

Current Borrower: William D. Vanderford
Client Loan Number: 3199130
B&H File Number: 223023
VA/FHA/PMI Number: 2830190840703
Loan Type: FHA-BUYD
Property Address: 9831 Riggins Drive, Olive Branch, MS 38654

Indexing Instructions:

SUBSTITUTE TRUSTEE'S DEED

Grantor: Cole D. Patton or Zachary A. Copp or Amy M. Merino, Substitute Trustee
Grantee: BANK OF NEW YORK AS TRUSTEE FOR THE CERTIFICATE HOLDERS OF
CWMBS2004-R1

WHEREAS, on July 14, 1999, William D. Vanderford, A married man, and wife Patricia L. Vanderford, executed a deed of trust to Tim Atchley, Trustee for the benefit of Accubanc Mortgage Corporation, which deed of trust is recorded in Deed of Trust Book 1129 at Page 209 in the office of the Chancery Clerk of Desoto, State of Mississippi; and

WHEREAS, the aforesaid deed of trust was assigned to Countrywide Home Loans, Inc., by instrument dated July 14, 1999, and recorded in Book 1156 at Page 0121 of the records of the aforesaid Chancery Clerk; and

WHEREAS, the aforesaid deed of trust was assigned to BANK OF NEW YORK AS TRUSTEE FOR THE CERTIFICATE HOLDERS OF CWMBS2004-R1, by instrument dated May 25, 2005, and recorded in Book 2,225 at Page 761 of the records of the aforesaid Chancery Clerk; and

WHEREAS, the aforesaid, BANK OF NEW YORK AS TRUSTEE FOR THE CERTIFICATE HOLDERS OF CWMBS2004-R1, the holder of said deed of trust and the note secured thereby, substitute Cole D. Patton or Zachary A. Copp or Amy M. Merino, as Trustee therein, as authorized by the terms thereof, by instrument dated July 08, 2005, and recorded in the office of the aforesaid Chancery Clerk in Book 2257 at Page 145; 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 BANK OF NEW YORK AS TRUSTEE FOR THE CERTIFICATE HOLDERS OF CWMBS2004-R1, 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 August 19, 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 \$98,007.32, 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 BANK OF NEW YORK AS TRUSTEE FOR THE CERTIFICATE HOLDERS OF CWMBS2004-R1 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:

LOT 123, SECTION C, FIRST ADDITION, MAGNOLIA GARDENS SUBDIVISION, IN SECTION 34,
TOWNSHIP 1 SOUTH, RANGE 6 WEST, DESOTO COUNTY, MISSISSIPPI, AS PER PLAT
THEREOF RECORDED IN PLAT BOOK 43, PAGE 6, IN THE OFFICE OF THE CHANCERY CLERK
OF DESOTO COUNTY, MISSISSIPPI.

Also known as 9831 Riggin Drive, Olive Branch, MS 38654

I hereby convey only such title as is vested in me as Substitute Trustee. WITNESS MY SIGNATURE, this, the 19th day of August 2005.

[Handwritten Signature]

Cole D. Patton or Zachary A. Copp or Amy M. Merino
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 or Zachary A. Copp or Amy M. Merino, 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 19th day of August, 2005.



[Handwritten Signature]

Notary Public
My Commission Expires: 11-16-05

GRANTOR'S NAME, ADDRESS AND PHONE NUMBER:
Cole D. Patton
Butler & Hosch, P.A.
13800 Montfort Drive, Suite 155
Dallas, Texas 75240
972-233-2500

GRANTEE'S NAME, ADDRESS AND PHONE NUMBER (Send Tax Statements to this address):
BANK OF NEW YORK AS TRUSTEE FOR THE CERTIFICATE HOLDERS OF CWMB2004-R1
%Countrywide Home Loans, Inc.
6400 Legacy Drive
Plano, TX 72024
(972) 526-6311

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



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 14, 1999, William D. Vanderford, A married man, and wife Patricia L. Vanderford executed a deed of trust to Tim Atchley, Trustee for the benefit of Accubanc Mortgage Corporation, which deed of trust is recorded in Deed of Trust Book 1129 at Page 209 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 Countrywide Home Loans, Inc., by instrument dated July 14, 1999, and recorded in Book 1156 at Page 0121 of the records of the aforesaid Chancery Clerk; and
 WHEREAS, the aforesaid deed of trust was assigned to BANK OF NEW YORK AS TRUSTEE FOR THE CERTIFICATE HOLDERS OF CWMS2004-R1, by instrument dated May 25, 2005, and recorded in Book 2,225 at Page 781 of the records of the aforesaid Chancery Clerk; and
 WHEREAS, the aforesaid, BANK OF NEW YORK AS TRUSTEE FOR THE CERTIFICATE HOLDERS OF CWMS2004-R1, the holder of said deed of trust and the note secured thereby, substituted Cole D. Patton or Zachary A. Copp or Amy M. Merino, as Trustee therein, as authorized by the terms thereof, by instrument dated July 08, 2005, and recorded in the office of the aforesaid Chancery Clerk in Book 2257 at Page 145; 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 BANK OF NEW YORK AS TRUSTEE FOR THE CERTIFICATE HOLDERS OF CWMS2004-R1, 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 expense of sale;
 NOW, THEREFORE, I, Cole D. Patton or Zachary A. Copp or Amy M. Merino, Substitute Trustee in said deed of trust, will on August 19, 2005, offer for sale at public outcry 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 front door of the County Courthouse, in

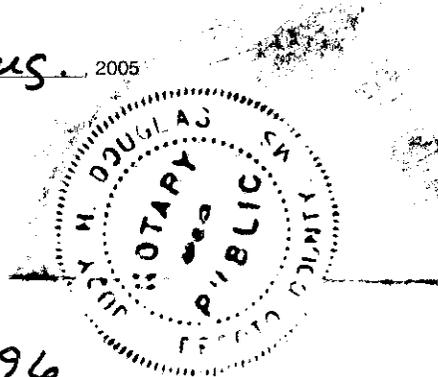
Volume No. 110 on the 26 day of July, 2005
 Volume No. 110 on the 2 day of Aug., 2005
 Volume No. 110 on the 9 day of Aug., 2005
 Volume No. 110 on the 16 day of Aug., 2005
 Volume No. _____ on the _____ day of _____, 2005

Diane Smith

Sworn to and subscribed before me, this 17 day of Aug., 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 558 words @ .12 \$ 66.96
 B. 3 subsequent insertions of 1674 words @ .10 \$ 167.40
 C. Making proof of publication and depositing to same \$ 3.00

TOTAL PUBLISHER'S FEE: \$ 237.36

WITNESS MY SIGNATURE, this the 20th day of 2005.
 Cole D. Patton or Zachary A. Copp or Amy M. Merino
 Substitute Trustee
 Butler & Hosch, P.A.
 13800 Montfort Drive, Suite 155
 Dallas, Texas 75240
 Telephone No.:(972) 233-2500
 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
 PUBLISH: July 26, 2005; August 02, 2005; August 09, 2005 and August 16, 2005.

Fax: 662.429.5229

Hernando, at Desoto County, State of Mississippi, the following described property situated in the County of Desoto, State of Mississippi, to-wit:
 LOT 123, SECTION C, FIRST ADDITION, MAGNOLIA GARDENS SUBDIVISION, IN SECTION 34, TOWNSHIP 1 SOUTH, RANGE 6 WEST, DESOTO COUNTY, MISSISSIPPI, AS PER PLAT THEREOF RECORDED IN PLAT BOOK 43, PAGE 6, IN THE OFFICE OF THE CHANCERY CLERK OF DESOTO COUNTY, MISSISSIPPI.
 Also known as 9831 Riggin Drive, Olive Branch, MS 38654
 I WILL CONVEY only such title as is vested in me as Substitute Trustee.

Current Borrower: WILLIAM D. VANDERFORD; PATRICIA L. VANDERFORD
Client Loan Number: 3199130
B&H File Number: 223023
VA/FHA/PMI Number: 2830190840703
Loan Type: FHA-BUYD
Property Address: 9831 Riggins Drive, Olive Branch, MS 38654

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 BANK OF NEW YORK AS TRUSTEE FOR THE CERTIFICATE HOLDERS OF CWMB2004-R1 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 July 14, 1999, recorded in Volume 1129, Page 209, Real Property Records, Desoto County, Mississippi, executed by William D. Vanderford, A married man, and wife Patricia L. Vanderford, to Tim Atchley, Trustee, to secure payment of a Note to Accubanc Mortgage Corporation.
- 3. BANK OF NEW YORK AS TRUSTEE FOR THE CERTIFICATE HOLDERS OF CWMB2004-R1 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 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 19th day of August, 2005

[Signature]
Notary Public for the State of Texas

Printed Name of Notary Public
My Commission Expires: 11-16-05

