

BOOK 256 PAGE 545

STATE MS.-DESOTO CO.
FILED

STATE MS.-DESOTO CO.
FILED

APR 20 10 11 AM '93

MICHAEL E. HEWGLEY
SUBSTITUTE TRUSTEE,
GRANTOR

APR 27 11 09 AM '93
g.x.
g.x.

BK. PG.
W.E. DAVIS CH. CLK.

TO

BK 256 PG 545
W.E. DAVIS CH. CLK. SUBSTITUTE TRUSTEE'S DEED

NATIONAL BANK OF COMMERCE
MEMPHIS, TENNESSEE
GRANTEE

J.P. Stanley oc

WHEREAS, on September 12, 1988, DENNIS RHODES ENTERPRISES, INC., executed a Deed of Trust to D.B. Bridgforth, Jr., Trustee for the National Bank of Commerce, Memphis, Tennessee, which Deed of Trust is a record in the office of the Chancery Clerk of DeSoto County, Mississippi, in Deed of Trust Book 449, Page 98; and,

WHEREAS, the said National Bank of Commerce, has heretofore substituted Michael E. Hewgley as Trustee in place and in lieu of D.B. Bridgforth, Jr. by instrument dated February 9, 1993, appearing of record in Deed Book 624, Page 310, in the office of the Chancery Clerk of DeSoto County, Mississippi; 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 due and payable in accordance with the terms of said Deed of Trust, National Bank of Commerce, Memphis, Tennessee, the legal holder of said indebtedness, having requested the undersigned substituted Trustee to execute the trust and sell said land and property for the purpose of raising the sums due thereunder together with attorney's fees, substituted Trustee's fees, and expenses of said sale; and,

WHEREAS, the undersigned Substitute Trustee, in accordance with the terms of said Deed of Trust and the laws of the State of Mississippi, did advertise sale in the DeSoto Times, a newspaper published in the City of Hernando, State of Mississippi, and having a general circulation in DeSoto County, Mississippi, on the following dates: March 4, 1993, March 11, 1993, March 18, 1993, and March 25, 1993; which is more fully shown by the original proof of publication which is attached hereto as Exhibit "A", and made a part hereof as if fully copied herein; and by posting on the 4th day of March, 1993, a copy of said notice on the bulletin board of MEH3062

the Courthouse of DeSoto County, Mississippi, in Hernando; and,

WHEREAS, on the 9th day of April, 1993, at the East door of the County Courthouse of DeSoto County, Mississippi, at Hernando, between the hours of 11:00 o'clock A.M. and 4:00 o'clock P.M., I, Michael E. Hewgley, the undersigned substituted Trustee, did offer for sale at public outcry and did sell to the highest and best bidder for cash, the following described land and property situated in the County of DeSoto, State of Mississippi, to-wit:

Lot 7, First Revision, Unit 1, Freeport Industrial Park, in Section 22, Township 1 South, Range 8 West, City of Southaven, DeSoto County, Mississippi, as shown by plat thereof recorded in Plat Book 14, Pages 3 - 7, in the Office of the Chancery Clerk of DeSoto County, Mississippi.

WHEREAS, National Bank of Commerce, Memphis, Tennessee, acting by and through its duly authorized agent, did appear and make the highest and best bid; and,

WHEREAS, I did strike off the said property to the said National Bank of Commerce, Memphis, Tennessee, a corporation organized and existing under the laws of the United States of America.

NOW, THEREFORE, in consideration of the sum of One Hundred Thirty Thousand and No/100 Dollars (\$130,000.00), cash in hand paid, receipt of which is hereby acknowledged, I Michael E. Hewgley, Substitute Trustee, under the hereinabove mentioned Deed of Trust, do sell and convey unto National Bank of Commerce, Memphis, Tennessee, the above described land and property situated in DeSoto County, Mississippi.

Title to said property is believed to be good, but I convey only such title as is vested in me as Substitute Trustee. Subject to the right of the Internal Revenue Service to redeem the subject property as provided for in 26 USC Section 7425(b) pursuant to a Notice of Federal Tax Lien No. 649-211-497, recorded in Book 8, Page 93, in the Office of the Chancery Clerk of DeSoto County, Mississippi.

WITNESS my signature, this the 9th day of April, 1993.

Michael E. Hewgley
Michael E. Hewgley, Sub. Trustee
Substitute Trustee

STATE OF TENNESSEE

COUNTY OF SHELBY

This day personally appeared before me, the undersigned authority of law, in and for the jurisdiction aforesaid, the within name Michael E. Hewgley, Substitute Trustee, who acknowledged before me that he signed and delivered the above and foregoing Substitute Trustee's Deed on the year and date therein mentioned.

GIVEN UNDER MY HAND and Official Seal of Office, this the 9th day of April, 1992.

Judith S. Daniels
Notary Public



My Commission Expires:

2-10-97

GRANTOR'S ADDRESS AND PHONE:

Michael E. Hewgley, Attorney
6000 Poplar Avenue, Suite 200
Memphis, TN 38119
(901) 685-1322

GRANTEE'S ADDRESS AND PHONE:

National Bank of Commerce
Attn: Lori L. Foster
One Commerce Square
Memphis, TN 38103
(901) 523-3138



PROOF OF PUBLICATION

THE STATE OF MISSISSIPPI
COUNTY OF DESOTO

CHERRYL FITZGERALD personally appeared before me the undersigned authority in and for said County and State and states on oath that she is the **CLERK** of the DeSoto Times, a newspaper published 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**

- Volume No. 98 on the 4 day of March, 1993
- Volume No. 98 on the 11 day of March, 1993
- Volume No. 98 on the 18 day of March, 1993
- Volume No. 98 on the 25 day of March, 1993
- Volume No. _____ on the _____ day of _____, 19____

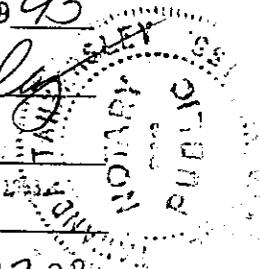
Cherryl Fitzgerald, Clerk
(TITLE)

Sworn to and subscribed before me, this the

1 day of April, 1993

Lawanda Antuska
By Notary Public

My commission expires _____ My Commission Expires June 3, 1994



- A. Single first insertion of 341 words @ .08 \$ 27.28
- B. 3 subsequent insertions of 1023 words @ .05 \$ 51.15
- C. Making proof of publication and depositing to same \$ 1.00

TOTAL PUBLISHER'S FEE \$ 79.43

WHEREAS, on September 12, 1988, DENNIS RHODES ENTERPRISES, INC., executed a Deed of Trust to D.B. Bridgforth, Jr., Trustee for NATIONAL BANK OF COMMERCE; said Deed of Trust appearing of record in Real Estate Trust Deed Book 449, Page 88, in the office of the Chancery Clerk of DeSoto County, Mississippi; and,

WHEREAS, the said National Bank of Commerce, pursuant to authority contained in said instrument has appointed MICHAEL E. HEWGLEY as Substitute Trustee by instrument dated February 9, 1993, appearing of record in Real Estate Trust Deed Book 624, Page 310, in the office of the Chancery Clerk of DeSoto County, Mississippi; 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 having requested the undersigned Substitute Trustee to execute the trust and sell said land in accordance with the terms of the Deed of Trust.

NOW, THEREFORE, I, MICHAEL E. HEWGLEY, Substitute Trustee, under the provisions of and by virtue of the authority conferred upon me in said Deed of Trust, will on the 9th day of April, 1993, offer for sale at public outcry and sell, within legal hours at the East Door of the County Courthouse 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:

Lot 7, First Revision, Unit 1, Freeport Industrial Park, in Section 22, Township 1 South, Range 8 West, City of Southaven, DeSoto County, Mississippi, as shown by plat thereof recorded in Plat Book 14, Pages 3-7, in the office of the Chancery Clerk of DeSoto County, Mississippi.

I will sell and convey only such title as is vested in me as Substitute Trustee. Subject to the right of the Internal Revenue Service to deem the real estate as provided for in USC Section 7425 (b). WITNESS my signature, this the 8th day of March, 1993.

Michael E. Hewgley
Substitute Trustee