

SUBSTITUTE TRUSTEE'S DEED

WHEREAS, default was made in the performance of the conditions and stipulations as set out by that certain Deed of Trust from DANA L. WHITE to Leader Enterprises, Inc., Trustee for Leader Federal Bank for Savings, under date of September 19, 1990, which Deed of Trust is recorded in the office of the Chancery Clerk of DeSoto County at Hernando, Mississippi, in Book 521 at Page 137; and

WHEREAS, on October 1, 1990, said deed of trust was assigned to First Wachovia Mortgage Company, now known as Wachovia Mortgage Company, in that certain assignment which is recorded in the office of the Chancery Clerk aforesaid in Book 531 at Page 160; and

WHEREAS, the default continued for more than thirty (30) days; and

WHEREAS, William R. Barnett was appointed Substitute Trustee in the Deed of Trust aforementioned by instrument executed on March 11, 1994, and recorded in the office of the Chancery Clerk aforesaid in Book 694 at Page 772, wherein said Substitute Trustee has all rights, powers and privileges of the original Trustee named in said Deed of Trust, which Substitute Trustee appointment was placed of record in the office of the Chancery Clerk aforesaid prior to commencement of the hereinafter mentioned publication; and

WHEREAS, having been requested to do so by the Beneficiary, Wachovia Mortgage Company, of said Deed of Trust, I, William R. Barnett, Substitute Trustee, did make demand of the said Dana L. White, and did advertise the hereinafter described property for sale in the DeSoto Times, a newspaper of general circulation in

STATE MS.-DESOTO CO.  
FILED

MAY '6 11 38 AM '94

BK 270 PG 346  
W.E. DAVIS CH. CLK. *by [Signature]*

DeSoto County, Mississippi, on April 14, 1994, April 21, 1994, April 28, 1994, and May 5, 1994; which is more fully shown by the original proof of publication which is hereto attached as Exhibit A to the Deed and made a part hereof, as if copied fully herein in both words and figures, and by posting on the bulletin board of the Courthouse of DeSoto County in Hernando, Mississippi, strictly as required by law, and by the terms of the Deed of Trust aforesaid, which is more fully shown by the original certificate attached hereto setting forth an exact copy of the notice so posted and showing the date of posting; said Notice hereto attached as Exhibit B to the Deed and made a part hereof, as if copied fully herein in both words and figures; and

WHEREAS, the Substitute Trustee's Notice of Sale, in accordance with the heretofore mentioned Deed of Trust, provided that the said property would be sold on the 6th day of May, 1994, between the hours of 11:00 A.M. and 4:00 P.M., in front of the East Front Door of the Courthouse for DeSoto County, Mississippi, at Hernando, Mississippi, and I did offer for sale the following described property lying and being situated in DeSoto County, Mississippi, to-wit:

Lot 27, Section A, Eastover Subdivision, situated in Section 29, Township 1 South, Range 6 West, as per plat thereof recorded in Plat Book 12, Pages 32-35, in the office of the Chancery Clerk of DeSoto County, Mississippi.

WHEREAS, Wachovia Mortgage Company did appear and make the highest and best bid; and

WHEREAS, I did strike off the said property to the said

Wachovia Mortgage Company; and

NOW THEREFORE, in consideration of the sum of \$83,680.26, cash in hand paid, receipt of which is hereby acknowledged, I, WILLIAM R. BARNETT, Substitute Trustee, of 503 South State Street, Jackson, Mississippi 39201, Telephone No.: (601) 354-8627, do sell and convey unto WACHOVIA MORTGAGE COMPANY of Post Office Box 3174, Winston-Salem, North Carolina 27102; Telephone No.: 1-800-334-1221, 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.

WITNESS MY SIGNATURE, this the 6th day of May, 1994.

*William R. Barnett*

WILLIAM R. BARNETT,  
Substitute Trustee

STATE OF MISSISSIPPI

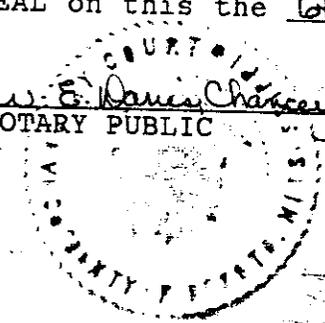
COUNTY OF DESOTO

PERSONALLY CAME AND APPEARED BEFORE ME, the undersigned authority, the within named WILLIAM R. BARNETT, who, after being first duly sworn, states on oath that he signed and delivered the above and foregoing Substitute Trustee's Deed on the day and year mentioned therein and that he does not have a financial or beneficial interest, either direct or indirect, in WACHOVIA MORTGAGE COMPANY.

GIVEN UNDER MY HAND AND SEAL on this the 6th day of May, 1994.

*W. E. Davis Chancery Clerk*  
NOTARY PUBLIC *W. P. Staley, Jr.*

My Commission expires:  
MY COMMISSION EXPIRES JAN. 2, 1996.



**CERTIFICATE OF POSTING**

I, WILLIAM R. BARNETT, do hereby certify on or before April 13, 1994, that I caused the Substitute Trustee's Notice of Sale of the property covered by the aforementioned Deed of Trust to be posted on the bulletin board located in the DeSoto County Courthouse at Hernando, Mississippi.

DATED, this the 6<sup>th</sup> day of May, 1994.

*William R. Barnett*

\_\_\_\_\_  
WILLIAM R. BARNETT

WILLIAM R. BARNETT  
503 South State Street  
Jackson, Mississippi 39201  
(601) 354-8627  
MSB# 2053



### PROOF OF PUBLICATION

THE STATE OF MISSISSIPPI  
COUNTY OF DESOTO

MELISSA PIERCE 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**  
WHEREAS, on September 19, 1990, DANA L. WHITE executed a Deed of Trust to Leader Enterprises, Inc., Trustee for Leader Federal Bank for Savings, which Deed of Trust is recorded in the office of the Chancery Clerk of the County of Hernando, Mississippi, and in case of your failure to appear and defend a judgment will be entered against you for the money or other things demanded in the Pardon. You are not required to file an answer or other pleading but you may do so if you desire. Issued under my hand and seal of said Court, this the 28th day of March, 1994.  
WE, SLUGGO DAVIS, Chancery Clerk

YOU HAVE BEEN MADE A DEFENDANT in the suit filed in this Court by VONDA LYNN ALLEN TO: MICHAEL SHAYNE (SUMMONS BY PUBLICATION) THE STATE OF MISSISSIPPI

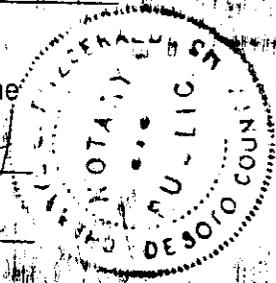
RULE 61 SUMMONS RESPONDENTS

- Volume No. 99 on the 14 day of April, 1994
- Volume No. 99 on the 21 day of April, 1994
- Volume No. 99 on the 28 day of April, 1994
- Volume No. 99 on the 5 day of May, 1994
- Volume No. \_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_

Melissa Pierce  
(TITLE)

Sworn to and subscribed before me, this the 5 day of May, 1994

Cherry L. Fitzgerald  
By Notary Public



My commission expires March 17 1997

A. Single first insertion of <u>388</u> words @ .08	\$ <u>31.04</u>
B. <u>3</u> subsequent insertions of <u>1164</u> words @ .05	\$ <u>58.20</u>
C. Making proof of publication and depositing to same	\$ <u>1.00</u>
<b>TOTAL PUBLISHER'S FEE</b>	\$ <u>90.24</u>

**SUBSTITUTE TRUSTEE'S NOTICE OF SALE**

WHEREAS, on September 19, 1990, DANA L. WHITE executed a Deed of Trust to Leader Enterprises, Inc., Trustee for Leader Federal Bank for Savings, which Deed of Trust is recorded in the office of the Chancery Clerk of DeSoto County at Hernando, Mississippi, in Book 521 at Page 137; and

WHEREAS, on October 1, 1990, said deed of trust was assigned to First Wachovia Mortgage Company, now known as Wachovia Mortgage Company, in that certain assignment which is recorded in the office of the Chancery Clerk aforesaid in Book 531 at Page 160; and

WHEREAS, William R. Barnett was appointed Substitute Trustee in the Deed of Trust aforementioned by instrument executed on March 11, 1994, and recorded in the office of the Chancery Clerk aforesaid in Book 694 at Page 772; and

WHEREAS, default having been made under the terms and conditions of said Deed of Trust, and the entire debt being secured thereby having been declared to be due and payable in accordance with the terms of said Deed of Trust, and the legal holder of said indebtedness, WACHOVIA MORTGAGE COMPANY, formerly known as First Wachovia Mortgage Company, having requested the undersigned Substitute Trustee to execute the Substitute Trustee's Notice of Sale and sell said land and property in accordance with the terms of said Deed of Trust for the purpose of raising the sum due thereunder, together with attorney's fee, Trustee's fee and expense of sale;

NOW, THEREFORE, I, William R. Barnett, Substitute Trustee in said Deed of Trust, will, on the 6th day of May, 1994, offer for sale at public outcry and sell within the legal hours (being the hours of 11:00 A.M. and 4:00 P.M.) in front of the East Front Door of the DeSoto County Courthouse for DeSoto County, Mississippi, at

Hernando, Mississippi, to the highest and best bidder, for cash, the following described land and property lying and being situated in DeSoto County, Mississippi, to-wit:

Lot 27, Section A, Eastover Subdivision, situated in Section 29, Township 1 South, Range 6 West, as per plat thereof recorded in Plat Book 12, Pages 32-35, in the office of the Chancery Clerk of DeSoto County, Mississippi.

Title is believed to be good, but I will only convey such title as is vested in me as Substitute Trustee.

WITNESS MY SIGNATURE, this the 8 day of April, 1994.

*William R. Barnett*  
\_\_\_\_\_  
WILLIAM R. BARNETT  
SUBSTITUTE TRUSTEE

Posted on or before: April 13, 1994

Publication Dates:

- April 14, 1994
- April 21, 1994
- April 28, 1994
- May 5, 1994

STATE MS.-DE SOTO CO.

APR 11 11 07 AM '94

DK \_\_\_\_\_  
CLK.

Prepared by:  
WILLIAM R. BARNETT  
503 South State Street  
Jackson, Mississippi 39201  
(601) 354-8627; MSB# 2053