

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 May 31, June 7, June 14, and June 21, 2001. Such advertisement gave the time, terms, place of sale and description of the property and at the time set out which was **June 28, 2001** between the legal hours of eleven o'clock (11:00 a.m.) and four o'clock (4:00 p.m.) and was held at 12:58 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 PMAC, Inc.,** at and for the sum of Forty-Five Thousand Six Hundred Sixty Two and 65/100 Dollars, (\$45,662.65) which was the highest and best valid bid offered, and the purchaser, **Union Planters PMAC, Inc.,** 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 PMAC, Inc.,** 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.

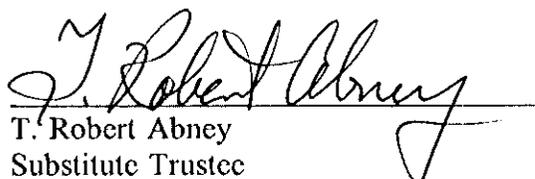
The proceeds of sale have been disbursed as required by law.

IN WITNESS WHEREOF, the said T. Robert Abney, Substitute Trustee, has hereunto set

his hand this 28th day of June, 2001.

STATE MS. - DESOTO CO.
FILED

JUL 2 3 21 PM '01

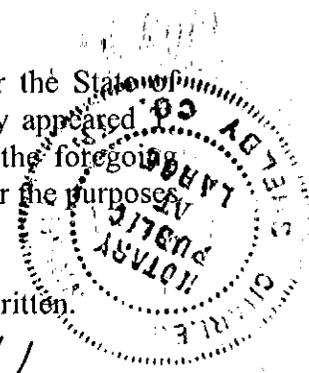

T. Robert Abney
Substitute Trustee

BK 395 PG 370
W.L. CLERK

STATE OF TENNESSEE

COUNTY OF SHELBY

On this 28th day of June, 2001, before me, a Notary Public in and for the State of Mississippi and County of DeSoto, duly commissioned and qualified, personally appeared 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.

Clark H. Wright
NOTARY PUBLIC

My Commission Expires:

4-13-04

AFFIDAVIT OF VALUE

STATE OF TENNESSEE
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-Five Thousand Six Hundred Sixty-Two and 65/100 Dollars, (\$45,662.65), which amount is equal to or greater than the amount which the property transfer would command at a fair and voluntary sale.

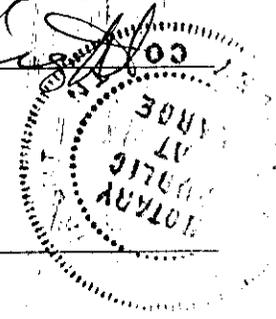
T. Robert Abney
AFFIANT

SWORN TO AND SUBSCRIBED before me this 28 day of June, 2001

Clark H. Wright
NOTARY PUBLIC

My Commission Expires:

4-13-04



FOR REGISTER'S USE ONLY

Owner: Union Planters PMAC, Inc.
Property known as: 9744 Riggan Dr., Olive Branch, MS 38654
Tax Parcel No.: 1068-3411.1-00137.00
Send Tax Notice to: Union Planters PMAC, Inc.
215 Forrest St.
Hattisburg, MS 39401

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

GRANTOR: Union Planters PMAC, Inc., 215 Forrest St., Hattisburg, MS 39401
(601) 554-2016 or (601) 554-2371



PROOF OF PUBLICATION

THE STATE OF MISSISSIPPI
COUNTY OF DESOTO

Cyndi Pittman 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:

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 in 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 Thursday, June 28, 2001, 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:

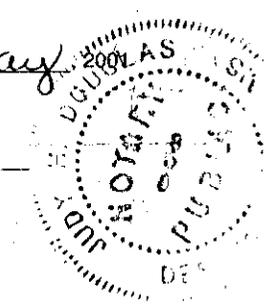
- Volume No. 106 on the 31 day of May, 2001
- Volume No. 106 on the 7 day of June, 2001
- Volume No. 106 on the 14 day of June, 2001
- Volume No. 106 on the 21 day of June, 2001
- Volume No. _____ on the _____ day of _____, 2001

Cyndi Pittman

Sworn to and subscribed before me, this 31 day of May, 2001

BY Judy H. Douglas

NOTARY PUBLIC STATE OF MISSISSIPPI AT LARGE
MY COMMISSION EXPIRES: January 16, 2005
BONDED THRU Dixie Notary Service, INC.



- A. Single first insertion of 509 words @ .12 \$ 61.08
- B. 3 subsequent insertions of 1527 words @ .10 \$ 152.70
- C. Making proof of publication and depositing to same \$ 3.00

TOTAL PUBLISHER'S FEE: \$ 216.78

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
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 deeds of trust, real estate taxes, assessments and liens.