

STATE OF MISSISSIPPI - DESOTO CO. *we*

Mississippi

APR 30

1 42 PM '97 *we*

Samuel A. Witt, Sr. and Connie S. Witt
UPNB #284971-9
Conventional

BK 315 PG 536

W.F. DAVIS, CH. CLERK

SUBSTITUTE TRUSTEE'S DEED

WHEREAS, by Deed of Trust dated August 17, 1994, and recorded in Book 724, Page 637, in the office of the Clerk of the Chancery Court of Desoto County, Mississippi, Samuel Arthur Witt, Sr. and wife, Connie S. Witt conveyed in trust to Charles M. Mooney, Sr., Trustee(s), the hereinafter described property for the purpose of securing the payment of the indebtedness and performance of the obligations therein mentioned and set forth; and,

WHEREAS, the legal holder of the debt secured appointed the undersigned as Substitute Trustee by instrument of record in Book 867, Page 131 in the office of the said Clerk of the Chancery Court; and,

WHEREAS, default was 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, and the legal holder of said Deed of Trust and the indebtedness secured thereby requested the undersigned to advertise 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 fees, trustee's fees and expense of sale; and,

WHEREAS, in pursuance of said request by said beneficiary, the said property was by the undersigned, advertised for sale in conformity with the terms and provisions of said Deed of Trust and the laws of the State of Mississippi by which advertisement the sale was appointed to be held on April 4, 1997, within legal hours at the east front door of the Courthouse of Desoto County, Mississippi; and,

WHEREAS, 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 the original proof of said publication being attached hereto and made a part hereof as if copied in full herein and by posting a notice of said sale upon the Bulletin Board of the Courthouse in said County, placed thereon the 27th day of February, 1997; and,

WHEREAS, at the time and place mentioned in said advertisement, the undersigned offered said property for sale at public outcry to the highest and best bidder for cash, at which sale Sunburst Mortgage Corporation, a corporation whose address is P.O. Box 3137, Memphis, TN 38173-0137 being the highest and best bidder, became the purchaser of said property at and for the sum of Thirty-four Thousand and no/100 Dollars; and,

WHEREAS, the purchaser, being the holder of the indebtedness, has complied with the terms of the sale by paying into the hands of the undersigned Substitute Trustee the expenses of the sale, the balance being applied upon said indebtedness for which property was sold.

NOW, THEREFORE, in consideration of the premises and the payment by Sunburst Mortgage Corporation of the sum of money so paid, receipt of which payment is hereby acknowledged, the undersigned Arnold M. Weiss, as Substitute Trustee, does hereby grant, bargain, sell and convey to the said Sunburst Mortgage Corporation, its successors and assigns the property above mentioned and now further described as being in County of Desoto, State of Mississippi, to-wit:

Lot 269, Lake O' The Hills Subdivision, in Section 19, Township 3 south, Range 9 West, Desoto County, Mississippi, as per Plat thereof recorded in Plat Book 2, Pages 35-36, in the Office of the Chancery Clerk of Desoto County, Mississippi.

This conveyance is subject to restrictive covenants presently affecting the above described property. Only such title is conveyed by this instrument as is vested in him as Substitute Trustee.

IN WITNESS WHEREOF, the said Arnold M. Weiss, Substitute Trustee, has on April 4, 1997 hereunto set his hand.


 ARNOLD M. WEISS, Substitute Trustee

STATE OF TENNESSEE

COUNTY OF SHELBY

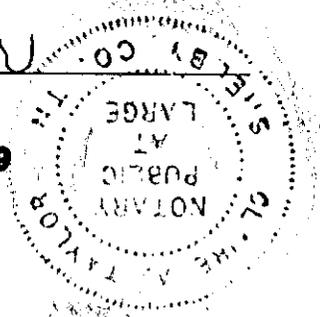
Personally appeared before me, the undersigned authority in and for the above mentioned county and state, Arnold M. Weiss, Substitute Trustee, who acknowledged that he signed and delivered the above and foregoing instrument on the date therein mentioned, as his own act and deed and for all purposes therein stated.

GIVEN under my hand and official seal of office on April 4, 1997.


 NOTARY PUBLIC

My Commission Expires: **MY COMMISSION EXPIRES JULY 20, 1999**

PROPERTY ADDRESS
 11280 High Road
 Hernando, MS 38632



GRANTEE AND AGENCY RESPONSIBLE FOR
 PAYMENT OF TAXES

Sunburst Mortgage Corporation
 P.O. Box 3137
 Memphis, TN 38173-0137
 901-580-6253

GRANTOR AND THIS INSTRUMENT PREPARED BY:

Arnold M. Weiss
 Attorney at Law
 208 Adams Avenue
 Memphis, Tennessee 38103
 901-526-8296



"Dedicated to the people and progress of DeSoto County"

PROOF OF PUBLICATION

THE STATE OF MISSISSIPPI
COUNTY OF DESOTO

DANA LONG 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:

NOTICE OF SUBSTITUTE TRUSTEE'S SALE

Whereas, on August 17, 1994 a Deed of Trust was executed by Samuel Arthur Witt, Sr. and wife, Connie S. Witt to Charles M. Mooney, Sr., Trustee(s), for the benefit of First Home Mortgage, Inc. which Deed of Trust is of record in the office of the Clerk of the Chancery Court of DeSoto County, Mississippi, in Deed of Trust Book 724, Page 637, and

Whereas, by various assignments on record said Deed of Trust was ultimately assigned to Union Planters National Bank by Instrument recorded in the office of the aforesaid Chancery Clerk in Book 854, Page 570 thereof; and

Whereas, the legal holder of the aforesaid Deed of Trust and the indebtedness secured thereby substituted Arnold M. Weiss as Substitute Trustee in the place and stead of Charles M. Mooney, Sr. and any subsequently appointed Substitute Trustee by Instrument of record in Book 867, Page 131 in the office of the said Clerk of the Chancery Court, 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 and conditions of said Deed of Trust and the legal holder of same indebtedness having requested the undersigned Substitute Trustee to execute the trust and sell said land and property in accordance with the terms of said Deed of Trust for the purpose of raising the sums due thereunder, together with attorney's fees, trustee's fees and expense of sale.

NOW, THEREFORE, I, ARNOLD M. WEISS, SUBSTITUTE TRUSTEE, WILL ON April 4, 1997, A.C.E., within legal hours, at the east front door of the Courthouse in DeSoto County, Mississippi, proceed to sell at public outcry to the highest and best bidder for cash, the following described property, to-wit:

Situated in DeSoto County, Mississippi.

Lot 269, Lake O' The Hills Subdivision, in Section 19, Township 3 south, Range 9 West, DeSoto County, Mississippi, as per Plat thereof recorded in Plat Book 2, Pages 35-36, 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.

WITNESS my signature this the 20th day of February, 1997, A.C.E.

ARNOLD M. WEISS, Substitute Trustee

Volume No. 102 on the 13 day of March, 1997

Volume No. 102 on the 20 day of March, 1997

Volume No. 102 on the 27 day of March, 1997

Volume No. 102 on the 3 day of April, 1997

Volume No. _____ on the _____ day of _____, 19____

Dana Long
(TITLE)

Sworn to and subscribed before me, this 3 day of April, 1997

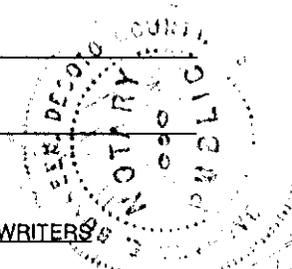
Barbara J. Burken

BY Notary Public

NOTARY PUBLIC STATE OF MISSISSIPPI AT LARGE

MY COMMISSION EXPIRES: OCT. 31, 1998

My commission expires: BONDED THRU NOTARY PUBLIC UNDERWRITERS



A. Single first insertion of 379 words @ .08 \$ 30.32
B. 3 subsequent insertions of 1137 words @ .05 \$ 56.85
C. Making proof of publication and depositing to same \$ \$1.00

TOTAL PUBLISHER'S FEE: \$ 88.17