

3/29/05 3:27:41
BK 495 PG 577
DESOTO COUNTY, MS
W.E. DAVIS, CH CLERK

Current Borrower: Thaddeus C. Hancock
Client Loan Number: 39585283
B&H File Number: 219125
VA/FHA/PMI Number: 2830210084703
Loan Type: FHA
Property Address: 2301 Hwy 301, Hernando, MS 38632

Indexing Instructions:

SUBSTITUTE TRUSTEE'S DEED

Grantor: Cole D. Patton, Substitute Trustee
Grantee: THE BANK OF NEW YORK AS TRUSTEE, FOR THE CERTIFICATEHOLDERS OF THE REPERFORMING LOAN REMIC TRUST CERTIFICATES, SERIES 2003-R3

WHEREAS, on August 30, 2001, Thaddeus C. Hancock, married, executed a deed of trust to Kathryn L. Harris, Trustee for the benefit of Community Mortgage Corporation, which deed of trust is recorded in Deed of Trust Book 1376 at Page 450 in the office of the Chancery Clerk of Desoto, State of Mississippi; and

WHEREAS, the aforesaid deed of trust was assigned to Union Planters Bank, National Association, by instrument dated September 04, 2001 and recorded in Book 1407 at Page 413 of the records of the aforesaid Chancery Clerk; and

WHEREAS, the aforesaid deed of trust was assigned to THE BANK OF NEW YORK AS TRUSTEE, FOR THE CERTIFICATEHOLDERS OF THE REPERFORMING LOAN REMIC TRUST CERTIFICATES, SERIES 2003-R3, by instrument dated August 27, 2003, and recorded in Book 2-142 at Page 165 of the records of the aforesaid Chancery Clerk; and

WHEREAS, THE BANK OF NEW YORK AS TRUSTEE, FOR THE CERTIFICATEHOLDERS OF THE REPERFORMING LOAN REMIC TRUST CERTIFICATES, SERIES 2003-R3, the holder of said deed of trust and the note secured thereby, substitute Cole D. Patton, as Trustee therein, as authorized by the terms thereof, by instrument dated February 15, 2005, and recorded in the office of the aforesaid Chancery Clerk in Book 2163 at Page 486; 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, Countrywide Home Loans, Inc. as attorney in fact for THE BANK OF NEW YORK AS TRUSTEE, FOR THE CERTIFICATEHOLDERS OF THE

BH # 219125/457

Default Risk Index

REPERFORMING LOAN REMIC TRUST CERTIFICATES, SERIES 2003-R3, having requested the undersigned Substitute Trustee to execute the trust and sell land and property in accordance with the terms of said deed of trust for the purpose of raising the sums due thereunder, together with attorney's fees, Substitute Trustee's fees and expense of sale;

WHEREAS, the undersigned Substitute Trustee, after posting and publication of the Notice of Sale as required by the terms of said deed of trust and laws of the State of Mississippi, within legal hours (being between the hours of 11:00 A.M. and 4:00 P.M.), on March 29, 2005, at public outcry offered the hereinafter described property for sale at the East front door of the County Courthouse in Hernando, at Desoto County, State of Mississippi;

WHEREAS, the Proof of Publication, Affidavit of Posting and the Memorandum of Sale have been prepared and executed to verify all aforesaid events. Said items are attached as proof thereof;

WHEREAS, at the time and place aforementioned, the undersigned received from the hereinafter named grantee a bid of \$79,058.21 which was the highest bid for cash for said land and property, and said bidder was then and there declared to be the purchaser thereof;

NOW, THEREFORE, in consideration of the aforesaid sum, cash in had paid, the receipt whereof is hereby acknowledged, the undersigned does hereby and convey unto THE BANK OF NEW YORK AS TRUSTEE, FOR THE CERTIFICATEHOLDERS OF THE REPERFORMING LOAN REMIC TRUST CERTIFICATES, SERIES 2003-R3 the following described real estate, together with all the improvements and appurtenances thereunto belonging, situated in the County of Desoto, State of Mississippi, to-wit:

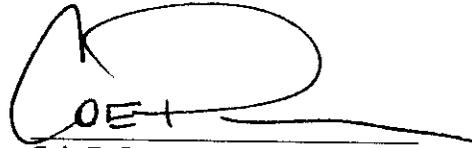
BEGINNING AT THE SOUTHWEST CORNER OF THE NORTH HALF OF THE SOUTHWEST QUARTER OF SECTION 15, TOWNSHIP 3, RANGE 9 WEST, DESOTO COUNTY, MISSISSIPPI; RUNNIN THENCE EAST 70 YEARDS TO A STATKE; THENCE NORTH 35 YARDS TO A STAKE; THENCE WEST 70 YARDS TO A STAKE; THENCE SOUTH ALNG THE WEST LINE OF SAID SECTION 35 YARDS TO THE POINT OF BEGINNING, AND CONTAINING ONE-HALF (1/2) ACRE, MORE OR LESS AND BEING SITUATED IN SECTION 15, TOWNSHIP 3, RANGE 9 WEST, TOGETHER WITH ALL APPURTENANCES THEREON, LYING IN THE SW 1/4.

LESS AND EXCEPT:

THAT PART OF SUBJECT PROPERTY WHICH MAY LIE WITHIN HIGHWAY 301

Also known as 2301 Hwy 301, Hernando, MS 38632

I hereby convey only such title as is vested in me as Substitute Trustee. WITNESS MY SIGNATURE, this, the 29th day of March, 2005.

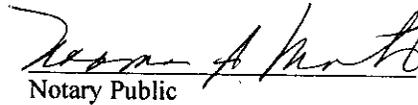
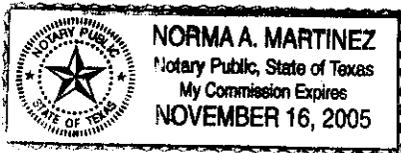


Cole D. Patton
SUBSTITUTE TRUSTEE
Butler & Hosch, P.A.
13800 Montfort Drive, Suite 155
Dallas, Texas 75240
Telephone No.:(972) 233-2500

STATE OF TEXAS)
) ACKNOWLEDGMENT
COUNTY OF DALLAS)

PERSONALLY came and appeared before me, the undersigned authority in and for the county and state of aforesaid, Cole D. Patton, Substitute Trustee, who acknowledged to and before me that he executed the foregoing Substitute Trustee's Deed on the day and year therein mentioned, and for the purposes therein expressed.

GIVEN UNDER MY HAND AND OFFICIAL SEAL OF OFFICE, this, the 29th day of March, 2005.


Notary Public

My Commission Expires: 11-16-2005

GRANTOR'S NAME, ADDRESS AND PHONE NUMBER:

Cole D. Patton
Butler & Hosch, P.A.
13800 Montfort Drive, Suite 155
Dallas, Texas 75240

GRANTEE'S NAME, ADDRESS AND PHONE NUMBER (Send Tax Statements to this address):

THE BANK OF NEW YORK AS TRUSTEE, FOR THE CERTIFICATEHOLDERS OF THE
REPERFORMING LOAN REMIC TRUST CERTIFICATES, SERIES 2003-R3
%Countrywide Home Loans, Inc.
7105 Corporate Drive
MS PTX-B-35
Plano, TX 75024
(972) 526-1317

THIS DOCUMENT PREPARED BY AND AFTER RECORDING PLEASE RETURN TO:

Rita R. Wilson
Butler & Hosch, P.A.
13800 Montfort Drive, Suite 155
Dallas, Texas 75240
Telephone No.:(972) 233-2500

Current Borrower: THADDEUS C. HANCOCK AND MELISSA HANCOCK
Client Loan Number: 39585283
B&H File Number: 219125
VA/FHA/PMI Number: 2830210084703
Loan Type: FHA
Property Address: 2301 Hwy 301, Hernando, MS 38632

Affidavit of Mortgagee

STATE OF TEXAS §
COUNTY OF DALLAS §

BEFORE ME, the undersigned authority on this day personally appeared Rita R. Wilson, who after being duly sworn, deposed as follows:

- 1. I am an employee of Butler & Hosch, P.A., attorney for Countrywide Home Loans, Inc., as servicing agent for THE BANK OF NEW YORK AS TRUSTEE, FOR THE CERTIFICATEHOLDERS OF THE REPERFORMING LOAN REMIC TRUST CERTIFICATES, SERIES 2003-R3 at the time of the events hereinafter set forth and make this affidavit for the purpose of declaring the incidents of statutory and contractual compliance of the entity or entities set out below.
- 2. This affidavit is made with respect to the foreclosure of that certain Deed of Trust dated August 30, 2001, recorded in Volume 1376, Page 450, Real Property Records, Desoto County, Mississippi, executed by Thaddeus C. Hancock, married, to Kathryn L. Harris, Trustee, to secure payment of a Note to Community Mortgage Corporation.
- 3. THE BANK OF NEW YORK AS TRUSTEE, FOR THE CERTIFICATEHOLDERS OF THE REPERFORMING LOAN REMIC TRUST CERTIFICATES, SERIES 2003-R3 is the holder of the indebtedness secured by the Deed of Trust
- 4. To the best of my knowledge and belief, proper notice was sent prior to acceleration of indebtedness. All obligations duties of the holder of the debt were performed in the manner required by law and all notices were served on the Debtor at the Debtor's last known address as shown by the records of the holder of the debt.
- 5. To the best of my knowledge and belief, the mortgagors holding an interest in the above described property were not members of the Armed Forces of the United States of America and had not been members of any such entities for the last three (3) months prior to the date of the Trustee's Sale and the subject hereof and were alive on the date of such sale.
- 6. At the instructions and on behalf of the holder of the debt or its agent, notice of acceleration of indebtedness and Trustee's Sale was served on every debtor obligated on the debt, by certified and regular mail at least thirty (30) days prior to the date therein specified for sale at the last known address of each such debtor according to the records of the holder of the debt.
- 7. At the instructions and on behalf of the holder of the debt or its agent, Notice of Trustee's Sale was filed with the Chancery Clerk in the county or counties in which the subject property is situated and copies thereof posted at said courthouse(s) as required by law and in the manner specified by ordinance or custom."

FURTHER AFFIANT SAYETH NAUGHT.

Rita R Wilson
AFFIANT

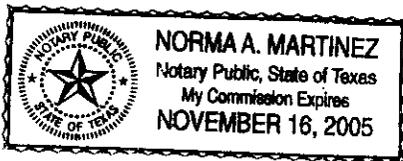
STATE OF TEXAS §
COUNTY OF DALLAS §

Sworn to and subscribed before me, the undersigned Notary Public, on this day personally appeared Rita R. Wilson, who is the Legal Assistant and duly authorized agent of Butler & Hosch, P.A., on behalf of said law firm, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that she executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office this 29th day of March, 2005

Norma A. Martinez
Notary Public for the State of Texas

Norma A. Martinez
Printed Name of Notary Public
My Commission Expires: 11-16-2005





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 August 30, 2001, Thaddeus C. Hancock, married executed a deed of trust to Kathryn L. Harris, Trustee for the benefit of Community Mortgage Corporation, which deed of trust is recorded in Deed of Trust Book 1376 at Page 460 in the office of the Chancery Clerk of the County of Desoto, State of Mississippi; and
WHEREAS, the aforesaid deed of trust was assigned to Union Planters Bank, National Association, by instrument dated September 04, 2001 and recorded in Book 1407 at Page 413 of the records of the aforesaid Chancery Clerk; and
WHEREAS, the aforesaid deed of trust was assigned to THE BANK OF NEW YORK AS TRUSTEE, FOR THE CERTIFICATEHOLDERS OF THE REPERFORMING LOAN REMIC TRUST CERTIFICATES, SERIES 2003-R3, by instrument dated August 27, 2003, and recorded in Book 2-142 at Page 185 of the records of the aforesaid Chancery Clerk; and
WHEREAS, THE BANK OF NEW YORK AS TRUSTEE, FOR THE CERTIFICATEHOLDERS OF THE REPERFORMING LOAN REMIC TRUST CERTIFICATES, SERIES 2003-R3, the holder of said deed of trust and the note secured thereby, substituted Cole D. Patton, as Trustee therein, as authorized by the terms thereof, by instrument dated February 15, 2005 and recorded in the office of the aforesaid Chancery Clerk in Book 2163 at Page 486; 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, Countrywide Home Loans, Inc., as attorney-in-fact for THE BANK OF NEW YORK AS TRUSTEE, FOR THE CERTIFICATEHOLDERS OF THE REPERFORMING LOAN REMIC TRUST CERTIFICATES, SERIES 2003-R3, having requested the undersigned Substitute 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 attorney's fees, Substitute Trustee's fees and expenses of sale;

- Volume No. 110 on the 1 day of Mar., 2005
- Volume No. 110 on the 8 day of Mar., 2005
- Volume No. 110 on the 15 day of Mar., 2005
- Volume No. 110 on the 22 day of Mar., 2005
- Volume No. _____ on the _____ day of _____, 2005

Diane Smith

Sworn to and subscribed before me, this 22 day of Mar., 2005

By Judy A. Douglas

NOTARY PUBLIC STATE OF MISSISSIPPI AT LARGE
MY COMMISSION EXPIRES: JANUARY 16, 2009
BONDED THRU DIXIE NOTARY SERVICE, INCORPORATED



- A. Single first insertion of 584 words @ .12 \$ 70.08
- B. 3 subsequent insertions of 1752 words @ .10 \$ 175.20
- C. Making proof of publication and depositing to same \$ 3.00

TOTAL PUBLISHER'S FEE: \$ 248.28

Desoto, County, State of Mississippi, the following described property situated in the County of Desoto, State of Mississippi, to-wit: BEGINNING AT THE SOUTHWEST CORNER OF THE NORTH HALF OF THE SOUTHWEST QUARTER OF SECTION 15, TOWNSHIP 3, RANGE 9 WEST, DESOTO COUNTY, MISSISSIPPI; RUNNING THENCE EAST 70 YARDS TO A STAKE; THENCE NORTH 35 YARDS TO A STAKE; THENCE WEST 70 YARDS TO A STAKE; THENCE SOUTH ALONG THE WEST LINE OF SAID SECTION 35 YARDS TO THE POINT OF BEGINNING, AND CONTAINING ONE-HALF (1/2) ACRE, MORE OR LESS AND BEING SITUATED IN SECTION 15, TOWNSHIP 3, RANGE 9 WEST, TOGETHER WITH ALL APPURTENANCES THEREON, LYING IN THE SW 1/4 LESS AND EXCEPT THAT PART OF SUBJECT PROPERTY WHICH MAY LIE WITHIN HIGHWAY 301 Also known as Hwy 301, Hernando, MS 38632 I WILL CONVEY only such title as is vested in me as Substitute Trustee MY SIGNATURE, this the 24th day of February, 2005. Cole D. Patton, Substitute Trustee Butler & Hoesch, P.A. 13800 Montford Drive, Suite 155 Dallas, Texas 75240 Telephone No. (972) 233-2600 PUBLISH: March 01, 2005; March 08, 2005; March 15, 2005; and March 22, 2005.

NOT: THEREFORE, I, Cole D. Patton, Substitute Trustee in said deed of trust, will on March 20, 2005, offer for sale at public auction for cash to the highest bidder, and sell within legal hours (being between the hours of 11:00 A.M. and 4:00 P.M.) at the East West End of the County Courthouse, in Hernando, at

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

Current Borrower: Thaddeus C. Hancock
 Client Loan Number: 39585283
 B&H File Number: 219125
 VA/FHA/PMI Number: 2830210084703
 Loan Type: FHA
 Property Address: 2301 Hwy 301, Hernando, MS 38632

MEMORANDUM OF SALE

The undersigned Substitute Trustee (hereinafter "Trustee") hereby appoints _____
JOSSEPH JOHNSON, to serve as auctioneer for the purpose of conducting the foreclosure sale more particularly described below. This appointment is subject to completion of a satisfactory title examination (including a search for Federal Liens) and the performance of all duties in conformity with Trustee's instructions. All third party bids are subject to confirmation by Trustee prior to sale. Right is reserved by Trustee to reject any bid or to withdraw the property from auction prior to final sale. All sales are subject to review and confirmation by the Trustee, prior to conveyance. The undersigned Trustee reserves the right to reject any bid and to decline to convey the subject property due to mistake (including but not limited to an error in the bid amount), inadequacy of funds, title defects or lack of notice to the IRS, or for any other reasonable cause. If Trustee elects to reject a bid, the funds tendered by the successful bidder will be promptly returned, and the property will be re-advertised for sale at a subsequent date.

Upon confirmation by the Trustee, Trustee will convey only such title as is vested in him. No representations are made concerning title to the subject property of the fitness or merchantability of the same. It is the purchaser's sole responsibility to examine and investigate the title to the property and any related issues, and it shall be the purchaser's responsibility to resolve any issues relating to other liens, taxes or other title problems or issues affecting the subject property. The property will be conveyed without warranty of any kind, it being understood that the property is being sold "as is". The form of conveyance will be that of a Substituted Trustee's Deed, which is in the nature of quitclaim deed.

WITNESS MY SIGNATURE, on this 22nd day of March, 2005.



Cole D. Patton, Substitute Trustee
Butler & Hosch, P.A.
13800 Montfort Drive, Suite 155
Dallas, Texas 75240
Telephone No.:(972) 233-2500

RESULTS OF SALE:

DEED OF TRUST FORECLOSED: BOOK 1376 PAGE 450
DATE & TIME OF SALE: March 29, 2005, AT 11:19 AM /P.M.
AMOUNT OF HIGHEST BID: \$ 79,058²¹
CONVEY TO: STANCO TO MFG. CO.

PHONE: _____

The undersigned acknowledged having read the terms of the auctioneer's appointment and conditions of sale set forth above, and further acknowledge that all bids are subject to approval by the Trustee prior to conveyance, and the sale may be set aside by the Trustee and the funds tendered returned to the bidder, if these conditions are not satisfied.

WITNESS OUR SIGNATURES, on this 29 day of MARCH,
20 05



AUCTIONEER
Printed Name: JOSEPH JANSSEN



WITNESS
Printed Name: Chris Thomas

HIGHEST BIDDER
Printed Name: _____

WITNESS
Printed Name: _____