

TRUSTEE'S DEED

STATE OF MISSISSIPPI:

COUNTY OF DESOTO

WHEREAS, on the 31<sup>st</sup> day of December, 1999, BRIAN K. HIGGINBOTHAM, executed a Deed of Trust to James E. Woods, Trustee for the benefit of Carl Higginbotham, which Deed of Trust is recorded in Trust Deed Book 1179, Page 626 in the Office of the Chancery Clerk of DeSoto County, Mississippi, and

WHEREAS, default has 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 holder of the said indebtedness having requested the undersigned Trustee to execute the trust and to sell said land in accordance with the terms of said Deed of Trust.

NOW THEREFORE, in consideration of the premises, I, James E. Woods, Trustee, did pursuant to said request, on the 4<sup>th</sup> day of March, 2005, within legal hours, at the East door of the Courthouse in the City of Hernando, DeSoto County, Mississippi, offer for sale and sell at public auction to Carl Higginbotham, he being the highest bidder for cash at and for the sum of Seventy Eight Thousand & no/100 Dollars (\$78,000.00), the land described in said Deed of Trust lying and being situated in DeSoto County, Mississippi described as follows, to-wit:

Lot 38, Section B, Smokey Hollow Farms, situated in Section 33, Township 3 South, Range 5 West, DeSoto County, Mississippi as per plat recorded in Plat Book 9, Pages 13-15, Chancery Clerk's Office, DeSoto County, Mississippi.

The time, terms and place of sale were duly advertised for four (4) consecutive weeks immediately preceding said sale by publication in The DeSoto County Tribune, a newspaper published and having a general circulation in DeSoto County, Mississippi, with proof of said publication being attached hereto and made a part hereof, and by posting the notice of said sale upon the bulletin board of the Courthouse in said county, on the 4<sup>th</sup> day of February, 2005, and said notice remaining upon said bulletin board until the date for the sale of the land, to-wit: March 4, 2005.

The proceeds of said sale were distributed by me as follows: The DeSoto County Tribune \$119.34, James E. Woods, Trustee fee \$500.00, balance remaining in my hands paid to Carl Higginbotham, on the indebtedness due it by Brian K. Higginbotham.

THEREFORE, in consideration of the premises and the payment to me of the said sum of Seventy Eight Thousand & no/100 Dollars (\$78,000.00), by the said Carl Higginbotham, the receipt of which is hereby acknowledged, I, James E. Woods, Trustee do hereby convey and sell to Carl Higginbotham, the land herein before described.

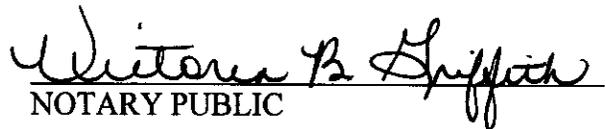
WITNESS MY SIGNATURE, this the 9<sup>th</sup> day of March, 2005.

  
JAMES E. WOODS, TRUSTEE

STATE OF MISSISSIPPI

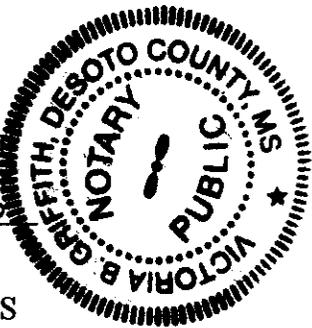
COUNTY OF DESOTO

Personally appeared before me, the undersigned authority in and for the said county and state, on this the 9<sup>th</sup> day of March, 2005, within my jurisdiction, the within named JAMES E. WOODS, TRUSTEE, who acknowledged that he executed the above and foregoing instrument.

  
NOTARY PUBLIC

My Commission Expires

12-17-2006



GRANTOR'S ADDRESS

P.O. Box 1456  
Olive Branch, MS 38654  
Phone: 662-895-2996

GRANTEE'S ADDRESS

2061 Bubba Taylor Road  
Byhalia, MS 38611  
Hm. Phone: 662-838-5430  
Wk. Phone: 662-838-5430

# THE DESOTO COUNTY TRIBUNE

Total County News Coverage

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## PROOF OF PUBLICATION

### STATE OF MISSISSIPPI COUNTY OF DESOTO

Personally appeared before me, a Notary Public in and for said County and State, Layne Bruce, The Publisher of the DeSoto County Tribune, a newspaper in the City Of Olive Branch and having a general circulation in said County, who being duly Sworn, deposed and said that the publication of a Notice of which a copy is hereto affixed, has been made in said newspaper for a period of 4 weeks consecutively, to wit:

Issue: \_\_\_\_\_, dated the 10th day of February, 2005.

Issue: \_\_\_\_\_, dated the 17th day of February, 2005.

Issue: \_\_\_\_\_, dated the 24th day of February, 2005.

Issue: \_\_\_\_\_, dated the 3rd day of March, 2005.

The DeSoto County Tribune has been published continuously for a period of more than one year.

\_\_\_\_\_  
Publisher

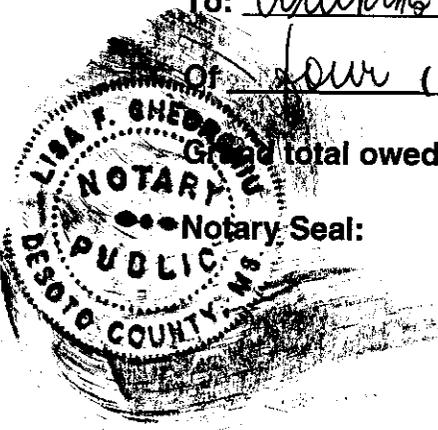
Sworn and subscribed before me, this 3rd day of March, 2005.

\_\_\_\_\_  
Lisa Floyd-Gheorghiu  
Notary Public

Commission expires: March 29, 2005

To: Watkins Lullam, word count 277, ran an equivalent  
of four (4) weeks. \$ 116.34, plus \$3.00 for proof of publication.

Grand total owed to us: \$ 119.34



**TRUSTEE'S NOTICE OF SALE**

WHEREAS, on December 31, 1999, Brian K. Higginbotham, executed a Deed of Trust to James E. Woods, Trustee for the benefit of Carl Higginbotham, which Deed of Trust is recorded in Trust Deed Book 1179, Page 626, in the Office of the Chancery Clerk of DeSoto County,

Mississippi, 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 holder of said indebtedness, Carl Higginbotham, having requested the undersigned Trustee to execute the trust and sell the said land in accordance with the Deed of Trust.

NOW, THEREFORE, I, James E. Woods, Trustee, under the provisions of and by virtue of the authority conferred upon me in said Deed of Trust, will, on the 4th day of March, 2005, offer for sale at public outcry and sell, within legal hours, between the hours of 11:00 a.m. and 4:00 p.m. at the East door of the County Courthouse of DeSoto County, at Hernando, Mississippi, for cash, to the highest and best bidder, the following described land situated in Marshall County, Mississippi, to-wit:

Lot 38, Section B, Smokey Hollow Farms, situated in Section 33, Township 3 South, Range 5 West, DeSoto County, Mississippi as per plat recorded in Plat Book 9, Pages 13-15, Chancery Clerk's Office, DeSoto County, Mississippi.

I will convey only such title as is vested in me as Trustee.

WITNESS MY SIGNATURE, this the 4th day of February, 2005.

JAMES E. WOODS, TRUSTEE  
February 10, 17, 24, and March 3