

National City/Richmond/0630019

## INDEXING INSTRUCTIONS:

Tract I: 1.77 acres, more or less, in the NW 1/4 of NW 1/4 of Section 10, T3S, R7W, DeSoto County, MS, and Tract II: NW 1/4 of Section 10, T3S, R7W, DeSoto County, MS.

**SUBSTITUTE TRUSTEE'S DEED**

WHEREAS, on June 4, 1999, Jack G. Richmond, a married person, executed a Deed of Trust to Dennis P. Schwartz, Trustee for the use and benefit of Fairway Independent Mortgage Corp., 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 1118 at Page 387 thereof; and

WHEREAS, by various assignments of record, said Deed of Trust was ultimately assigned to National City Mortgage Co. by assignment of record in the office of the aforesaid Chancery Clerk in Book 1448 at Page 499 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 1448 at Page 501, 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, NATIONAL CITY MORTGAGE CO., 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 DeSoto County Tribune, a newspaper published in the City of Olive Branch, DeSoto County, State of Mississippi, on the following dates, to-wit: February 20, 27, March 6, 13, 2002, 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 19th day of February, 2002, 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 14th day of March, 2002, 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:

"As built" final survey of a 1.77, more or less, acre tract of land being located in the Northwest Quarter of the Northwest Quarter of Section 10, Township 3 South, Range 7 West, DeSoto County, Mississippi, being known as Tract No. 1 and is further described by metes and bounds as follows:

LEGAL DESCRIPTION - TRACT NO. 1:

Begin at an iron stake (set) at the present intersection of the centerline of Bright Road with the easterly line of Getwell Road, said stake being North 84 degrees 04 minutes 59 seconds East 40.00 feet from a "P. K. Nail" (found) at the Northwest corner of the Northwest Quarter of Section 10, Township 3 South, Range 7 West; thence North 84 degrees 04 minutes 59 seconds East 61.27 feet with said centerline to an iron stake (set) at the Northwest corner of Tract No. 2; thence South 12 degrees 59 minutes 08 seconds East 20.00 feet to a "P. K. Nail" (set) in the centerline of an asphalt drive; thence continue South 12 degrees 59 minutes 08 seconds East 13.44 feet (Total distance measured = 33.44 feet) to a "P. K. Nail" (set) at a Southwest corner of Tract No. 2; thence South 69 degrees 59 minutes 43 seconds East 287.83 feet along a Southerly line of Tract No. 2 to an iron stake (set) at a Northwest corner of Tract No. 3; thence South 19 degrees 39 minutes 55 seconds West 180.74 feet along a Westerly line of Tract No. 3 to an iron stake (set) at a Northeast corner of Tract No. 3; thence South 84 degrees 29 minutes 20 seconds West 248.49 feet along a Northerly line of Tract No. 3 to an iron stake (set) in the Easterly line of Getwell Road; thence North 05 degrees 30 minutes 40 seconds West 320.28 feet with the Easterly line of said Road to the point of beginning containing 1.77, more or less, acres of land (77,300.8, more or less, Square Feet) being subject to all codes, regulations and revisions, easements and right-of-ways of record.

LEGAL DESCRIPTION - TRACT NO. II:

For indexing purposes: this property is located in the Northwest Quarter of Section 10, Township 3 South, Range 7 West, DeSoto County, Mississippi.

Begin at an iron stake (set) at the Southwest Corner of Tract No. 1 in the present Easterly line of Getwell Road, said stake being North 84 degrees 04 minutes 59 seconds East 40.0 feet and South 05 degrees 30 minutes 40 seconds East 320.28 feet from a "P. K. Nail" (found) at the Northwest Corner of the Northwest Quarter of Section 10, Township 3 South, Range 7 West, DeSoto County, Mississippi, thence continue South 05 degrees 30 minutes 40 seconds East 338.61 feet with the Easterly line of Getwell Road to an iron stake (set) at the Southwest Corner of Tract No. 3; thence North 84 degrees 29 minutes 20 seconds East 699.00 feet to an iron stake (set) at the Southeast Corner of Tract No. 3; thence North 05 degrees 30 minutes 40 seconds West 623.84 feet along the Easterly line of Tract No. 3 to an

iron stake (set); thence North 05 degrees 30 minutes 40 seconds West 40.00 feet (Total distance measured = 663.84 feet) to an iron stake (set) in the approximate centerline of Bright Road; thence South 84 degrees 04 minutes 59 seconds West 120.99 feet with said centerline to an iron stake (set) at the Northeast corner of Tract No. 2; thence South 05 degrees 30 minutes 40 seconds East 40.00 feet along the easterly line of Tract No. 2 to an iron stake (set); thence continue South 05 degrees 30 minutes 40 seconds East 120.80 feet (Total distance measured = 160.80 feet) along the easterly line of Tract No. 2 to an iron stake (set) at the Southeast Corner of Tract No. 2; thence South 84 degrees 20 minutes 20 seconds West 252.64 feet along a southerly line of Tract No. 2 to an iron stake (set) at a Southwest Corner of Tract No. 2 and a Northeast Corner of Tract No. 1; thence South 19 degrees 39 minutes 55 seconds West 180.74 feet along an easterly line of Tract No. 1 to an iron stake (set) at a Southeast Corner of Tract No. 1; thence 84 degrees 20 minutes 20 seconds West 248.49 feet along the Southerly line of Tract No. 1 to the Point of Beginning containing 7.43, more or less, acres of land (323,598, more or less, square feet) being subject to all codes, regulations and revisions, easements and right-of ways of record.

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 National City Mortgage Co., bidding the sum of One Hundred Ten Thousand and NO/100 Dollars (\$110,000.00) for all of the above-described property and said property was struck off to National City Mortgage Co., for said amount, and said bidder was declared the purchaser thereof.

NOW THEREFORE, in consideration of the premises and the sum of One Hundred Ten Thousand and NO/100 Dollars (\$110,000.00), cash in hand paid, the receipt of which is hereby acknowledged, LEM ADAMS, III, SUBSTITUTE TRUSTEE, does hereby sell and convey to National City Mortgage Co., all of the above-described property, conveying only such title as is vested in him as Substitute Trustee.

WITNESS MY SIGNATURE on this the 15th day of March, 2002.

  
 LEM ADAMS, III  
 SUBSTITUTE TRUSTEE

STATE OF MISSISSIPPI

COUNTY OF RANKIN

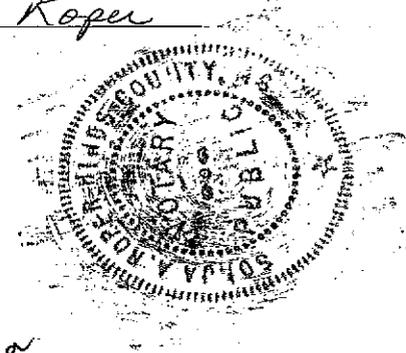
PERSONALLY came and appeared before me, the undersigned authority in and for the jurisdiction aforesaid, the within named LEM ADAMS, III, SUBSTITUTE TRUSTEE in the above and foregoing instrument of writing, who acknowledged to me that he, as said Substitute Trustee, signed and delivered the above and 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 15th day of March, 2002.

*Sanja P. Roper*  
NOTARY PUBLIC

My Commission Expires:

2-9-2004



Grantor: P. O. Box 400, Brandon, MS 39043 (601) 825-9505

Grantee: Post Office Box 1820, , Dayton, OH 45401 (937) 910-1200

PREPARED BY AND RETURN TO:

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

THE DESOTO COUNTY  
**TRIBUNE**

BK 0415 PG 0444

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>11</u> | , dated the <u>13th</u> | day of <u>MAR</u> | , <u>2002</u> |
| In Vol. <u>XXVIII</u> | No. <u>10</u> | , dated the <u>6th</u>  | day of <u>MAR</u> | , <u>2002</u> |
| In Vol. <u>XXVIII</u> | No. <u>9</u>  | , dated the <u>27th</u> | day of <u>FEB</u> | , <u>2002</u> |
| In Vol. <u>XXVIII</u> | No. <u>8</u>  | , dated the <u>20th</u> | day of <u>FEB</u> | , <u>2002</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 14th  
day of Mar, 2002

(SEAL)

David A. Shearline  
NOTARY PUBLIC

MY COMMISSION EXPIRES

My commission expires MARCH 29, 2005

To ADAMS & EDENS

for taking the annexed publication of 1131

words or the equivalent thereof for a total of FOUR(4)

times \$ 475.02, plus \$3.00 for making a proof

of publication and depositing to same for a total cost

of \$ 478.02

Notice  
Cont'd  
on back

SUBSTITUTE TRUSTEE'S  
NOTICE OF SALE  
WHEREAS, on June 3, 1999, Jack G. [unclear] of person, executed a  
Deed of Trust to Dennis P. Schwartz,  
Trustee for the use and benefit of Fair-  
way Independent Mortgage Corp., 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 1118 at Page 387 thereof; and  
WHEREAS, by various assignments  
of record, said Deed of Trust was ulti-  
mately assigned to National City  
Mortgage Co. by assignment of record in  
the office of the aforesaid Chancery  
Clerk in Book 1448 at Page 499 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 1448 at Page 501, thereof;  
and  
WHEREAS, default having been  
made in the performance of the condi-  
tions and stipulations as set forth by said  
Deed of Trust, and having been re-  
quested 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, Sub-  
stitute 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 14th day of  
March, 2002, 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:

"As built" final survey of a 1.77, more or less, acre tract of land being located in the Northwest Quarter of the Northwest Quarter of Section 10, Township 3 South, Range 7 West, DeSoto County, Mississippi, being known as Tract No. 1 and is further described by metes and bounds as follows:

**LEGAL DESCRIPTION - TRACT NO. 1:**

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STATE MS. - DESOTO CO.  
FILED

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W.E. DAVIS CH. CLK.

thence South 19 degrees 39 minutes 55 seconds West 180.74 feet along an easterly line of Tract No. 1 to an iron stake (set) at a Southeast Corner of Tract No. 1; thence 84 degrees 20 minutes 20 seconds West 248.49 feet along the Southerly line of Tract No. 1 to the Point of Beginning containing 7.43, more or less, acres of land (323,598, more or less, square feet) being subject to all codes, regulations and revisions, easements and right-of-ways of record.

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 14th day of February, 2002.

/s/ LEM ADAMS, III  
SUBSTITUTE TRUSTEE

PREPARED BY:  
ADAMS & EDENS  
Foreclosure Department  
Post Office Box 400  
Brandon, Mississippi 39043  
(601) 825-9508  
Feb. 20, 27, March 6, 13-00c.

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