

STATE MS.-DESOTO CO. *mc*FILED *mc*

STATE OF MISSISSIPPI

AUG 22 12 51 PM '03

James D. Byers and Barbara N. Byers

COUNTY OF DESOTO

BBM 18568308

BK 49 PG 210
W.F. DAVIS CH. CLK.**SUBSTITUTED TRUSTEES DEED**

WHEREAS, on July 30, 1999, James D. Byers and wife, Barbara N. Byers and Buck F. Walker an wife, Nelle L. Walker, executed a Deed of Trust to Arnold Weiss, Trustee for the benefit of Pulaski Mortgage Company, which Deed of Trust is filed for record in Book 1135 at Page 448 and re-recorded in Book 1150 at Page 391 in the office of the Chancery Clerk of DeSoto County at DeSoto County, Mississippi; and

WHEREAS, said Deed of Trust was subsequently assigned to Mortgage Electronic Registration Systems, Inc., by instrument dated June 4, 2003 and recorded in Book 1746 at Page 565 of the aforesaid records; and

WHEREAS, as authorized by the aforesaid Deed of Trust and in strict accordance therewith, Mortgage Electronic Registration Systems, Inc. appointed and substituted J. Gary Massey as Trustee therein in the place and stead of the trustee named in said Deed of Trust or subsequently substituted therein by Substitution of Trustee dated June 17, 2003 and duly filed for record in the office of the aforesaid Chancery Clerk in Book 1746 at Page 567 prior to the first publication and posting of the notice of sale; and

WHEREAS, default having been made in the terms and conditions of said Deed of Trust, which default continued for a period of time necessary for the holder thereof to declare the entire indebtedness, together with attorney's fees, expenses and costs, immediately due and payable, as was its option so to do under the terms of said Deed of Trust, and default having been made in payment of said amount and the Substituted Trustee having been requested and directed by Mortgage Electronic Registration Systems, Inc., to foreclose under the terms of said Deed of Trust, I did on August 7, 2003, during legal hours, being between the hours of 11:00 a.m. and 4:00 p.m., at the East front door of the County Courthouse of DeSoto County, Hernando, Mississippi in accordance with the terms of the Deed of Trust and the laws of the State of Mississippi, offer for sale at public auction and sell to the highest and best bidder for cash the following described land and property lying and being situated in DeSoto County, Mississippi, being more particularly described as follows, to wit:

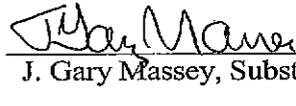
Lot 103, Section C, Fairhaven Estates Subdivision, in Section 2 & 3, Township 2 South, Range 6 West, DeSoto County, Mississippi, as per Plat thereof recorded in Plat Book 64, Pages 40-42, in the Office of the Chancery Clerk of DeSoto County, Mississippi.

Said property was sold after strictly complying with all the terms and conditions of said Deed of Trust and the statutes made and provided in such cases. A notice of time, place and terms of said sale, together with a description of the property to be sold, was given by publication in the DeSoto County Times, a newspaper published in DeSoto County, Mississippi for four consecutive weeks preceding the date of sale. The notices were published on July 11, 18, 25 and August 1, 2003, (a certified copy of which is attached hereto), and a notice identical to the published notice was posted on the bulletin board at the East front door of the County Courthouse of DeSoto County, Hernando, Mississippi for said period of four consecutive weeks. Everything necessary to be done was done to make and effect a good and lawful sale.

At said Sale, Mortgage Electronic Registration Systems, Inc., bid for said property in the amount of \$161,885.92, which being the highest and best bid, the same was then and there struck off to Mortgage Electronic Registration Systems, Inc. and it was declared the purchaser thereof.

NOW THEREFORE, in consideration of the full payment of the purchase price, I, the undersigned Substituted Trustee, do hereby sell and convey unto Mortgage Electronic Registration Systems, Inc. the land and property herein described. I convey only such title as is vested in me as Substituted Trustee.

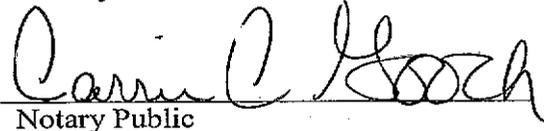
WITNESS MY SIGNATURE, on August 7, 2003.



J. Gary Massey, Substituted Trustee

STATE OF MISSISSIPPI
COUNTY OF HINDS

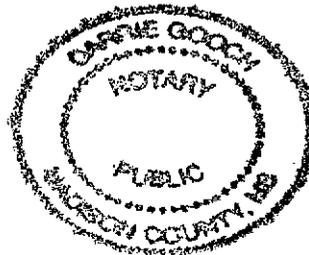
Personally appeared before me, the undersigned authority in and for said county and state, on August 7, 2003, the within named J. Gary Massey, Substituted Trustee, duly identified before me, who acknowledged that in said representative capacity he executed the above and foregoing instrument, after having first been duly authorized to do so.



Notary Public

My commission expires:

~~Notary Public State of Mississippi At Large
My Commission Expires February 28, 2004
Signed This Twelfth, Eighth & Quarter, A.D.~~



GRANTOR'S ADDRESS:

J. Gary Massey, Substitute Trustee
Shapiro & Massey, L.L.P.
1910 Lakeland Drive, Suite B
Jackson, MS 39216
601-981-9299
S&M #03-0766

GRANTEE'S ADDRESS:

Washington Mutual Bank, F.A.
8120 Nations Way, Building 100
Jacksonville, FL 32256
800-638-5647

PREPARED BY:

J. Gary Massey, Substitute Trustee
Shapiro & Massey, L.L.P.
1910 Lakeland Drive, Suite B
Jackson, MS 39216
(601) 981-9299

INDEX: Lot103, Sec C, Fairhaven Estates S/D in Sections 2 & 3, T2S, R6W, DeSoto
County, MS



PROOF OF PUBLICATION

THE STATE OF MISSISSIPPI
COUNTY OF DESOTO

Lisa Fuller 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:

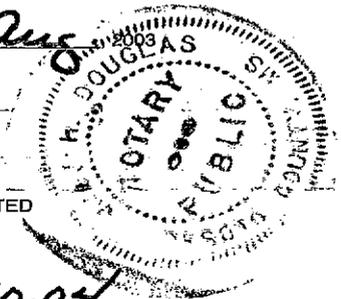
SUBSTITUTED TRUSTEE'S NOTICE OF SALE
 WHEREAS, on July 30, 1999, James D. Byers and wife, Barbara N. Byers and Buck F. Walker an wife, Nelie L. Walker, executed a certain deed of trust to Arnold Weiss, Trustee for the benefit of Pulaski Mortgage Company, which deed of trust is of record in the office of the Chancery Clerk of DeSoto County, State of Mississippi in Book 1135 at Page 448 and re-recorded in Book 1150 at Page 391; and
 WHEREAS, said Deed of Trust was subsequently assigned to Mortgage Electronic Registration Systems, Inc. by instrument dated June 4, 2003 and recorded in Book 1746 at Page 565 of the aforesaid Chancery Clerk's office; and
 WHEREAS, Mortgage Electronic Registration Systems, Inc. has heretofore substituted J. Gary Massey as Trustee by instrument dated June 17, 2003 and recorded in the aforesaid Chancery Clerk's Office in Book 1746 at Page 567; and
 WHEREAS, default having been made in the terms and conditions of said deed of trust and the entire debt secured thereby having been declared to be due and payable in accordance with the terms of said deed of trust, Mortgage Electronic Registration Systems, Inc., the legal holder of said indebtedness, having requested the undersigned Substituted Trustee to execute the trust and sell said land and property in accordance with the terms of said deed of trust and for the purpose of raising the sums due thereunder, together with attorney's fees, trustee's fees and expense of sale.
 NOW, THEREFORE, I, J. Gary Massey, Substituted Trustee in said deed of trust, will on August 7, 2003 offer for sale at public outcry and sell within legal hours (being between the hours of 11:00 a.m. and 4:00 p.m.), at the East front door of the County Courthouse of DeSoto County, located at Hernando, Mississippi, to the highest and best bidder for cash the following described property situated in DeSoto County, State of Mississippi, to-wit:
 Lot 103, Section C, Fairhaven Estates Subdivision, in Section 2 & 3, Township 2 South, Range 6 West, DeSoto County, Mississippi, as per Plat thereof recorded in Plat Book 64, Pages 40-42, in the Office of Chancery Clerk of DeSoto County, Mississippi.
 I WILL CONVEY only such title as vested in me as Substituted Trustee.
 WITNESS MY SIGNATURE on this 8th day of July, 2003.
 J. Gary Massey
 SUBSTITUTED TRUSTEE
 Shaprio & Massey, L.L.P.
 7970 Lakeland Drive, Suite B
 Jackson, MS 38215
 (601) 981-9299
 Publication Dates:
 July 11, 18, 25 and August 1, 2003

Volume No. 108 on the 11 day of July, 2003
 Volume No. 108 on the 18 day of July, 2003
 Volume No. 108 on the 25 day of July, 2003
 Volume No. 108 on the 1 day of Aug, 2003
 Volume No. _____ on the _____ day of _____, 2003

Lisa Fuller

Sworn to and subscribed before me, this 1 day of Aug, 2003

BY *Judith M. Douglas*



NOTARY PUBLIC STATE OF MISSISSIPPI AT LARGE
MY COMMISSION EXPIRES: JANUARY 16, 2005
BONDED THRU DIXIE NOTARY SERVICE, INCORPORATED

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 C. Making proof of publication and depositing to same. \$ 3.00

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