

BK0346PG0621

STATE MS.-DESOTO CO.
FILED

JAN 27 3 32 PM '99

STATE OF MISSISSIPPI

COUNTY OF DESOTO

BK 346 PG 621
W.E. DAVIDSON CLK.

SUBSTITUTED TRUSTEE'S DEED

WHEREAS, on July 24th, 1996, MICHAEL JOE FRESHOUR and wife, LINDA KATHERINE FRESHOUR, executed a certain Deed of Trust to ARTHUR E. HUGGINS, TRUSTEE for the benefit of CHARLES MOORE and C. S. RIGGAN, which Deed of Trust is of record, in the Office of the Chancery Clerk of DeSoto County, Mississippi, in Book 844, Page 502, and

WHEREAS, Deed of Trust was assigned to FIRST SECURITY BANK in Book 857, Page 603, and re-assigned to LINDA R. WOODS, EXECUTRIX FOR THE ESTATE OF CHARLES S. RIGGAN and CHARLES MOORE in Book 1051, Page 143; and

WHEREAS, an Order Approving Creditor's Motion for Relief from the Automatic Stay and Abandoning Property was entered on August 18th, 1998, in the United States Bankruptcy Court, Western District of Tennessee in case number 98-25809 WHB; and

WHEREAS, LINDA R. WOODS, EXECUTRIX FOR THE ESTATE OF CHARLES S. RIGGAN and CHARLES MOORE have heretofore substituted ERIC L. SAPPENFIELD as Trustee in place and in lieu of ARTHUR E. HUGGINS, by instrument dated November 3rd, 1998, and recorded in Book 1057, Page 373, in the Office of the Chancery Clerk of DeSoto County, Mississippi; 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, LINDA R. WOODS, EXECUTRIX FOR THE ESTATE OF CHARLES S. RIGGAN and CHARLES MOORE, the legal holders of said indebtedness, 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 and for the purpose of raising the sums due thereunder, together with attorney's fees, trustee's fees and expense of sale.

WHEREAS, the undersigned Substituted Trustee in accordance with the terms of the Deed of Trust and the laws of the State of Mississippi did advertise said sale in THE DESOTO TIMES, a

newspaper published and generally circulated in DeSoto County, Mississippi, for four consecutive weeks preceding the date of the sale. The first notice publication appeared, December 30th, 1998 and subsequent notices appeared on January 6th, January 13th and January 20th, 1999. Proof of publication is attached hereto and incorporated herein by reference. A notice identical to said published notice was posted on the bulletin board at the east entrance of the DeSoto County Courthouse at Hernando, Mississippi, on December 22nd, 1998, and everything necessary to be done was done to make and effect a good and lawful sale.

WHEREAS, on January 21st, 1999, at the east entrance of the DeSoto County Courthouse, Hernando, Mississippi, between the hours of 11: 00 A.M. and 4:00 P.M., I the undersigned Substituted Trustee did offer for sale and sell said property for cash to the highest bidder the following described property, lying and being situated in DeSoto County, Mississippi:

Lot 99, Section D, THE BRANCH SUBDIVISION, in Section 35, Township 1 South, Range 6 West, DeSoto County, Mississippi, as shown on Plat recorded in Plat Book 49, Page 8, in the Office of the Chancery Clerk of DeSoto County, Mississippi.

The undersigned Substituted Trustee offered said property for sale at public outcry as set forth above and there appeared LINDA R. WOODS, EXECUTRIX FOR THE ESTATE OF CHARLES S. RIGGAN and CHARLES MOORE, who bid the amount of \$120,000.00, and this being the highest and best bid, said LINDA R. WOODS, EXECUTRIX FOR THE ESTATE OF CHARLES S. RIGGAN and CHARLES MOORE were declared the successful bidders and the same was then and there struck off to said LINDA R. WOODS, EXECUTRIX FOR THE ESTATE OF CHARLES S. RIGGAN and CHARLES MOORE.

NOW THEREFORE, in consideration of the premises and in consideration of the price and sum of \$120,000.00, cash in hand paid, receipt of which is hereby acknowledged, I, the undersigned Substituted Trustee, do hereby sell and convey unto LINDA R. WOODS, EXECUTRIX FOR THE ESTATE OF CHARLES S. RIGGAN and CHARLES MOORE the land and property above described, together with all improvements thereon.

Title to this property is believed to be good, but I will

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

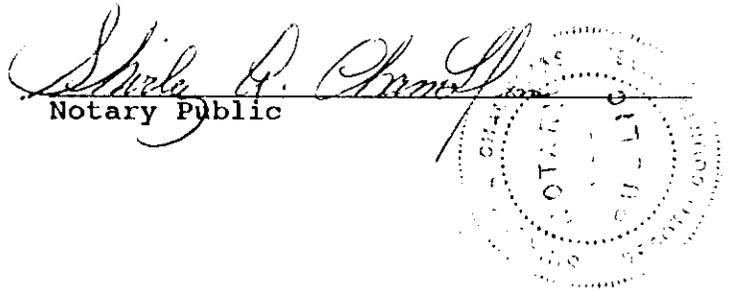
WITNESS MY SIGNATURE this the 22nd day of January , 1999.



ERIC L. SAPPENFIELD
SUBSTITUTED TRUSTEE

STATE OF MISSISSIPPI
COUNTY OF DESOTO

PERSONALLY appeared before me the undersigned authority in and for the said county, and state, on this 22nd day of January, 1999, within my jurisdiction, the within named ERIC L. SAPPENFIELD, who acknowledged that he is Substituted Trustee of LINDA R. WOODS, EXECUTRIX FOR THE ESTATE OF CHARLES S. RIGGAN and CHARLES MOORE, and that in said representative capacity he executed the above and foregoing instrument, after first having been duly authorized so to do.



My Commission Expires:
5-5-99

Grantors Address: 97 Stateline Rd., E., Southaven, MS 38671
wk:601-342-2170 hm:601-349-4412
Grantees Address: P. O. Box 661, Olive Branch, MS 38654
wk:901-521-0774 hm: N/A

This instrument prepared by:
Eric L. Sappenfield
Attorney at Law
97 Stateline Road East
Southaven, MS 38671

601-342-2170



PROOF OF PUBLICATION

THE STATE OF MISSISSIPPI
COUNTY OF DESOTO

RUTH DOBBS 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 24th, 1998, MICHAEL JOE FRESHOUR and wife, LINDA KATHERINE FRESHOUR, executed a certain Deed of Trust to ARTHUR E. HUGGINS, Trustee, for the benefit of CHARLES MOORE and C. S. RIGGAN, which Deed of Trust is of record in the Office of the Chancery Clerk of DeSoto County, Mississippi, in Book 844, Page 602, and

WHEREAS, Deed of Trust was assigned to FIRST SECURITY BANK in Book 857, Page 603, and re-assigned to LINDA R. WOODS,

EXECUTRIX FOR THE ESTATE OF CHARLES S. RIGGAN and CHARLES MOORE in Book 1051, Page 143

WHEREAS, an Order Approving Creditor's Motion for Relief from the Automatic Stay and Abandoning Property was entered on August 18th, 1998 in the United States Bankruptcy Court, Western District of Tennessee in case number 98-25800 WTB;

WHEREAS, LINDA R. WOODS, EXECUTRIX FOR THE ESTATE OF CHARLES S. RIGGAN and CHARLES MOORE have heretofore substituted ERIC L. SAPPENFIELD as Trustee in place and lieu of ARTHUR E. HUGGINS, by instrument dated November 3rd, 1998, and recorded in Book 1057, Page 373, in the Office of the Chancery Clerk of DeSoto County, Mississippi; 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, LINDA R. WOODS, EXECUTRIX FOR THE ESTATE OF CHARLES S. RIGGAN and CHARLES MOORE, the legal holders, of said indebtedness, 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 and for the purpose of raising the sums due thereunder, together with attorney's fees, trustee's fees and expenses of sale.

NOW THEREFORE, I, ERIC L. SAPPENFIELD, SUBSTITUTED TRUSTEE, under the provisions of and by virtue of the authority conferred upon me in the same Deed of Trust, will on the 21st day of January, 1999, within the legal hours between 11:00 A.M. and 4:00 P.M. at the east door of

the County Courthouse of DeSoto County, Hernando, Mississippi, offer for sale and sell said property for cash to the highest bidder, the following described property lying and being situated in DeSoto County, Mississippi: Lot 90, Section D, THE BRANCH SUBDIVISION, in Section 35, Township 1 South, Range 6 West, DeSoto County, Mississippi, as shown on Plat recorded in Plat Book 49, page 8, in the Office of the Chancery Clerk of DeSoto County, Mississippi.

The undersigned Substituted Trustee will convey only such title as is vested in him by virtue of the above described Deed of Trust.

WITNESS MY SIGNATURE this the 21st day of December, 1998.

Eric L. Sappenfield
Substituted Trustee
Dec. 30, 1998, Jan. 6, 13, 20, 1999

- Volume No. 103 on the 30 day of December, 1998
Volume No. 10X on the 6 day of January, 1999
Volume No. 10X on the 13 day of January, 1999
Volume No. 0X on the 20 day of January, 1999
Volume No. on the day of 19

Ruth Dobbs (TITLE)

Sworn to and subscribed before me, this 20 day of January, 1999

Barbara C. Burkes
BY Notary Public

NOTARY PUBLIC STATE OF MISSISSIPPI AT LARGE
MY COMMISSION EXPIRES: OCT. 31, 2002
BONDED THRU HEIDEN, BROOKS & GARLAND, INC.

A. Single first insertion of 467 words @ .12 \$ 56.04
B. 3 subsequent insertions of 1401 words @ .10 \$ 140.10
C. Making proof of publication and depositing to same \$ 3.00

TOTAL PUBLISHER'S FEE: \$ 199.14