a distance of 102.00 feet to a point; run thence N 87 degrees-52'-11" W for a distance of 199.84 feet to a point on said east right-of-way line of said U. S. Highway No 51; run thence S 3 degrees -15'-00" W along said highway right-of-way line for a distance of 107.00 feet to the point of beginning of the herein described property. Said property contains 0.0480 acres more or less.

A Tract of land in the Southeast Quarter of Section 23, Township 1 South, Range 8 West, DeSoto County, Mississippi, and being more particularly described as follows:

Commencing at an iron railroad spike at the point of intersection of the Centerline of Rasco Road and the east right-of-way line of U. S. Highway No. 51, said right-of-way line being located 50.00 feet east of and running parallel with the centerline of said highway; run thence N 3 degrees - 15'-00" E along said right-of-way line for a distance of 227.27 feet to a point; run thence S 89 degrees 18'-10" E for a distance of 200.00 feet to a point; run thence N 3 degrees-15'-00" E for a distance of 225.00 feet to a point on the south line of the property conveyed to Leo G. Catsavis, et al, by Deed recorded in Book 103, Page 22, and leased to Wetterau, Incorporated as evidenced by Memorandum Agreement in Book 41, Page 337, (hereinafter "Wetterau property"); run thence S 89 degrees 18'-10" E along the south line of the Wetterau property for a distance of 200.00 feet; continue running S 89 degrees-18'-10" E for a distance of 438.08 feet to an iron pin, said iron pin being located in the West line of and being the POINT OF BEGINNING hereof; run thence S 0 degrees -38'-40" W along the west line of Carriage Hills Subdivision for a distance of 452.20 feet to a railroad spike, said railroad spike being located on the centerline of the hereinabove mentioned Rasco Road run thence N 89 degrees-16'-40" W along the centerline of Rasco Road for a distance of 150.00 to a point on the centerline of said Rasco Road; thence North along a line parallel with , the eastern boundary of said property 454.45 feet to a point in the south line of Catsavis property as described hereinabove; thence East along the south boundary of said Catsavis property a distance of 150.00 feet to the point of beginning.

A tract of land in the southeast quarter of Section 23, Township 1 South, Range 8 West, DeSoto County, Mississippi, described as follows:

Beginning at a point in the south line of Section 23, (in the

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center of Rasco Road) a distance of 613.34 feet east of the intersection of the east line of U. S. Highway 51 and the center line of Rasco Road; thence parallel with the west line of Carriage Hills Subdivision North 0 degrees 38' 40" East 452.20 feet to a point in the north line of the property owned by Carriage Hills, Ltd.; thence East 95 feet to a point; thence South 0 degrees 38' 40" West 452.20 feet to the south line of said section; thence West 95 feet to the point of beginning. Less and except any rights or claims of L. H. Gill, et ux to 20 feet of this parcel as conveyed in Book 136, Page 242, of the Records of Deeds in the office of the Chancery Clerk, DeSoto County, Mississippi, and presently the object of a lawsuit in Cause #79-179 of DeSoto County Chancery Court.

The time, terms, and place of sale were duly advertised for four consecutive weeks immediately preceding said sale by publication in the DESOTO TIMES, a newspaper published 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 upon the bulletin board of the Courthouse in said county at the same time and in the manner required by law, said notice remaining upon the bulletin board until the date of the sale of said land, to-wit, March 20, 1987.

THEREFORE, in consideration of the premises and the payment to me of said sum of One Hundred Thirty-Nine Thousand Dollars (\$139,000.00) by the said A. LEE CUMMINGS, ET UX, the receipt of which is hereby acknowledged, I, ARTHUR E. HUGGINS, do hereby sell to A. LEE CUMMINGS and wife, JEAN S. CUMMINGS, as joint tenants with full rights of survivorship and not as tenants in common the land hereinbefore described.

BY WAY OF EXPLANATION, this foreclosure is for the purpose of correcting the legal description in the Substitute Trustee's Notice of sale and in the Trustee's Deed. Said Trustee's Deed is recorded in Book 142, Page 36, in the office of the Chancery Clerk of DeSoto County, Mississippi.

WITNESS my signature this the 20th day of March, 1987.


ARTHUR E. HUGGINS
Substitute Trustee

STATE OF MISSISSIPPI
COUNTY OF DESOTO

PERSONALLY appeared before me a Notary Public in and for the

jurisdiction aforesaid, ARTHUR E. HUGGINS, who states on oath that he signed and delivered as Trustee with the right and authority to do so, the above and foregoing Trustee's Deed on the day and the year therein mentioned.

SWORN TO AND SUBSCRIBED before me this the 20th day of March,



Luan J. Johnson
NOTARY PUBLIC

My Commission Expires:

November 28, 1987

PROOF OF PUBLICATION

THE STATE OF MISSISSIPPI
COUNTY OF DESOTO

Personally appeared before me the undersigned authority in and for said County and State, Rebecca Davis who states on oath that 2 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:

SUBSTITUTE TRUSTEE'S NOTICE OF SALE

WHEREAS, on September 21, 1977, CARRIAGE HILLS, LTD., A JOINT VENTURE, became justly indebted to THE GRENADA BANK, AT SOUTHAVEN, MISSISSIPPI, and did on that date for the purpose of securing said indebtedness, execute a certain Deed of Trust to ROBERT Q. WHITWELL, as Trustee for THE GRENADA BANK, AT SOUTHAVEN, MISSISSIPPI, conveying in trust to the aforementioned Trustee, the hereinafter described property; which said Deed of Trust is on file and of record in the office of the Chancery Clerk of DeSoto County, Mississippi, at Hernando, in Trust Deed Record 216, Page 280.

WHEREAS, on March 6, 1979, ARTHUR E. HUGGINS, was appointed Substitute Trustee and that said appointment was recorded in the office of the aforesaid, Chancery Clerk in Real Estate Trust Deed Book 240, Page 498, in said Clerk's Office;

WHEREAS, default has been made in the payment of the indebtedness secured by said Deed of Trust, THE GRENADA BANK, AT SOUTHAVEN, MISSISSIPPI, has directed the undersigned Substitute Trustee of said Deed of Trust to execute the same by sale of the property herein described in accordance with the terms and provisions thereof;

NOW, THEREFORE, I, ARTHUR E. HUGGINS, as Substitute Trustee, will within the legal hours on Friday, the 20th day of March, 1987, at the East door of the Courthouse of DeSoto County, Mississippi, at Hernando, Mississippi, offer for sale at public auction for cash to the highest and best bidder for the following described real estate together with all building and improvements thereon situated as located in DeSoto County, Mississippi, described as follows, to-wit:

A parcel of land in the Southeast Quarter of Section 23, Township 1 South, Range 8 West, DeSoto County, Mississippi, and being more particularly described as follows:

Commencing at an iron railroad spike at the point of intersection of the centerline of Rasco Road and the east right-of-way line of U.S. Highway 51, and right-of-way line being located 50.00 feet east of and running parallel with the centerline of said highway; run thence N 3 degrees - 15'-00" E along said east right-of-way line for a distance of 227.27 feet to the point of beginning of herein described parcel of land.

From the point of beginning, run S 89 degrees 18'-10" E for a distance of 200.00 feet to a point; run thence N 3 degrees - 15'-00" E for a distance of 102.00 feet to a point; run thence N 87 degrees 52'-11" W for a distance of 199.84 feet to a point on said east right-of-way line of said U.S. Highway No. 51; run thence S 3 degrees-15'-00" W along said highway right-of-way line for a distance of 107.00 feet to a point of beginning of the herein described property. Said property contains 0.0480 acres more or less.

A Tract of land in the Southeast Quarter of Section 23, Township 1 South, Range 8 West, DeSoto County, Mississippi, and being more particularly described as follows:

Commencing at an iron railroad spike at the point of intersection of the Centerline of Rasco Road and the east right-of-way line of U.S. Highway No. 51, said right-of-way line being located 50.00 feet east of and running parallel with the centerline of said highway; run thence N 3 degrees - 15'-00" E along said right-of-way line for a distance of 227.27 feet to a point; run thence S

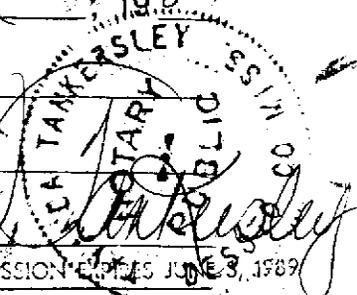
Volume No. 92 on the 26th day of Feb., 1987
Volume No. 92 on the 5th day of Mar., 1987
Volume No. 92 on the 12th day of Mar., 1987
Volume No. 92 on the 19th day of Mar., 1987
Volume No. _____ on the _____ day of _____, 19____

Rebecca Davis, Clerk
(Title)

Sworn to and subscribed before me, this the

23 day of March, 1987

By [Signature]
My Commission Expires MY COMMISSION EXPIRES JUNE 3, 1989



Fees of DeSoto Times, Publisher

A. Publishing	<u>1</u> first insertion <u>1064</u> words @ .06	\$ <u>63.84</u>
B.	<u>3</u> subsequent insertions <u>1064</u> words @ .03	\$ <u>95.76</u>
C. Making proof of publication and depositing to same		\$ <u>1.00</u>
TOTAL PUBLISHER'S FEE		\$ <u>160.60</u>

...ence of 225.00 feet to a point on the south line of the property conveyed to Leo G. Catsavia, et al, by Deed recorded in Book 103, Page 22, and leased to Wetterau, incorporated as evidenced by Memorandum Agreement in Book 41, Page 337 (hereinafter "Wetterau property"); run thence S 89 degree-18'-10" E along the south line of the Wetterau property for a distance of 200.00 feet; continue running S 89 degree-18'-10" E for a distance of 438.98 feet to an iron pin, said iron pin being located in the West line of and being the POINT OF BEGINNING hereof; run thence S 0 degree-38'-40" W along the west line of Carriage Hills Subdivision for a distance of 482.20 feet to a railroad spike, said railroad spike being located on the centerline of the hereinabove mentioned Rasco Road thence N 89 degree-18'-40" W along the centerline of Rasco Road for a distance of 150.00 feet to a point on the centerline of said Rasco Road; thence North along a line parallel with the eastern boundary of said property 454.45 feet to a point in the south line of Catsavia property as described hereinabove; thence East along the south boundary of said Catsavia property a distance of 150.00 feet to the point of beginning.

A tract of land in the southeast quarter of Section 23, Township 1 South, Range 8 West, DeSoto County, Mississippi, described as follows:

Beginning at a point in the south line of Section 23, (in the center of Rasco Road) a distance of 813.34 feet east of the intersection of the east line of U.S. Highway 51 and the center line of Rasco Road; thence parallel with the west line of Carriage Hills Subdivision North 0 degree 38'40" East 482.20 feet to a point in the north line of the property owned by Carriage Hills, Ltd.; thence East 95 feet to a point; thence South 0 degree-38'-40" West 482.20 feet to the south line of said section; thence West 95 feet to the point of beginning.

All right and equity of redemption, homestead and dower waived in said Deed of Trust and the title to said property is believed to be good, but I will convey only such title as is vested in me as Substitute Trustee.

By way of explanation, this foreclosure is for the purpose of correcting the legal description in the Substitute Trustee's Notice of Sale and in the Trustee's Deed. Said Trustee's Deed is recorded in Book 142, Page 36, in the office of the Chancery Clerk of DeSoto County, Mississippi.

Arthur E. Huggins
Substitute Trustee

26, Mar. 5, 12 & 19, 1987

Filed @ 1:30 P.M. March 23, 1987
Recorded in book 194 Page 160
H. G. Ferguson, Chancery Clerk