

BK 0363 PG 0245

STATE MS.-DE SOTO CO.
FILED

BankUnited/OGLE/619598-5

Nov 22 9 00 AM '99

DESCRIPTION FOR INDEXING PURPOSES:
Lot 1677, Section F, Southaven West,
DeSoto County, MS

BK 363 PG 245
W.E. DAVIS CH. CLK.

SUBSTITUTE TRUSTEE'S DEED

WHEREAS, on March 28, 1994, W. S. Ogle, IV, Unmarried, executed a Deed of Trust to Thomas F. Baker, IV, Trustee for the use and benefit of First Tennessee Bank National Association which Deed of Trust is on file and of record in the office of the Chancery Clerk of DeSoto County, Mississippi, in Deed of Trust Book 697 at Page 453 thereof; and

WHEREAS said Deed of Trust was assigned to Bank United by instrument recorded in the office of the aforesaid Chancery Clerk in Book 1006 at Page 777 thereof; and

WHEREAS, the legal holder and beneficiary of said deed of trust, in accordance with the terms of said Deed of Trust, substituted LEM ADAMS, III, TRUSTEE, in place and stead of the original or any successor Trustee in said Deed of Trust by Substitution of Trustee which is on file and of record in the office of the aforesaid Chancery Clerk in Book 1149 at Page 475 thereof, the said Lem Adams, III, being granted all the rights, powers and privileges of the said original Trustee named in said Deed of Trust; and

WHEREAS, default having been made in the terms and conditions of said Deed of Trust and the entire indebtedness secured thereby having been declared to be due and payable in accordance with the terms of said Deed of Trust, Bank United, the legal holder of said indebtedness, having requested the undersigned Substitute Trustee

to execute the trust and sell said land and property described in said Deed of Trust 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 expenses of sale; and

WHEREAS, the undersigned Substitute Trustee in accordance with terms of said Deed of Trust and the laws of the State of Mississippi did advertise said sale in the DeSoto County Tribune, a newspaper published in the City of Olive Branch, DeSoto County, State of Mississippi, on the following dates, to-wit: October 27, November 3, 10, 17, 1999, which is more fully shown by the original Proof of Publication which is attached hereto as Exhibit "A" and made a part hereof as though fully copied herein in words and figures; and by posting on the 25th day of October, 1999, a copy of the Substitute Trustee's Notice of Sale on the bulletin board of the County Courthouse of DeSoto County, Mississippi; and

WHEREAS, on the 18th day of November, 1999, at the east front door of the DeSoto County Courthouse, at Hernando, Mississippi, between the hours of 11:00 o'clock a.m. and 4:00 o'clock p.m., the undersigned Substitute Trustee did offer for sale at public outcry and did sell to the highest bidder for cash the following described land and property situated in DeSoto County, Mississippi, to-wit:

Lot 1677, Section F, Southaven West, situated in Section 22, Township 1 South, Range 8 West, City of Southaven, DeSoto County, Mississippi, as per plat thereof recorded in Plat Book 3, Pages 29-30, in the office of the Chancery Clerk of DeSoto County, Mississippi.

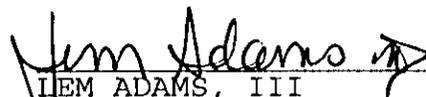
WHEREAS, the undersigned Substitute Trustee offered the above described property for sale at public outcry as set forth above,

and there appeared at said sale an agent for Bank United, bidding the sum of Sixty-Two Thousand Eight Hundred Forty-Three and NO/100 Dollars (\$62,843.00) for all of the above-described property and said property was struck off to Bank United, for said amount, and said bidder was declared the purchaser thereof.

WHEREAS, in the Appointment of Substitute Trustee hereinbefore referred to, Bank United, authorized Lem Adams, III, Substitute Trustee, to transfer and assign this bid to the SECRETARY OF VETERANS AFFAIRS, an Officer of the United States of America, or the SECRETARY OF HOUSING AND URBAN DEVELOPMENT in the event Bank United was the last and highest bidder at the sale, which event has taken place; and whereas, by the execution of this instrument, the said Lem Adams, III, Substitute Trustee, does hereby transfer and assign all of the rights, title and interest of Bank United as last and highest bidder, to the SECRETARY OF VETERANS AFFAIRS, an Officer of the United States of America.

NOW THEREFORE, in consideration of the premises and the sum of Sixty-Two Thousand Eight Hundred Forty-Three and NO/100 Dollars (\$62,843.00), cash in hand paid, the receipt of which is hereby acknowledged, LEM ADAMS, III, SUBSTITUTE TRUSTEE, does hereby sell and convey to the Secretary of Veterans Affairs, an Officer of the United States of America, all of the above-described property, conveying only such title as is vested in him as Substitute Trustee.

WITNESS MY SIGNATURE on this the 18th day of November, 1999.


LEM ADAMS, III
SUBSTITUTE TRUSTEE

STATE OF MISSISSIPPI

COUNTY OF RANKIN

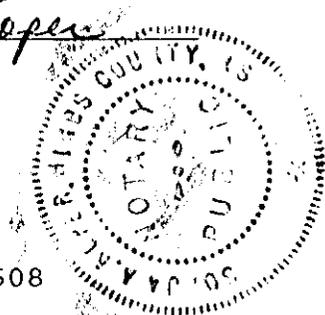
PERSONALLY came and appeared before me, the undersigned authority in and for the jurisdiction aforesaid, the within named LEM ADAMS, III, SUBSTITUTE TRUSTEE in the above and foregoing instrument of writing, who acknowledged to me that he, as said Substitute Trustee, signed and delivered the above and foregoing instrument of writing on the day and year and for the purposes therein mentioned.

GIVEN UNDER MY HAND AND OFFICIAL SEAL OF OFFICE on this the 18th day of November, 1999.

Lenja A. Roper
NOTARY PUBLIC

My Commission Expires:

2-9-2000



Grantor: P. O. Box 400, Brandon, MS 39043 (601) 825-9508

Grantee: P. O. Box 1437, St. Petersburg, FL 33731 (713) 548-3249

PREPARED BY: ADAMS & EDENS
A Professional Association
POST OFFICE BOX 400
BRANDON, MISSISSIPPI 39043
(601) 825-9508

THE DESOTO COUNTY TRIBUNE

P.O. Box 486
Olive Branch, MS 38654

601-895-6220

DAVID GRISHAM
GENERAL MANAGER

Proof of Publication

STATE OF MISSISSIPPI
COUNTY OF DESOTO

Personally appeared before me, a Notary Public in and for said County and State, David Grisham, Publisher of the DeSoto County Tribune, a newspaper published in the City of Olive Branch and having a general circulation in said County, who being duly sworn, deposed and said that the publication of a notice of which a true copy is hereto affixed, has been made in said newspaper for a period of 4 weeks consecutively, as follows, to wit:

In Vol. <u>XXVII</u>	No. <u>52</u>	, dated the <u>November</u>	day of <u>17th</u>	, 19 <u>99</u>
In Vol. <u>XXVII</u>	No. <u>51</u>	, dated the <u>November</u>	day of <u>10th</u>	, 19 <u>99</u>
In Vol. <u>XXVII</u>	No. <u>50</u>	, dated the <u>November</u>	day of <u>3rd</u>	, 19 <u>99</u>
In Vol. <u>XXVII</u>	No. <u>49</u>	, dated the <u>October</u>	day of <u>27th</u>	, 19 <u>99</u>
In Vol. _____	No. _____	, dated the _____	day of _____	, 19 _____

and that the DeSoto County Tribune has been published continuously for a period of more than one year.

David Grisham
GENERAL MANAGER

Sworn to and subscribed before me, this 17th
day of November, 19 99

(SEAL) Notary Public
Missie Smith
NOTARY PUBLIC

My commission expires My Commission Expires April 27, 2002
To Adams & Edens
for taking the annexed publication of 398
words or the equivalent thereof for a total of four (4)
times \$ 167.16, plus \$3.00 for making a proof
of publication and depositing to same for a total cost
of \$ 170.16

**SUBSTITUTED TRUSTEE'S
NOTICE OF SALE**

WHEREAS, on March 28, 1994, W. S. Ogle, IV, Unmarried, executed a Deed of Trust to Thomas F. Baker, IV, Trustee for the use and benefit of First Tennessee Bank National Association, which deed of trust is on file and of record in the office of the Chancery Clerk of DeSoto County, State of Mississippi, in Deed of Trust Book 697 at Page 453 thereof; and

WHEREAS, said Deed of Trust was assigned to Bank United by instrument recorded in the office of the aforesaid Chancery Clerk in Book 1006 at Page 777 thereof; and

WHEREAS, the legal holder of the said Deed of Trust and the note secured thereby, substituted Lem Adams, III, as Trustee therein, as authorized by the terms thereof, by instrument recorded in the office of the aforesaid Chancery Clerk in Book 1149 at Page 475 thereof; and

WHEREAS, default having been made in the performance of the conditions and stipulations as set forth by said Deed of Trust, and having been requested by the legal holder of the indebtedness secured and described by said Deed of Trust so to do, notice is hereby given that I, Lem Adams, III, Substitute Trustee, by virtue of the authority conferred upon me in said Deed of Trust, will offer for sale and will sell at public sale and outcry to the highest and best bidder for cash, during the legal hours (between the hours of 11 o'clock a.m. and 4 o'clock p.m.) at the east front door of the County Courthouse of DeSoto County, Mississippi, on the 18th day of November, 1999, the following described land and property being the same land and property described in said Deed of Trust, situated in DeSoto County, State of Mississippi, to wit:

Lot 1677, Section F, Southaven West, situated in Section 22, Township 1 South, Range 8 West, City of Southaven, DeSoto County, Mississippi, as per plat thereof recorded in Plat Book 3, Pages 29-30, in the office of the Chancery Clerk of DeSoto County, Mississippi.

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

WITNESS my signature, on this the 20th day of October, 1999.

/s/ Lem Adams, III
SUBSTITUTE TRUSTEE

Prepared by:
Adams & Edens
A Professional Association
Post Office Box 400
Brandon, Mississippi 39043
(801) 825-9508
Oct. 27, Nov. 3, 10, 17-000.

**ADAMS & EDENS
A PROFESSIONAL ASSOCIATION
P.O. BOX 400
BRANDON, MS 39043**