

SUBSTITUTED TRUSTEE'S DEED

WHEREAS, on July 25, 1988, Steven G. McNeil and wife, Dawn M. McNeil, executed a deed of trust to James M. Glenn, III, Trustee for the benefit of City Federal Savings Bank, which deed of trust is recorded in Deed of Trust Book 444 at Page 631 and re-recorded in Book 466 at Page 229 in the office of the Chancery Clerk of the County of DeSoto, State of Mississippi; and

WHEREAS, the aforesaid deed of trust was assigned to Independence One Mortgage Corporation, by instrument dated June 30, 1989, and recorded in Book 478 at Page 358 of the records of the aforesaid Chancery Clerk; and

WHEREAS, the aforesaid deed of trust was assigned to Fleet Mortgage Corp., by instrument dated December 1, 1993, and recorded in Book 702 at Page 250 of the records of the aforesaid Chancery Clerk; and

WHEREAS, the aforesaid deed of trust was assigned to Midfirst Bank, by instrument dated November 2, 1996, and recorded in Book 889 at Page 224 of the records of the aforesaid Chancery Clerk; and

WHEREAS, the aforesaid, Midfirst Bank, the holder of said deed of trust and the note secured thereby, substituted John C. Underwood, Jr., as Trustee therein, as authorized by the terms thereof, by instrument dated March 9, 1998 and recorded in the office of the aforesaid Chancery Clerk in Book 0983 at Page 0361 and in Book 0983 at Page 0364; 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 legal holder of said indebtedness, Midfirst Bank, having requested the undersigned Substituted 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, Substituted Trustee's fees and expense of sale;

WHEREAS, the undersigned Substituted Trustee, after posting and publication of the Notice of Sale as required by the terms of said deed of trust and the laws of the State of Mississippi, within legal hours (being between the hours of 11:00 A.M. and 4:00 P.M.), on the 29th day of May, 1998, at public outcry offered the hereinafter described property for sale at the Main Front door of the County Courthouse at Hernando, County of DeSoto, State of Mississippi;

WHEREAS, at such sale, Johnny R. Burkhart bid the sum of \$47,426.36; and

WHEREAS, the bid by Johnny R. Burkhart was the highest bid; and

NOW, THEREFORE, I, John C. Underwood, Jr., Substituted Trustee, in consideration of the sum of \$47,426.36, do hereby sell and convey unto **Johnny R. Burkhart and Jennifer H. Burkhart**, as joint tenants with full rights of survivorship and not as tenants in common the following described property located and situated in the County of DeSoto, State of

Mississippi, to-wit:

Lot 436, Section "B", South One-half and Section East of Cow Pen Creek, DeSoto Village Subdivision, in Section 34, Township 1 South, Range 8 West, as shown on plat of record in Plat Book 8, Pages 16-21, in the office of the Chancery Clerk of DeSoto County, Mississippi.

WITNESS MY SIGNATURE, this, the 29th day of May, 1998.

*John C. Underwood, Jr.*  
\_\_\_\_\_  
John C. Underwood, Jr.  
SUBSTITUTED TRUSTEE

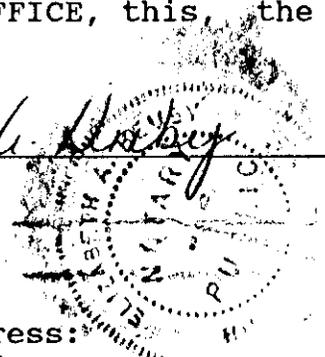
STATE OF MISSISSIPPI

COUNTY OF HINDS

PERSONALLY came and appeared before me, the undersigned authority in and for the county and state aforesaid, John C. Underwood, Jr., Substituted Trustee, who acknowledged to and before me that he signed and delivered the foregoing Substituted Trustee's Deed of the day and year therein mentioned, and for the purposes therein expressed.

GIVEN UNDER MY HAND AND OFFICIAL SEAL OF OFFICE, this, the 29th day of May, 1998.

*Elizabeth A. Harty*  
\_\_\_\_\_  
NOTARY PUBLIC



My Commission Expires: October 10, 2000

Grantor's Address:  
Post Office Box 16852  
Jackson, Mississippi 39236  
(601) 981-7773

Grantee's Address:  
109 Lyles Road  
Senatobia, Mississippi 38668  
(601) 349-2234

Prepared by:  
Underwood Law Firm  
Post Office Box 16852  
Jackson, Mississippi 39236  
(601) 981-7773

Return to:  
AUSTIN LAW FIRM  
ATTORNEYS AT LAW  
230 GOODMAN ROAD, SUITE 510  
SOUTHAVEN, MISSISSIPPI 38671



# DeSoto Times Today

BK 334 PG 711  
W.F. DAVIS CH. CLK.

## PROOF OF PUBLICATION

THE STATE OF MISSISSIPPI  
COUNTY OF DESOTO

TAMMY SCOTT personally appeared before me the undersigned in and for said County and State and states on oath that she is the CLERK of the DeSoto Times Today, 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:

### SUBSTITUTED TRUSTEE'S NOTICE OF SALE

WHEREAS, on July 25, 1988, Steven G. McNeil and wife, Dawn M. McNeil, executed a deed of trust to James M. Glenn, III, Trustee for the benefit of City Federal Savings Bank, which deed of trust is recorded in Deed of Trust Book 444 at Page 631 and re-recorded in book 466 at Page 229 in the office of the Chancery Clerk of the County of DeSoto, State of Mississippi; and WHEREAS, the aforesaid deed of trust was assigned to Independence One Mortgage Corporation, by instrument dated June 30, 1989, and recorded in the office of the aforesaid Chancery Clerk in Book 478 at page 358; and WHEREAS, the aforesaid deed of trust was assigned to Fleet Mortgage Corp., by instrument dated December 1, 1993, and recorded in the office of the aforesaid Chancery Clerk in Book 702 at Page 250; and WHEREAS, the aforesaid deed of trust was assigned to Midfirst Bank, by instrument dated November 2, 1996, and recorded in the office of the aforesaid Chancery Clerk in Book 889 at Page 224; and WHEREAS, the aforesaid, Midfirst Bank, the holder of said deed of trust and the note secured thereby, substituted John C. Underwood, Jr., as Trustee therein, as authorized by the terms thereof, by instrument dated March 9, 1998 and recorded in the office of the aforesaid Chancery Clerk in Book 0983 at Page 0361 and in Book 0983 at Page 0364; 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 legal holder of said indebtedness, Midfirst Bank, having requested the undersigned Substituted 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. Substituted Trustee's fees and expense of sale;

NOW, THEREFORE, I, John C. Underwood, Jr., Substituted Trustee in said deed of trust, will on the 29th day of May, 1998, offer for sale at public outcry for cash to the highest bidder, and sell within legal hours (being between the hours of 11:00 A.M. and 4:00 P.M.) at the Main Front door of the County Courthouse at Hernando, County of DeSoto, State of Mississippi, the following described property situated in the County of DeSoto, State of Mississippi, to-wit: Lot 436, Section "B", South One-half and Section East of Cow Pen Creek, DeSoto Village Subdivision, in Section 34, Township 1 South, Range 8 West, as shown on plat of record in Plat Book 8 Pags 16-21, in the office of the Chancery Clerk of DeSoto County, Mississippi.  
I WILL CONVEY only such title as is vested in me as Substituted Trustee. WITNESS MY SIGNATURE, this, the 28th day of April, 1998.  
John C. Underwood, Jr.  
SUBSTITUTED TRUSTEE  
May 7, 14, 21, 28, 1998

- Volume No. 103 on the 7 day of May, 1998
- Volume No. 103 on the 14 day of May, 1998
- Volume No. 103 on the 21 day of May, 1998
- Volume No. 103 on the 28 day of May, 1998
- Volume No. \_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_

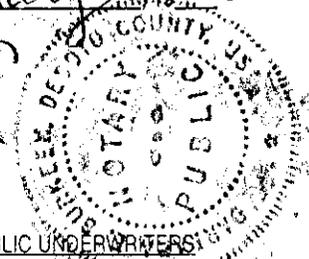
Tammy Scott  
(TITLE)

Sworn to and subscribed before me, this 28 day of May, 1998

Barbara J. Burke

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 600 words @ .08 \$ 40.00
- B. 3 subsequent insertions of 1500 words @ .05 \$ 75.00
- C. Making proof of publication and depositing to same \$ 1.00

TOTAL PUBLISHER'S FEE: \$ 116.00