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GMAC Mortgage/Spizer/0531039402

INDEXING INSTRUCTIONS:
Lot 104, Phase 2, Section A, Alexanders Ridge S/D,
Section 27, T1S, R6W, DeSoto County, MS

SUBSTITUTE TRUSTEE'S DEED

WHEREAS, on July 26, 2002, John E. Spizer, a married person and wife, Marilyn L. Spizer, executed a Deed of Trust to Barbara Zirilli, Trustee for the use and benefit of Mortgage Electronic Registration Systems, Inc., acting solely as nominee for GMAC Mortgage Corporation, 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 1558 at Page 46, and re-recorded in Book 1598 at Page 393 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 2089 at Page 640, 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, Mortgage Electronic Registration Systems, Inc., acting solely as nominee for GMAC Mortgage Corporation, its successors and assigns, 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: November 2, 9, 16, 23, 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 1st day of November, 2004, a copy of the Substitute Trustee's Notice of Sale on the bulletin board of the County Courthouse of DeSoto County, Mississippi; and

WHEREAS, on the 24th day of November, 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 104, Phase 2 , Section A, Alexanders Ridge Subdivision, Section 27, Township 1 South, Range 6 West, as shown on plat of record in Plat Book 75, Page 29-30 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.

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 an agent for Mortgage Electronic Registration Systems, Inc., bidding the sum of One Hundred Sixty-Five Thousand One Hundred Eighty-Four and 35/100 Dollars (\$165,184.35) for all of the above-described property and said property was struck off to Mortgage Electronic Registration Systems, Inc., acting solely as nominee for GMAC Mortgage Corporation, for said amount, and said bidder was declared the purchaser thereof.

NOW THEREFORE, in consideration of the premises and the sum of One Hundred Sixty-Five Thousand One Hundred Eighty-Four and 35/100 Dollars (\$165,184.35), cash in hand paid, the receipt of which is hereby acknowledged, LEM ADAMS, III, SUBSTITUTE TRUSTEE, does hereby sell and convey to Mortgage Electronic Registration Systems, Inc., acting solely as nominee for GMAC Mortgage Corporation, all of the above-described property, conveying only such title as is vested in him as Substitute Trustee.

WITNESS MY SIGNATURE on this the 24th day of November, 2004.



LEM ADAMS, III
SUBSTITUTE TRUSTEE

STATE OF MISSISSIPPI

COUNTY OF RANKIN

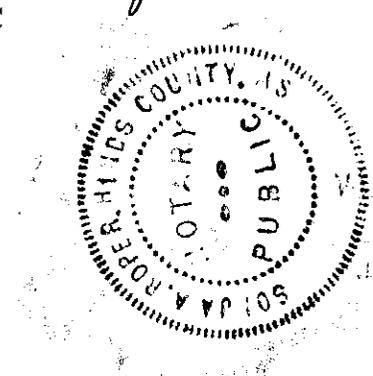
PERSONALLY came and appeared before me, the undersigned authority in and for the jurisdiction aforesaid, the within named LEM ADAMS, III, SUBSTITUTE TRUSTEE in the above and foregoing instrument of writing, who acknowledged to me that he, as said Substitute Trustee, signed and delivered the above and 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 24th day of November, 2004.

Sonja A. Roper
NOTARY PUBLIC

My Commission Expires:

2-9-2008



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

Grantee: P O Box 969, Horsham, PA 19044-0969 (215) 682-6174

PREPARED BY AND RETURN TO:

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 July 26, 2002, John E. Spizer, a married person and wife, Marilyn L. Spizer, executed a Deed of Trust to Barbara Zirilli, Trustee for the use and benefit of Mortgage Electronic Registration Systems, Inc., acting solely as nominee for GMAC Mortgage Corporation, 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 1558 at Page 48, and re-recorded in Book 1596 at page 393 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 2089 at Page 640, 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 so 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 24th 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:

Lot 104, Phase 2, Section A, Alexanders Ridge Subdivision, Section 27, Township 1 South, Range 6 West, as shown on plat of record in Plat Book 75, Page 29-30 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.
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.

- Volume No. 109 on the 2 day of Nov., 2004
- Volume No. 109 on the 9 day of Nov., 2004
- Volume No. 109 on the 16 day of Nov., 2004
- Volume No. 109 on the 23 day of Nov., 2004
- Volume No. _____ on the _____ day of _____, 2004

Diane Smith

Sworn to and subscribed before me, this 23 day of Nov., 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 417 words @ .12 \$ 50.04
- B. 3 subsequent insertions of 1251 words @ .10 \$ 125.10
- C. Making proof of publication and depositing to same \$ 3.00

TOTAL PUBLISHER'S FEE: \$ 178.14

WITNESS my signature, on this the 28th day of October, 2004.
/s/ LEM ADAMS, III
SUBSTITUTE TRUSTEE
PREPARED BY:
ADAMS & EDENS
Foreclosure Department
POST OFFICE BOX 400
BRANDON, MISSISSIPPI 39043
(601) 825-9508
A&E File #10121
PROPERTY ADDRESS: 9859
Piney Ridge Drive, Olive Branch,
MS 38654
PUBLISH: November 2, 9, 16, 23,
2004.

Exhibit "A"