

SUBSTITUTED TRUSTEE'S DEED

WHEREAS, on May 21, 1998, Michael P. Harig and Donna C. Harig executed a Deed of Trust to First Title Corporation, Trustee for the benefit of Novastar Mortgage, Inc., which Deed of Trust is recorded in Book 1005, at Page 0350 in the office of the Clerk of the Chancery Court of DeSoto County, Mississippi; and

WHEREAS, the said Deed of Trust was assigned to First Union National Bank and recorded in Book 1070, at Page 0011 as instrument of record in the office of the Clerk of the Chancery Court of DeSoto County, Mississippi. Said Deed of Trust was assigned to Novastar Mortgage, Inc. and recorded in Book 1935, at Page 147 as instrument of record in the office of the Clerk of the Chancery Court of DeSoto County, Mississippi; and

WHEREAS, the aforesaid, Novastar Mortgage, Inc., the holder of said Deed of Trust and the Note secured thereby, substituted Floyd Healy as Trustee therein, as authorized by the terms thereof, by instrument recorded in the office of the aforesaid Chancery Clerk in Book 1940, at Page 335; 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, and the legal holder of said indebtedness, Novastar Mortgage, Inc., 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 for the purpose of raising the sums due thereunder, together with the attorney's fees, Substituted Trustee's fees and expense of sale;

WHEREAS, the undersigned Substituted Trustee, after posting and publication of the Notice of Sale and required by the terms of said Deed of Trust and the laws of the State of Mississippi, within legal hours (being between the hours of 11:00 a.m. and 4:00 p.m.), on the 16th day of April, 2004, at public outcry offered the hereinafter described property for sale at the east front door of the DeSoto County Courthouse in Hernando, Mississippi;

WHEREAS, at such sale, Novastar Mortgage, Inc. bid the sum of \$72,000.00; and

WHEREAS, said bid by Novastar Mortgage, Inc. was the highest bid;

NOW, THEREFORE, I, Floyd Healy, Substituted Trustee, in consideration of the sum of \$72,000.00, do hereby sell and convey unto Novastar Mortgage, Inc. the following described property located and situated in the County of DeSoto, State of Mississippi, to wit:

See Exhibit "A" attached hereto.

More commonly known as: 1590 Joy Blvd., Horn Lake, Mississippi 38637

WITNESS MY SIGNATURE, this, the 19 day of April, 2004.

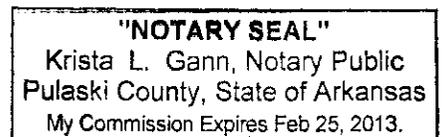


Floyd Healy
SUBSTITUTED TRUSTEE

STATE OF ARKANSAS)
COUNTY OF PULASKI)

Before me the undersigned, a Notary Public in and for said County and State, personally appeared FLOYD HEALY, with whom I am personally acquainted and who executed the foregoing instrument for the purpose therein contained.

Witness my hand this 19th day of April, 2004.



My Commission Expires:
02/25/2013



Notary Public

Grantor's Address:
Floyd Healy
8 Shackelford Plaza, Suite 103
Little Rock, Arkansas 72211
(501) 224-5551

Grantee's Address:
Novastar Mortgage, Inc.
8140 Ward Parkway, Suite 200
Kansas City, Missouri 64114
(888) 743-0774

This instrument prepared by:
Floyd Healy
8 Shackelford Plaza, Suite 103
Little Rock, Arkansas 72211
(501) 224-5551

EXHIBIT "A"

Lot 11, The Willows of Horn Lake, Revised, in Section 35, Township 1 South, Range 8 West, as shown on plat of record in Plat Book 35, Page 44, in the Chancery Clerk's Office of DeSoto County, Mississippi, to which plat reference is hereby made for a more particular description of said property.

Being the same property conveyed to Michael P. Harig, herein by Warranty Deed of record as shown by Book 313, Page 205, in the Chancery Clerk's Office of DeSoto County, Mississippi. Being the same property conveyed subsequently to Michael P. Harig and Donna C. Harig by QuitClaim Deed of record in Book 335, at Page 127.

Property Address: 1590 Joy Blvd., Horn Lake, Mississippi

APR 22 10 30 AM '04

470 PG 246
CH. CLK.

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:

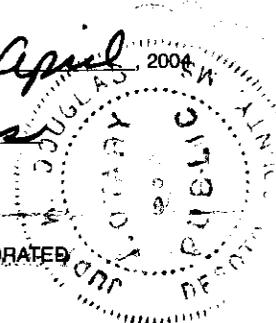
- Volume No. 109 on the 24 day of Mar., 2004
- Volume No. 109 on the 31 day of Mar., 2004
- Volume No. 109 on the 7 day of April, 2004
- Volume No. 109 on the 14 day of April, 2004
- Volume No. _____ on the _____ day of _____, 2004

Lisa Fuller

Sworn to and subscribed before me, this 14 day of April, 2004

BY *Judy M. 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 539 words @ .12 \$ 64.68
 - B. 3 subsequent insertions of 1617 words @ .10 \$ 161.70
 - C. Making proof of publication and depositing to same \$ 3.00
- TOTAL PUBLISHER'S FEE: \$ 229.38

Lot 11, The Willows of Horn Lake, Revised, in Section 35, Township 1 South, Range 8 West, as shown on plat of record in Plat Book 35, Page 44, in the Chancery Clerk's Office of DeSoto County, Mississippi, to which plat reference is hereby made for a more particular description of said property. Being the same property conveyed to Michael P. Harig, herein by Warranty Deed of record as shown by Book 313, Page 205, in the Chancery Clerk's Office of DeSoto County, Mississippi. Being the same property conveyed subsequently to Michael P. Harig and Donna C. Harig by Quit Claim Deed of record in Book 335, at Page 127. Property Address: 1590 Jay Blvd. Horn Lake, Mississippi Subject to the rights of way & easement for public roads and public utilities, and to any prior conveyance or reservation of mineral of every kind and character, including but not limited to oil, gas, sand and gravel in or under subject property. As the undersigned Substituted Trustee, I will convey only such title as is vested in me under said Deed of Trust. This 17th day of March, 2004. Prepared by: Floyd Healy Substituted Trustee 8 Shepleford Plaza, Suite 103 Little Rock, Arkansas 72211 Insertion Dates: 03/24/04; 03/31/04; 04/7/04; 04/14/04

NOTICE OF SUBSTITUTED TRUSTEE'S SALE
STATE OF MISSISSIPPI
COUNTY OF DESOTO
WHEREAS, on May 21, 1998, Michael P. Harig and Donna C. Harig executed a promissory note payable to the order of Novastar Mortgage, Inc.; and WHEREAS, the aforesaid promissory note was secured by a Deed of Trust May 21, 1998, executed by Michael P. Harig and Donna C. Harig, and being recorded in Book 1005, at Pages 0350 of the records of the Chancery Clerk of DeSoto County, Mississippi; and which aforesaid instrument conveys to First Title Corporation, Trustee, the hereinafter described property;
WHEREAS, the said Deed of Trust was assigned to First Union National Bank and recorded in Book 1070, at Page 0011 as instrument of record in the office of the Clerk of the Chancery Court of DeSoto County, Mississippi. Said Deed of Trust was assigned to Novastar Mortgage, Inc. and recorded in Book 1935, at Page 147 as instrument of record in the office of the Clerk of the Chancery Court of DeSoto County, Mississippi; and
WHEREAS, Novastar Mortgage, Inc. having executed a substitution of Trustee to substitute Floyd Healy as trustee and the place and stead of First Title Corporation, the same having been recorded in Book 1940, at Page 335 of the records of the Chancery Clerk of DeSoto County, Mississippi; and
WHEREAS, default having occurred under the terms and conditions of said promissory note and Deed of Trust and the holder having declared the entire balance due and payable; and
WHEREAS, Floyd Healy, Substituted Trustee in said Deed of Trust will on the 16th day of April, 2004, between the hours of 11:00 a.m. and 4:00 p.m., offer for sale and will sell at public outcry to the highest bidder for cash at the east front door of the DeSoto County Courthouse in Hernando, Mississippi, the following described property located and situated in DeSoto County, Mississippi, to-wit:
EXHIBIT "A"
More commonly known as: 1590 Jay Blvd, Horn Lake, Mississippi 38637