

Bank of America/Ausley/0030304745

INDEXING INSTRUCTIONS:

Lot 1, Section A, Stonehedge Place S/D,
Section 29, T1S, R7W, DeSoto County, MS.

SUBSTITUTE TRUSTEE'S DEED

WHEREAS, on March 25, 1994, Wanda J. Ausley, unmarried woman, executed a Deed of Trust to Tom Boston, Trustee for the use and benefit of Alliance Mortgage Company, 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 699 at Page 301 thereof; and

WHEREAS, said Deed of Trust was assigned to Bank of America, FSB, a Federal Savings Bank, by assignment on file and of record in the office of the aforesaid Chancery Clerk in Book 786 at Page 183 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 1731 at Page 518, 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, 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 Times, a newspaper published in the City of Hernando, DeSoto County, State of Mississippi, on the following dates, to-wit: September 14, 21, 28, October 5, 2004, 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 September, 2004, a copy of the Substitute Trustee's Notice of Sale on the bulletin board of the County Courthouse of DeSoto County, Mississippi; and

STATE MS. - DESOTO CO. 55
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CH. CLK.

WHEREAS, on the 6th day of October, 2004, 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 1, Section A in Stonehedge Place Subdivision in Section 29, Township 1 South, Range 7 West, as recorded in DeSoto County, Register's Office, Plat Book 38, Page 2, 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 Les H. Poppenheimer, bidding the sum of Ninety-Six Thousand One and NO/100 Dollars (\$96,001.00) for all of the above-described property and said property was struck off to Les H. Poppenheimer and Patricia Poppenheimer, for said amount, and said bidder was declared the purchaser thereof.

NOW THEREFORE, in consideration of the premises and the sum of Ninety-Six Thousand One and NO/100 Dollars (\$96,001.00), cash in hand paid, the receipt of which is hereby acknowledged, LEM ADAMS, III, SUBSTITUTE TRUSTEE, does hereby sell and convey to Les H. Poppenheimer and Patricia Poppenheimer, as joint tenants with full rights of survivorship and not as tenants in common, all of the above-described property, conveying only such title as is vested in him as Substitute Trustee.

WITNESS MY SIGNATURE on this the 6th day of October, 2004.



LEM ADAMS, III
SUBSTITUTE TRUSTEE

STATE OF MISSISSIPPI

COUNTY OF RANKIN

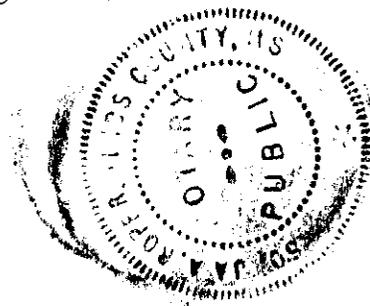
PERSONALLY came and appeared before me, the undersigned authority in and for the jurisdiction aforesaid, the within named LEM ADAMS, III, SUBSTITUTE TRUSTEE in the above and foregoing instrument of writing, who acknowledged to me that he, as said Substitute Trustee, signed and delivered the above and 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 6th day of October, 2004.

Sonja A. Roper
NOTARY PUBLIC

My Commission Expires:

2-9-2008



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

Grantee: 721 Green T Lake Blvd. West, Hernando, MS 38632 (662) 429-1805
(901) 219-7000

PREPARED BY:

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



PROOF OF PUBLICATION

THE STATE OF MISSISSIPPI
COUNTY OF DESOTO

Diane Smith 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:

SUBSTITUTE TRUSTEE'S NOTICE OF SALE

WHEREAS, on March 25, 1994, Wanda J. Austley, unmarried woman, executed a Deed of Trust to Tom Beeson, Trustee for the use and benefit of Alliance Mortgage Company, 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 699 at Page 301, thereof; and

WHEREAS, said Deed of Trust was assigned to Bank of America, FSB, a Federal Savings Bank, by assignment on file and of record in the office of the aforesaid Chancery Clerk in Book 786 at Page 183 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 1731 at Page 516, 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 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 October, 2004, 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 1, Section A in Stonehedge Place Subdivision in Section 29, Township 1 South, Range 7 West, as recorded in DeSoto County, Register's Office, Plat Book 38, Page 2, 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 10th day of September, 2004.
/s/ LEM ADAMS, III

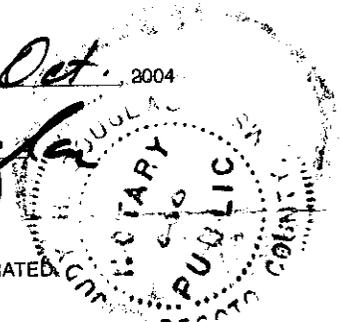
- Volume No. 109 on the 14 day of Sept., 2004
- Volume No. 109 on the 21 day of Sept., 2004
- Volume No. 109 on the 28 day of Sept., 2004
- Volume No. 109 on the 5 day of Oct., 2004
- Volume No. _____ on the _____ day of _____, 2004

Diane Smith

Sworn to and subscribed before me, this 5 day of Oct., 2004

BY Judy H. 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 421 words @ .12 \$ 50.52
 - B. 3 subsequent insertions of 1263 words @ .10 \$ 126.30
 - C. Making proof of publication and depositing to same \$ 3.00
- TOTAL PUBLISHER'S FEE: \$ 179.82

SUBSTITUTE TRUSTEE
PREPARED BY:
ADAMS & EDENS
Foreclosure Department
POST OFFICE BOX 400
BRANDON, MISSISSIPPI 39043
(601) 825-9508
A&E File #10683
PROPERTY ADDRESS:
1200 Redfield Drive
Southaven, MS 38671
PUBLISH: September 14, 21, 28,
October 5, 2004

"Exhibit A"