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COMMISSIONER'S DEED

WHEREAS, on January 12, 2004, Rush and Son Construction, Inc. executed a Deed of Trust to J. Patrick Caldwell, Trustee for the benefit of BancorpSouth Bank, which Deed of Trust is recorded in Deed Trust Book 1909, at Page 5, in the office of the Chancery Clerk of DeSoto County, State of Mississippi.

WHEREAS, the aforesaid BancorpSouth Bank, the holder of said Deed of Trust and the note secured thereby, substituted Robert P. Chamberlin, as Trustee therein, as authorized by the terms thereof, by instrument dated July 7, 2004, and recorded in the office of the Chancery Clerk of DeSoto County, Mississippi in Trust Deed Book 2026, at Page 363.

WHEREAS, default was made in the payment of the indebtedness secured by said Deed of Trust and the holder of the note secured by said Deed of Trust requested the undersigned Substitute Trustee to foreclose on said Deed of Trust according to its terms.

WHEREAS, a Judgment Granting Judicial Foreclosure was entered on September 27, 2004, in the Chancery Court of DeSoto County, Mississippi, Cause No. 04-07-1225, styled, BancorpSouth Bank and Robert P. Chamberlin, Substituted Trustee vs. Rush & Son Construction, Inc. and S.R.G. Plumbing, Inc. and Sunrise Builders Supply, Inc. Pursuant to said Judgment Granting Judicial Foreclosure, W. E. Davis was appointed Commissioner and was authorized to conduct a foreclosure sale on November 1, 2004, in the same manner as a non-judicial foreclosure sale.

THEREFORE, IN CONSIDERATION OF THE PREMISES, W. E. DAVIS, pursuant to said Judgment Granting Judicial Foreclosure, on November 1, 2004, within legal hours at the east front door of the Courthouse in the City of Hernando, DeSoto County, Mississippi, offered for sale and sold at public auction to BancorpSouth Bank, being the highest bidder for cash and at the sum of \$137,887.00, the land mentioned in said Deed of Trust, lying and being situated in DeSoto County, Mississippi, described as follows, to-wit:

Lot 37, Section B, Bridgemoore Subdivision, situated in Section 22, Township 2 South, Range 7 West, DeSoto County, Mississippi, and recorded in Plat Book 68, at Page 1-3, in the office of the Chancery Clerk of DeSoto County, Mississippi, to which plat reference is made for a more particular description of said property.

Further, the time, terms, and place of sale were duly advertised for four (4) weeks immediately preceding sale, by publication in the DeSoto Times Today, a newspaper published and having a general circulation in DeSoto County, Mississippi, with proof of such publication being attached hereto and made a part hereof and by posting a notice of the sale upon the bulletin board

of the Courthouse in said County on September 28, 2004, and said notice upon said bulletin board until the date of the sale of said land, on November 1, 2004.

NOW THEREFORE, IN CONSIDERATION OF THE PREMISES and the payment to me for the sum of \$137,887.00, by BancorpSouth Bank, the receipt of which is hereby acknowledged, and pursuant to the Order Confirming Judicial Foreclosure entered on November 8, 2004, in Cause No. 04-07-1225 in the Chancery Court of DeSoto County, Mississippi, I, W. E. DAVIS, Commissioner, hereby sell, convey and warrant to the said BANCORPSOUTH BANK, the land herein described. I hereby convey only such title as is vested in me as Commissioner.

WITNESS my signature this the 18 day of November, 2004.

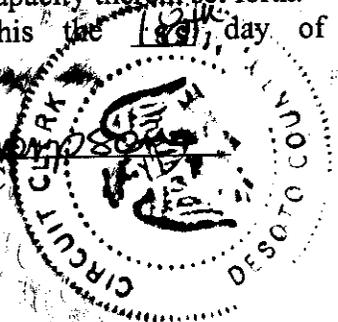
W. E. Davis  
W. E. DAVIS,  
Commissioner

STATE OF MISSISSIPPI  
COUNTY OF DESOTO

This day personally appeared before me, the undersigned authority in and for said County and State, the within named, W. E. Davis, as Commissioner, who acknowledged that he signed and delivered the above and foregoing Commissioner's Deed on the day and year therein mentioned as his free act and deed and for the purposes therein expressed and in the capacity therein set forth.

Given under my hand and official seal of office, this the 18th day of November, 2004.

Dale K. Thompson  
NOTARY PUBLIC



My Commission Expires:

My Commission expires Jan. 07, 2008

GRANTORS ADDRESS: 2535 Highway 51, Hernando, MS 38632  
GRANTORS PHONE: Home: N/A Work: 662-429-1319

GRANTEES ADDRESS: P. O. Box 38, Southaven, MS 38671  
GRANTEES PHONE: Home: N/A Work: 662-349-3532



# 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:

**SUBSTITUTED TRUSTEE'S NOTICE OF SALE**  
WHEREAS, on January 12, 2004, Rush and Son Construction, Inc. executed a Deed of Trust to J. Patrick Caldwell as Trustee for the use and benefit of BancorpSouth Bank, which Deed of Trust is recorded in Trust Deed Book 1909, Page 5, in the office of the Chancery Clerk of DeSoto County, Mississippi; and  
WHEREAS, the legal holder of the said Deed of Trust and the note secured thereby, substituted Robert P. Chamberlin as Trustee therein, as authorized by the terms thereof, by instrument recorded in the office of the aforesaid Chancery Clerk in Book 2026, at Page 363, thereof; and

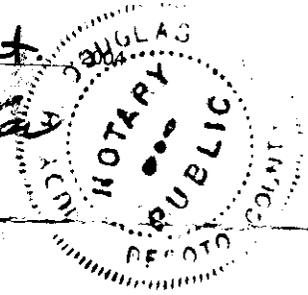
- Volume No. 109 on the 7 day of Oct., 2004
- Volume No. 109 on the 14 day of Oct., 2004
- Volume No. 109 on the 21 day of Oct., 2004
- Volume No. 109 on the 28 day of Oct., 2004
- Volume No. \_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_, 2004

Diane Smith

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 so to do, notice is hereby given that I, Robert P. Chamberlin, Substituted Trustee, by virtue of the authority conferred upon me in said Deed of Trust, and by virtue of the authority conferred upon me in the Substitution of Trustee, 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 11:00 a.m. and 4:00 p.m.) at the east front door of the County Courthouse of DeSoto County, Mississippi on the 1st day of November, 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:

Sworn to and subscribed before me, this 28 day of Oct.

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 442 words @ .12 \$ 53.04
- B. 3 subsequent insertions of 1326 words @ .10 \$ 132.60
- C. Making proof of publication and depositing to same \$ 3.00

TOTAL PUBLISHER'S FEE: \$ 188.64

WITNESS MY SIGNATURE this the 28 day of Sept., 2004.  
/s/ Robert P. Chamberlin  
ROBERT P. CHAMBERLIN,  
Substituted Trustee  
MSB # 10528  
P.O. BOX 567  
HERNANDO, MS 38632  
THIS INSTRUMENT PREPARED BY:  
CHAMBERLIN-NOWAK, P.C.  
170 W. CENTER STREET  
HERNANDO, MS 38632  
(662) 429-7888  
10-7-04, 10-14-04, 10-21-04 & 10-28-04

Lot 37, Section B, Bridgemoore Subdivision, situated in Section 22, Township 2 South, Range 7 West, DeSoto County, Mississippi, and recorded in Plat Book 68, at Page 1-3, in the office of the Chancery Clerk of DeSoto County, Mississippi, to which plat reference is made for a more particular description of said property.  
Said sale pursuant to the Judgment Granting Judicial Foreclosure entered on September 27, 2004, in the Chancery Court of DeSoto County, Mississippi, Cause No. 04-07-1225, styled, BancorpSouth Bank and Robert P. Chamberlin, Substituted Trustee vs. Rush & Son Construction, Inc. and S.R.G. Plumbing, Inc. and Sunrise Builders Supply, Inc.

Title to the above described property is believed to be good, but I will convey only such title as is vested in me as Substituted trustee.

- On the Square- Hernando, MS 38632 • 662.429.6397 • Fax: 662.429.5229