

Mississippi

SUBSTITUTE TRUSTEE'S DEED

WHEREAS, by Deed of Trust dated June 27, 1995, and recorded in Book 771 Page 138, in the office of the Clerk of the Chancery Court of DeSoto County, Mississippi, Danto J. Gable, III, a married person conveyed in trust to Delta Title Company, 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 997 Page 214 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 July 1, 1998, 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 1st day of June, 1998; 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 Charles Moore and Charles D. Joyner as tenants in common, whose address is 7073 Village Lane, Olive Branch, Mississippi 38654 being the highest and best bidder, became the purchaser of said property at and for the sum of Forty-six Thousand Four Hundred Nineteen and no/100 Dollars; and,

WHEREAS, the purchaser, has complied with the terms of the sale by paying into the hands of the undersigned Substitute Trustee the amount of their bid.

NOW, THEREFORE, in consideration of the premises and the payment by Charles Moore and Charles D. Joyner as tenants in common 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 Charles Moore and Charles D. Joyner as tenants in common, their heirs and assigns in fee simple forever the property above mentioned and now further described as being in County of DeSoto, State of Mississippi, to-wit:

Lot 3114 of Section 0 of the Southaven West Subdivision being 1775 Brown Cv, in Section 23 and 26, Township 1 South, Range 8 West, as recorded in plat book 5, pages 12-13 of the Chancery Clerk's Office of Desoto County, Mississippi.

STATE MS. - DESOTO CO. *ka*

JUL 7 4 43 PM '98

BK 336 PG 84
W.E. DAVIS CH. CLK.

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 July 1, 1998 hereunto set his hand.

Arnold M. Weiss
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 July 1, 1998.

Alita H. Hailey
NOTARY PUBLIC

My Commission Expires: 6-19-2001

My Commission Expires June 19, 2001

PROPERTY ADDRESS
1775 Brown Cv
Southaven, MS 38671



GRANTEE AND AGENCY RESPONSIBLE FOR PAYMENT OF TAXES
Charles Moore and Charles D. Joyner
7073 Village Lane
Olive Branch, MS 38654
601-895-4884 *N/A*

GRANTOR AND THIS INSTRUMENT PREPARED BY:
Arnold M. Weiss
Attorney at Law
208 Adams Avenue
Memphis, Tennessee 38103
901-526-8296



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:

Volume No. 103 on the 9 day of June, 1998

Volume No. 103 on the 16 day of June, 1998

Volume No. 103 on the 23 day of June, 1998

Volume No. 103 on the 30 day of June, 1998

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

Tammy Scott
(TITLE)

**STATE OF MISSISSIPPI
COUNTY OF DESOTO
NOTICE OF SUBSTITUTE
TRUSTEE'S SALE**
Whereas, on June 27, 1995 a Deed of Trust was executed by Danato J. Gable, III, a married person to Delta Title Company, Trustee(s), for the benefit of Boatman's National Mortgage, Inc. which Deed of Trust is a record in the office of the Clerk of the Chancery Court of DeSoto County, Mississippi, in Deed of Trust Book 771 Page 156, and
Whereas, by various assignments on record said Deed of Trust was ultimately assigned to Cowen Federal Bank, FSB by instrument recorded in the office of the aforesaid Chancery Clerk in Book 965, Page 196 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 Delta Title Company and any subsequently appointed Substitute Trustee by instrument of record in Book 997 Page 214 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 the attorney's fees and expense of sale.

NOW, THEREFORE, I ARNOLD M. WEISS, SUBSTITUTE TRUSTEE WILL ON July 1, 1998, within legal hours, at the East Front Door of the Courthouse in DeSoto County, Mississippi, proceed to sell at public outcry to the higher and best bidder for cash, the following described property, to-wit:
Situating in DeSoto County, Mississippi, Lot 3114 of Section 0 of the Southaven West Subdivision being 1775 Brown Cv. in Section 23 and 26, Township 1 South, Range 8 West, as recorded in plat book 5, pages 12-13 of the Chancery Clerk's Office 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 27 day of May, 1998.
ARNOLD M. WEISS, Substitute Trustee
208 Adams Avenue
Memphis, TN 38103
901-528-8296
Jun. 9, 18, 23, 30, 1998

Sworn to and subscribed before me, this 30 day of June, 1998

Barbara L. Burkee
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 397 words @ .08 \$ 31.76
B. 3 subsequent insertions of 1191 words @ .05 \$ 59.55
C. Making proof of publication and depositing to same \$ 1.00

TOTAL PUBLISHER'S FEE: \$ 92.31