

STATE OF MISSISSIPPI - DESOTO CO.

SUBSTITUTE TRUSTEE'S DEED

APR 28 11 35 AM '94

STATE OF MISSISSIPPI:

COUNTY OF DESOTO:

BK 270 PG 25  
W.E. DAVIS CH. CLK.  
*by M. Williams*

WHEREAS, on the 13th day of June, 1985, Billy Surman, executed a Deed of Trust to Lynda M. Davis, Trustee for the benefit of Stanton Abernathy, George S. Abernathy, Jr. and Richard M. Abernathy, which Deed of Trust is recorded in Trust Deed Book 341, Page 275 in the Office of the Chancery Clerk of DeSoto County, Mississippi, and

WHEREAS, the owner and holder of the aforesaid Deed of Trust has duly substituted and appointed James E. Woods as Substitute Trustee in the place and stead of the aforesaid original Trustee by instrument recorded in Book 650, Page 792 in the Office of the Chancery Clerk of DeSoto County, Mississippi and

WHEREAS, default has 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 the said indebtedness having requested the undersigned Substitute Trustee to execute the trust and to sell said land in accordance with the terms of said Deed of Trust.

NOW THEREFORE, in consideration of the premises, I, James E. Woods, Substitute Trustee, did pursuant to said request, on the 22nd day of April, 1994, 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 George S. Abernathy, Jr. and Richard M. Abernathy, they being the highest bidder for cash at and for the sum of Seventeen Thousand Four Hundred and 68/100 Dollars (\$17,400.68), the land described in said Deed of Trust lying and being situated in DeSoto County, Mississippi described as follows, to-wit:

Lot 3 of the Williams Tract containing 3.0 acres in part of the Northeast Quarter of Section 30, Township 2 South, Range 7 West, DeSoto County, Mississippi, to-wit: Beginning at the intersection of the centerline of Pleasant Hill Road and the East line of Section 30, Township 2 South, Range 3 West; thence North 2633.13 feet along the centerline of Swinnea Road to the intersection of Bankston Road, said point being the Northeast corner of Lot 1 of the Williams Tract; thence South 1°-04' East 608.0 feet along Swinnea Road to the Southeast corner of Lot 2 of the Williams Tract and the point of beginning of the following Lot 3; thence South 89°-08' West 423.56 feet to the Southwest corner of Lot 2; thence South 0°-03' East 304.0 feet along the West line of the Williams Tract to a point; thence North 89°-07' East 434.44 feet to a point in Swinnea Road; thence North 2°-06' West 304 feet to the point of beginning and containing 3.0 acres, more or less. All bearings are magnetic. This lot is subject to any right of ways that have been deeded for Swinnea Road.

Situated in the NE 1/4 of the NE 1/4.

The time, terms and place of sale were duly advertised for four (4) 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 the notice of said sale upon the bulletin board of the Courthouse in said county, on the 23rd day of March, 1994, and said notice remaining upon said bulletin board until the date for the sale of the land, to-wit: April 22, 1994.

The proceeds of said sale were distributed by me as follows: DeSoto Times \$95.99, James E. Woods Substitute Trustee fee \$304.69, balance remaining in my hands paid to George S. Abernathy, Jr. and Richard M. Abernathy to apply on the indebtedness due it by Billy Surman.

THEREFORE, in consideration of the premises and the payment to me of the said sum of Seventeen Thousand Four Hundred & 68/100 Dollars (\$17,400.68), by the said George S. Abernathy, Jr. and Richard M. Abernathy, the receipt of which is hereby acknowledged, I, James E. Woods Substitute Trustee do hereby convey and sell to George S. Abernathy, Jr. and Richard M. Abernathy, the land herein before described.

WITNESS MY SIGNATURE, this the 27<sup>th</sup> day of April, 1994.

James E. Woods  
JAMES E. WOODS  
SUBSTITUTE TRUSTEE

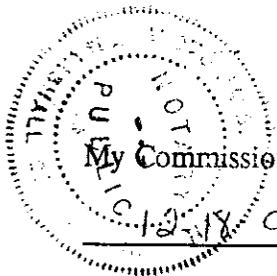
STATE OF MISSISSIPPI:

COUNTY OF DESOTO:

This day personally appeared me, the 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 Substitute Trustee's Deed on the day and year therein mentioned as his free and voluntary act and deed and for the purposes therein expressed.

Given of my hand the Official Seal of office this the 27<sup>th</sup> day of April, 1994.

Victoria B. Griffith  
NOTARY PUBLIC



GRANTOR'S ADDRESS

P.O. Box 456  
Olive Branch, MS 38654  
Phone: 601-895-2996

GRANTEE'S ADDRESS

Richard M. Abernathy  
George S. Abernathy, Jr.  
P.O. Box 280794  
Memphis, TN 38168-0794  
Hm. Phone: 901-278-7733  
Wk. Phone: 901-386-9831

Prepared by & return to:  
Woods and Snyder  
P. O. Box 456  
Olive Branch, MS 38654  
(601) 895-2996



P.O. Box 486  
Olive Branch, MS 38654

601-895-6220

D.W. JONES  
PUBLISHER

## Proof of Publication

STATE OF MISSISSIPPI  
COUNTY OF DESOTO

Personally appeared before me, a Notary Public in and for said County and State, D W Jones  
publisher of the DeSoto County Tribune, a newspaper published in the City of Olive Branch and having a general  
circulation in said County, who being duly sworn, deposed and said that the publication of a notice of which a true copy  
is hereto affixed, has been made in said newspaper for a period of 4 weeks consecutively, as follows, to wit:

In Vol. <u>XXII</u>	No. <u>18</u>	dated the <u>30th</u>	day of <u>March</u>	19 <u>94</u>
In Vol. <u>XXII</u>	No. <u>19</u>	dated the <u>6th</u>	day of <u>April</u>	19 <u>94</u>
In Vol. <u>XXII</u>	No. <u>20</u>	dated the <u>13th</u>	day of <u>April</u>	19 <u>94</u>
In Vol. <u>XXII</u>	No. <u>21</u>	dated the <u>20th</u>	day of <u>April</u>	19 <u>94</u>
In Vol. _____	No. _____	dated the _____	day of _____	19 _____

and that the DeSoto County Tribune has been published continuously for a period of more than one year.

D W Jones  
PUBLISHER

Sworn to and subscribed before me, this 20th  
day of April, 1994

(SEAL)

Charlotta Hopper  
NOTARY PUBLIC

MY COMMISSION EXPIRES FEB. 5, 1997

My commission expires \_\_\_\_\_, 19 \_\_\_\_\_

To James E. Woods

for taking the annexed publication of 413

words or the equivalent thereof for a total of 4

times \$ 94.99, plus \$1.00 for making a proof

of publication and depositing the same for a total cost

of \$ 95.99.

**SUBSTITUTE TRUSTEE'S  
NOTICE OF SALE**

WHEREAS, on June 19, 1985, Billy Surman, executed a Deed of Trust to Lynda M. Davis, Trustee for the benefit of Stanton Abernathy, George S. Abernathy, Jr. and Richard M. Abernathy, which Deed of Trust is recorded in Trust Deed Book 341, Page 275, in the office of the Chancery Clerk of DeSoto County, Mississippi, and

WHEREAS, the said JAMES E. WOODS has been appointed Substituted Trustee in the place and stead of the aforesaid Trustee by instrument recorded in Book 650, Page 792 in the Office of the Chancery Clerk of DeSoto County, Mississippi, and

WHEREAS, default having been made in the payment of the indebtedness secured by said Deed of Trust, and the holder of the note and Deed of Trust having requested the undersigned Substituted Trustee to do, I will on the 22nd day of April, 1994, offer for sale at public outcry and sell during legal hours between 11:00 a.m. and 4:00 p.m. at the East Door of the County Courthouse of DeSoto County, at Hernando, Mississippi, for cash, to the highest and best bidder, the following described land situated in DeSoto County, Mississippi, to-wit:

Lot 3 of the Williams Tract containing 3.0 acres in part of the Northeast Quarter of Section 30, Township 2 South, Range 7, West, DeSoto County, Mississippi, to-wit: Beginning at the intersection of the centerline of Pleasant Hill Road and the East line of Section 30, Township 2 South, Range 7, West; thence North 2633.13 feet along the centerline of Swinnea Road to the intersection of Bankston Road, said point being the Northeast corner of Lot 1 of the Williams Tract; thence South 1'-04" East 608.0 feet along Swinnea Road to the Southeast corner of Lot 2 of the Williams Tract and the point of beginning of the following Lot 3; thence South 89°-08' West 423.56 feet to the Southwest corner of Lot 2; thence South 0°-03' East 304.0 feet along the West line of the Williams Tract to a point; thence North 89°-07' East 434.44 feet to a point in Swinnea Road; thence North 2°-06' West 304 feet to the point of beginning and containing 3.0 acres, more or less. All bearings are magnetic. This lot is subject to any right of ways that have been deeded for Swinnea Road.

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

WITNESS MY SIGNATURE, this the 23rd day of March, 1994.

*for* JAMES E. WOODS  
SUBSTITUTED TRUSTEE

March 30, April 6, 13, 20-occ.