

STATE MS.-DE SOTO CO.

Fairbanks/EDMISTON/1489251 <sup>FILED</sup> *DM*

SEP 27 11 27 AM '00

DESCRIPTION FOR INDEXING PURPOSES:  
 Lot 145, Section "A", Brook Hollow  
 Subdv., Section 24, T1S, R8W,  
 DeSoto County, MS

BK 380 PG 145  
 W.F. FAIRBANKS CLERK

SUBSTITUTE TRUSTEE'S DEED

WHEREAS, on July 31, 1989, James G. Edmiston, a single person, executed a Deed of Trust to Chad L. Boulanger, Trustee for the use and benefit of Mid-South Mortgage Corporation 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 479 at Page 664 thereof; and

WHEREAS, by assignment on record, said Deed of Trust was assigned to Shawmut First Mortgage Corp., by instrument recorded in the office of the aforesaid Chancery Clerk in Book 481 at Page 799 thereof; and

WHEREAS, by assignment on record, said Deed of Trust was assigned to Comerica Mortgage Corporation, by instrument recorded in the office of the aforesaid Chancery Clerk in Book 1235 at Page 616 thereof; and

WHEREAS, by assignment on record, said Deed of Trust was assigned to Metmor Financial, Inc., by instrument recorded in the office of the aforesaid Chancery Clerk in Book 836 at Page 669 thereof; and

WHEREAS, by assignment on record, said Deed of Trust was assigned to Mellon Bank, N.A., by instrument recorded in the office of the aforesaid Chancery Clerk in Book 1235 at Page 617 thereof; and

WHEREAS, by assignment on record, said Deed of Trust was

assigned to Fairbanks Capital Corp., by instrument recorded in the office of the aforesaid Chancery Clerk in Book 1235 at Page 619 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 Trustee named 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 1005 at Page 531 and re-recorded in Book 1011 at Page 283 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, Fairbanks Capital Corp., 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: August 30,

September 6, 13, 20, 2000, 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 28th day of August, 2000, 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 21st day of September, 2000, 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 145, SECTION "A", BROOK HOLLOW SUBDIVISION in Section 24, Township 1 South, Range 8 West as shown by the plat recorded in Plat Book 7, Page 8, 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 Fairbanks Capital Corp., bidding the sum of Sixty-Two Thousand Four Hundred Eighty-Seven and 91/100 Dollars (\$62,487.91) for all of the above-described property and said property was struck off to Fairbanks Capital Corp., for said amount, and said bidder was declared the purchaser thereof.

NOW THEREFORE, in consideration of the premises and the sum of Sixty-Two Thousand Four Hundred Eighty-Seven and 91/100 Dollars (\$62,487.91), cash in hand paid, the receipt of which is hereby acknowledged, LEM ADAMS, III, SUBSTITUTE TRUSTEE, does hereby sell and convey to Fairbanks Capital Corp., all of the above-described

property, conveying only such title as is vested in him as Substitute Trustee.

WITNESS MY SIGNATURE on this the 21st day of September, 2000.

*Lem Adams III*  
LEM ADAMS, III  
SUBSTITUTE TRUSTEE

STATE OF MISSISSIPPI

COUNTY OF RANKIN

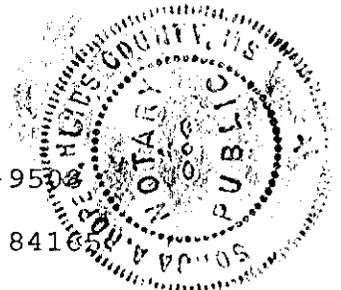
PERSONALLY came and appeared before me, the undersigned authority in and for the jurisdiction aforesaid, the within named LEM ADAMS, III, SUBSTITUTE TRUSTEE in the above and foregoing instrument of writing, who acknowledged to me that he, as said Substitute Trustee, signed and delivered the above and 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 21st day of September, 2000.

*Senja A. Roper*  
NOTARY PUBLIC

My Commission Expires:

2-9-2004



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

Grantee: Post Office Box 65250, Salt Lake City, UT 84166  
(888) 818-6032

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

**THE DESOTO COUNTY**  
**TRIBUNE**

BK0380PG0149

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, general manager 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>XXVIII</u>	No. <u>44</u>	, dated the <u>20TH</u>	day of <u>SEPT</u>	, <u>2000</u>
In Vol. <u>XXVIII</u>	No. <u>43</u>	, dated the <u>13TH</u>	day of <u>SEPT</u>	, <u>2000</u>
In Vol. <u>XXVIII</u>	No. <u>42</u>	, dated the <u>6TH</u>	day of <u>SEPT</u>	, <u>2000</u>
In Vol. <u>XXVIII</u>	No. <u>41</u>	, dated the <u>30TH</u>	day of <u>AUG</u>	, <u>2000</u>
In Vol. <u>XXVIII</u>	No. _____	, dated the _____	day of _____	, _____

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 20<sup>th</sup>  
day of September, 2000

(SEAL) Robinda C. Russell  
NOTARY PUBLIC  
My Commission Expires  
Mar. 13, 2004

My commission expires \_\_\_\_\_  
To ADAMS & EDENS  
for taking the annexed publication of 544  
words or the equivalent thereof for a total of FOUR(4)  
times \$ 228.48, plus \$3.00 for making a proof  
of publication and depositing to same for a total cost  
of \$ 231.48.

**SUBSTITUTE TRUSTEE'S  
NOTICE OF SALE**

WHEREAS, on July 31, 1989, James G. Edmiston, a single person, executed a Deed of Trust to Chad L. Boulanger, Trustee for the use and benefit of Mid-South Mortgage Corporation, 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 479 at Page 864 thereof; and

WHEREAS, by assignment on record, said Deed of Trust was assigned to Shawmut First Mortgage Corp., by instrument recorded in the office of the aforesaid Chancery Clerk in Book 481 at Page 799 thereof; and

WHEREAS, by assignment on record, said Deed of Trust was assigned to Comerica Mortgage Corporation, by instrument recorded in the office of the aforesaid Chancery Clerk in Book 1235 at Page 616 thereof; and

WHEREAS, by assignment on record, said Deed of Trust was assigned to Metmor Financial, Inc., by instrument recorded in the office of the aforesaid Chancery Clerk in Book 836 at Page 669 thereof; and

WHEREAS, by assignment on record, said Deed of Trust was assigned to Mellon Bank, N.A., by instrument recorded in the office of the aforesaid Chancery Clerk in Book 1235 at Page 617 thereof; and

WHEREAS, by assignment on record, said deed of trust was assigned to Fairbanks Capital Corp., by instrument recorded in the office of the aforesaid Chancery Clerk in Book 1235 at Page 619 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 1005 at Page 531 and re-recorded in Book 1011 at Page 283 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 21st day of September, 2000, 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 145, SECTION "A", BROOK HOLLOW SUBDIVISION in Section 24, Township 1 South, Range 8 West as shown by the plat recorded in Plat Book 7, Page 8, 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 24th day of August, 2000.

/s/ Lem Adams, III  
Substitute Trustee

Prepared By:  
Adams & Edens  
A Professional Association  
Post Office Box 400  
Brandon, Mississippi 39043  
(601) 825-9508  
Aug. 30, Sept. 6, 13, 20-000

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