

NOVASTAR/JOHNSON/169003

DESCRIPTION FOR INDEXING PURPOSES:
Lot 40, Rolling Green, Part III,
Section 29, T-1-S, R-8-W,
DeSoto County, Mississippi

SUBSTITUTE TRUSTEE'S DEED

WHEREAS, on February 22, 1999, Sharon Johnson, executed a Deed of Trust to Principal Escrow & Title Co., LLC, Trustee for the use and benefit of NOVASTAR MORTGAGE, INC. 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 1090 at Page 369 thereof; and

WHEREAS, by various assignments on record, said Deed of Trust was ultimately assigned to NOVASTAR MORTGAGE, INC. by instrument recorded in the office of the aforesaid Chancery Clerk in Book 1307 at Page 498 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 1307 at Page 500 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, NOVASTAR MORTGAGE, INC., 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 15, 22, 29, September 5, 2001, 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 13th day of August, 2001, 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 6th day of September, 2001, 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 40, ROLLING GREEN, PART III, located in Section 29, Township 1 South, Range 8 West, as shown on plat record in Plat Book 24, Pages 36 and 37, in the Chancery Court Clerk's Office of DeSoto County, Mississippi, to which Plat reference is hereby made for a more particular description of said property.

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 NOVASTAR MORTGAGE, INC., bidding the sum of Seventy-Nine Thousand Two Hundred Sixty-Six and 07/100 Dollars (\$79,266.07) for all of the above-described property and said property was struck off to NOVASTAR MORTGAGE, INC., for said amount, and said bidder was declared the purchaser thereof.

NOW THEREFORE, in consideration of the premises and the sum of Seventy-Nine Thousand Two Hundred Sixty-Six and 07/100 Dollars (\$79,266.07), cash in hand paid, the receipt of which is hereby

acknowledged, LEM ADAMS, III, SUBSTITUTE TRUSTEE, does hereby sell and convey to NovaStar Mortgage, Inc., all of the above-described property, conveying only such title as is vested in him as Substitute Trustee.

WITNESS MY SIGNATURE on this the 10th day of September, 2001.

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 10th day of September, 2001.

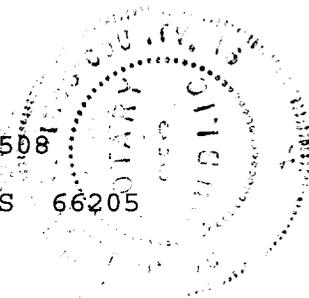
Sonja A. Roper
NOTARY PUBLIC

My Commission Expires:

2-9-2004

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

Grantee: 1990 West 47th Place, Suite 205, Westwood, KS 66205
(888) 289-1231 / *na*



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

THE DESOTO COUNTY TRIBUNE

BK 0399 PG 0778

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>33</u>	, dated the <u>5TH</u>	day of <u>SEPT</u>	, <u>2001</u>
In Vol. <u>XXVIII</u>	No. <u>32</u>	, dated the <u>29TH</u>	day of <u>AUG</u>	, <u>2001</u>
In Vol. <u>XXVIII</u>	No. <u>31</u>	, dated the <u>22ND</u>	day of <u>AUG</u>	, <u>2001</u>
In Vol. <u>XXVIII</u>	No. <u>30</u>	, dated the <u>15TH</u>	day of <u>AUG</u>	, <u>2001</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 11
day of Sept, 2001

(SEAL) Notary Public
Chris J. Shearhorn
NOTARY PUBLIC MY COMMISSION EXPIRES
MARCH 29, 2005

My commission expires _____
To ADAMS&EDEN
for taking the annexed publication of 415
words or the equivalent thereof for a total of FOUR(4)
times \$ 174.30, plus \$3.00 for making a proof
of publication and deposing to same for a total cost
of \$ 177.30

BK 0399 PG 0779

STATE MS.-DE SOTO CO. ^{ne}
FILED

SEP 24 8 44 AM '01

BK 399 PG 775
WALK.

**SUBSTITUTE TRUSTEE'S
NOTICE OF SALE**

WHEREAS, on February 22, 1999, Sharon Johnson, executed a Deed of Trust to Principal Escrow & Title Co., LLC, Trustee for the use and benefit of NOVASTAR MORTGAGE, INC., 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 1090 at Page 369 thereof; and

WHEREAS, by various assignments on record, said Deed of Trust was ultimately assigned to NOVASTAR MORTGAGE, INC. by instrument recorded in the office of the aforesaid Chancery Clerk in Book 1307 at Page 498 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 1307 at Page 500 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 6th day of September, 2001, 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 40, ROLLING GREEN, PART III, located in Section 29, Township 1 South, Range 6 West, as shown on plat record in Plat Book 24, Pages 36 and 37, in the Chancery Court Clerk's Office of DeSoto County, Mississippi, to which Plat reference is hereby made for a more particular description of said property.

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 9th day of August, 2001.

/s/ Lem Adams, III
Substitute Trustee

PREPARED BY:
ADAMS & EDENS
A Professional Association
Post Office Box 400
Brandon, Mississippi 39043
(601) 825-9508
Aug. 15, 22, 29, Sept. 5-00c.

*Adams + edens
(en)*