

SUBSTITUTED TRUSTEE'S DEED

**WHEREAS**, on June 7, 1994, William A. Clark and Brenda J. Clark executed a Deed of Trust to Ted L. Smith, Trustee, for the benefit of First State Bank, which Deed of Trust is filed for record in Deed of Trust Book 710 at Page 675 in the Office of the Chancery Clerk of DeSoto County at Hernando, Mississippi; and

**WHEREAS**, said Deed of Trust authorized the appointment and substitution of another Trustee in place of the Trustee named in said Deed of Trust or subsequently substituted therein, and First State Bank, the beneficiary, appointed and substituted Kenneth E. Stockton as Trustee therein by instrument dated November 13, 2003 and duly filed for record in the office of the aforesaid Chancery Clerk and Deed of Trust Book 1869 at Page 559; 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 their option so to do under 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 First State Bank to foreclose under the terms of said Deed of Trust, I did on the 13th day of February, 2004, during legal hours, being between the hours of 11:00 A.M. and 4:00 P.M., at the main east door of the County Courthouse of DeSoto County, 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

STATE MS.-DESOTO CO.

FEB 26 3 57 PM '04 LL  
LL

BK 465 PG 223  
W.F. DAVIS CH. CLK.

STATE MS.-DESOTO CO.

FEB 18 1 35 PM '04 be  
be  
p>

BK 465 PG 161  
W.F. DAVIS CH. CLK.

situated in DeSoto County, Mississippi, being more particularly described as follows, to-wit:

Lot 19, Stargate Subdivision, in Section 17, Township 2 South, Range 7 West, as per plat thereof recorded in Plat Book 21 Pages 37-40, 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 Times Today*, a newspaper published in Hernando, Mississippi, for three consecutive weeks preceding the date of sale. The first notice of the publication appeared on January 21, 2004, and subsequent notices appeared on January 28, 2004, February 4 and February 11, 2004, a certified copy of which is attached hereto, and a notice identical to the published notice was posted on ~~December 8, 2003~~ <sup>January 20, 2004</sup> on the bulletin board at the main east door of the County Courthouse of DeSoto County, Mississippi, for said period of three weeks and remained there to the date of sale. Everything necessary to be done was done to make and effect a good and lawful sale.

At said sale, First State Bank bid for said property in the amount of sixty five thousand six hundred nine dollars and 24/100 dollars (\$65,609.24), which was the highest and best bid.

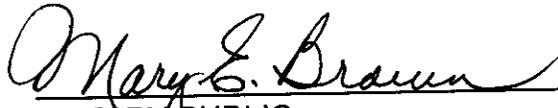
**NOW THEREFORE**, in consideration of the full payment of the purchase price, I, the undersigned Substituted Trustee, do hereby sell and convey unto First State Bank the land and property herein described. I convey only such title as is vested in me as Substituted Trustee.

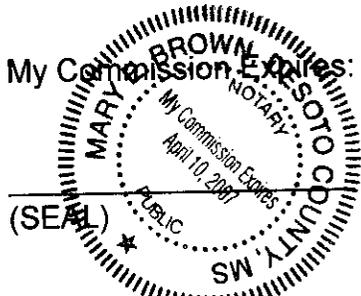
WITNESS MY SIGNATURE, this the 13th day of February, 2004.

  
KENNETH E. STOCKTON  
SUBSTITUTED TRUSTEE

STATE OF MISSISSIPPI  
COUNTY OF DESOTO

Personally appeared before me, the undersigned authority in and for the said county and state, on this the 13th day of February 2004, within my jurisdiction, the within named Kenneth E. Stockton, who acknowledged that he executed the above and foregoing instrument.

  
NOTARY PUBLIC



GRANTORS' ADDRESS:  
5 West Commerce Street  
Hernando, MS 38632  
RES. TEL.: N/A  
BUS. TEL.: 662-429-3469

GRANTEES' ADDRESS:  
P.O. Box 580  
Holly Springs, MS 38634  
RES. TEL.: N/A  
BUS. TEL.: 662-429-3334

Prepared by: KENNETH E. STOCKTON  
ATTORNEY AT LAW  
5 WEST COMMERCE STREET  
HERNANDO, MS 38632  
662-429-3469

Note: This instrument is being re-recorded to correct the posting date which was a scrivener's error.



# 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**

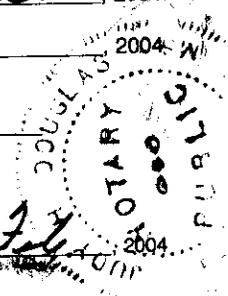
WHEREAS, on June 7, 1994, William A. Clark and Brenda J. Clark executed a Land Deed of Trust to Ted L. Smith, Trustee, for the benefit of First State Bank, which Deed of Trust is recorded in the Office of the Chancery Clerk of DeSoto County, Mississippi, at Hernando, Mississippi, in Book 710 at Page 675; and WHEREAS, said First State Bank substituted and appointed Kenneth E. Stockton as Substituted Trustee in the place and stead of Ted L. Smith by instrument dated November 5, 2003 and recorded in the Office of the Chancery Clerk aforesaid in Deed of Trust Book 1869 at Page 559; and WHEREAS, First State Bank default having been made in the payment of the indebtedness secured by said Deed of Trust, First State Bank, having requested the undersigned so to do, I will, therefore, on the 13th day of February 2004, offer for sale at public outcry and sell during legal hours, between 11:00 o'clock A.M. and 4:00 o'clock P.M., at the front door of the DeSoto County Courthouse located in the City of Hernando, Mississippi, for cash to the highest bidder, the following described land and property situated in DeSoto County, Mississippi, to-wit: Lot 19, Stargate Subdivision, in Section 17, Township 2 South, Range 7 West, as per plat thereof recorded in Plat Book 21 Pages 37-40, in the office of the Chancery Clerk of DeSoto County, Mississippi. I will convey only such title as is vested in me as Substitute Trustee. WITNESS MY SIGNATURE, this 11th day of February, 2004. **KENNETH E. DOUGLAS** SUBSTITUTED TRUSTEE Jan. 21, 28, Feb. 4, 11, 2004

- Volume No. 109 on the 21 day of Jan., 2004
- Volume No. 109 on the 28 day of Jan., 2004
- Volume No. 109 on the 4 day of Feb., 2004
- Volume No. 109 on the 11 day of Feb., 2004
- Volume No. \_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_, 2004

Lisa Fuller

Sworn to and subscribed before me, this 11 day of Feb., 2004.

BY Judy N. Douglas



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

- A. Single first insertion of 275 words @ .12 \$ 33.00
- B. 3 subsequent insertions of 825 words @ .10 \$ 82.50
- C. Making proof of publication and depositing to same \$ 3.00

TOTAL PUBLISHER'S FEE: \$ 118.50