

SUBSTITUTE TRUSTEE'S DEED

On the 29th day of April, 1994, **Durwood L. Merrill**, executed to Hugh H. Armistead, as Trustee, a certain Deed of Trust recorded in the Chancery Clerk's Office of DeSoto County, Mississippi in **Book 705, Pages 285-287**; and

WHEREAS, on the 27th day of September, 1999, a Substitution of Trustee was filed substituting for Hugh H. Armistead, and in his place and stead, T. Robert Abney or Robert F. Uhlmann, Substitute Trustees, which Substitution of Trustee was filed in the Chancery Clerk's Office of DeSoto County, Mississippi in **Book 1038, Page 626**.

The property is known as **9744 Riggan Dr., Olive Branch, Mississippi**, and is fully set forth and described hereafter.

The obligor defaulted in the payment of the debts and obligations secured by the Deed of Trust and the holder of the note evidencing such obligation requested the undersigned to advertise and sell the property conveyed thereby, according to the terms of the Deed of Trust, and in accordance with such request, the property was advertised for sale in The DeSoto Times, which is a daily newspaper published in Olive Branch, Mississippi, for four (4) consecutive weeks, such advertisement appearing on November 12, November 19, November 26 and December 3, 1999. Such advertisement gave the time, terms, place of sale and description of the property and at the time set out which was **Monday, December 6, 1999** between the legal hours of eleven o'clock (11:00 a.m.) and four o'clock (4:00 p.m.) and was held at 3:25 p.m. and at the place mentioned in the advertisement which was in front of the East Door and at the Highway 51 South entrance of the DeSoto County Courthouse, 2535 Highway 51 South, Hernando, Mississippi 38632, the said property was offered for sale, at public outcry to the highest and best bidder for cash, at which sale the property was struck off and sold to **Union Planters National Bank**, at and for the sum of Forty-Eight Thousand and 00/100 Dollars, (\$48,000.00) which was the highest and best valid bid offered, and the purchaser, **Union Planters National Bank**, has complied with its bid by payment of such sum to the Substitute Trustee. Attached hereto are certificates of the publication of Sale Notice.

NOW, THEREFORE, the undersigned, T. Robert Abney, Substitute Trustee, does hereby bargain, sell, and convey unto the said **Union Planters National Bank**, subject to any prior Deeds of Trust, real estate taxes, assessments and liens, the property above mentioned and now more fully described as follows:

Lot 137, Section "D", First Addition to Magnolia Gardens (P.U.D.) Subdivision, situated in the Northeast Quarter of Section 34, Township 1 South, Range 6 West, City of Olive Branch, DeSoto County, Mississippi, as per plat recorded in Plat Book 43, Page 7, in the Office of the Chancery Clerk of DeSoto County, Mississippi.

Parcel No. 1068-3411.1-00137.00

Property also known as: 9744 Riggan Dr., Olive Branch, MS 38654

OTHER INTERESTED PARTIES: TMS Mortgage, Inc. dba The Money Store

The said T. Robert Abney, Substitute Trustee, hereby warrants the title to the above described property against the lawful claims of all persons claiming the same by, through or under him, but not further or otherwise.

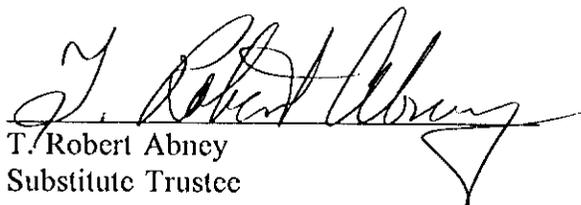
The proceeds of sale have been disbursed as required by law.

IN WITNESS WHEREOF, the said T. Robert Abney, Substitute Trustee, has hereunto set his hand this 7th day of December, 1999.

STATE MS.-DESOTO CO.
FILED

DEC 8 11 18 AM '99

BK 364 PG 158
W.E. CLERK


T. Robert Abney
Substitute Trustee

STATE OF TENNESSEE

COUNTY OF SHELBY

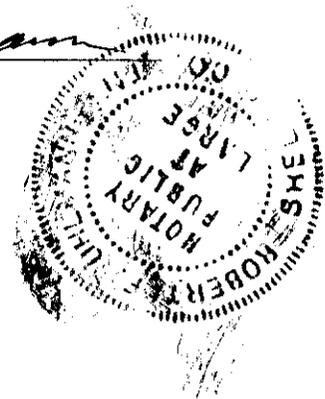
On this 7th day of December, 1999, before me, a Notary Public in and for the State of Tennessee and County of Shelby, duly commissioned and qualified, personally appeared T. Robert Abney, to me known to be the person described in and who executed the foregoing instrument, and acknowledged that he executed the same as his free act and deed for the purposes stated therein.

WITNESS my hand and Notarial Seal at office the day and year above written.

Robert F. Williams
NOTARY PUBLIC

My Commission Expires:

5/2/2000



AFFIDAVIT OF VALUE

STATE OF TN
COUNTY OF Shelby

I hereby swear or affirm that to the best of the affiant's knowledge, information, and belief, the actual consideration for the transfer or value of the property transferred, whichever is greater, is, Forty-Eight Thousand and 00/100 Dollars, (\$48,000.00), which amount is equal to or greater than the amount which the property transfer would command at a fair and voluntary sale.

T. Robert Abney
AFFIANT

SWORN TO AND SUBSCRIBED before me this 7th day of December, 1999

Robert F. Williams
NOTARY PUBLIC

My Commission Expires:

5/2/2000



FOR REGISTER'S USE ONLY

Owner: Union Planters Bank
Property known as: 9744 Riggan Dr., Olive Branch, MS 38654
Tax Parcel No.: 1068-3411.1-00137.00
Send Tax Notice to: Union Planters Bank
P.O. Box 221
Memphis, TN 38101

GRANTEE: T. Robert Abney, Trustee, 150 Court, 2nd Flr., Memphis, TN 38103
(901) 525-2426 and 526-6349

GRANTOR: Union Planters, P.O. Box 221, Memphis, TN 38101
(901) 580-6034 or (901) 580-6035

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:

- Volume No. 104 on the 12 day of Nov., 1999
- Volume No. 104 on the 19 day of Nov., 1999
- Volume No. 104 on the 26 day of Nov., 1999
- Volume No. 104 on the 3 day of Dec., 1999
- Volume No. _____ on the _____ day of _____, 19____

Ruth Dobbs
(TITLE)

SUBSTITUTE TRUSTEE'S SALE
Default having been made in the payment of the debts and obligations secured to be paid in a certain Deed of Trust executed the 29th day of April, 1994, Durwood L. Merrill, executed a Deed of Trust to Hugh H. Armistead, as Trustee, with United Souther Bank as beneficiary, which Deed of Trust is recorded in the Chancery Clerk's Office of DeSoto County in Book 705, Pages 285-287; and which said Deed of Trust was transferred and assigned to Union Planters Bank, National Association by Assignment of Deed of Trust executed on September 15, 1998 and recorded in the Chancery Clerk's Office of DeSoto County, Mississippi on Book 1038, Page 265; and which T. Robert Abney or Robert F. Uhlmann of Shelby County, Tennessee were substituted in the place and stead of Hugh H. Armistead, as Substitute Trustee pursuant to a Substitution of Trustee filed in the Chancery Clerk's Office of DeSoto County, Mississippi in Book 1151, Page 626 on September 27, 1999; and the holder of the note, Union Planters Bank, National Association, being one and the same entity as Union Planters National Bank, and the owner of the debt secured having requested the undersigned to advertise and sell the property described in and conveyed by said Deed of Trust, all of the said indebtedness having matured by default in the payment of a part thereof, at the option of the owner, this is to give notice that T. Robert Abney or Robert F. Uhlmann, Substitute Trustee, will on Monday, December 6, 1999, between the legal hours of eleven o'clock (11:00 a.m.) and four o'clock (4:00 p.m.) in

front of the East Door and at the Highway 51 South entrance of the DeSoto County Courthouse, 2535 Highway 51 South, Hernando, Mississippi 38632, proceed to sell at public outcry to the highest and best bidder for cash, the following described property, to-wit:
Lot 137, Section "D", First Addition to Magnolia Gardens (P.U.D.) Subdivision, situated in the Northeast Quarter of Section 34, Township 1 South, Range 6 West, City of Olive Branch, DeSoto County, Mississippi, as per recorded in Plat Book 43, Page 7, in the Office of the Chancery Clerk of DeSoto County, Mississippi.
 Parcel No. 1068-3411.1-00137.00
 Property also known as: 9744 Riggan Dr., Olive Branch, MS 38654
OTHER INTERESTED PARTIES: TMS Mortgage, Inc. dba The Money Store
 All right and equity of redemption, statutory and otherwise, homestead and dower are expressly waived in said Deed of Trust, and the title is believed to be good, but T. Robert Abney or Robert F. Uhlmann, Substitute Trustee, will sell and convey only as Substitute Trustee, subject to any prior deed of trust, real estate taxes, assessments and liens.
 The right is reserved to adjourn the day of the sale to another day, time and place certain without further publication, upon announcement at the time and place for the sale set forth above.
 T. Robert Abney, Substitute Trustee
 Robert F. Uhlmann, Substitute Trustee
 Cochran, Uhlmann, Abney, Duck & Wright
 BY: Charles D. Wright
 Attorney at Law
 Nov. 12, 19, 26, Dec. 3, 1999

Sworn to and subscribed before me, this 3 day of Dec., 1999
Barbara D. Burkeen
 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 _____ words @ 12¢
- B. _____ subsequent insertions of _____ words @ .10¢
- C. Making proof of publication and depositing to same \$ _____

TOTAL PUBLISHER'S FEE: \$ 0-