

STATE OF MISSISSIPPI

Willie Davis and Mary Davis

COUNTY OF DESOTO

CRY 18908

**SUBSTITUTED TRUSTEES DEED**

WHEREAS, on March 30, 2001, Willie Davis and wife, Mary Davis executed a Deed of Trust to Jeanine B. Saylor, Trustee for the benefit of 1st Trust Bank for Savings, which Deed of Trust is filed for record in Book 1310 at Page 526 in the office of the Chancery Clerk of DeSoto County at Hernando, Mississippi; and

WHEREAS, as authorized by the aforesaid Deed of Trust and in strict accordance therewith, 1st Trust Bank for Savings appointed and substituted J. Gary Massey as Trustee therein in the place and stead of the trustee named in said Deed of Trust or subsequently substituted therein by Substitution of Trustee dated September 19, 2005, and duly filed for record in the office of the aforesaid Chancery Clerk in Book 2,313 at Page 527 prior to the first publication and posting of the notice of sale; and

WHEREAS, default having been made in the terms and conditions of said Deed of Trust, which default continued for a period of time necessary for the holder thereof to declare the entire indebtedness, together with attorney's fees, expenses and costs, immediately due and payable, as was its option so to do under the terms of said Deed of Trust, and default having been made in payment of said amount and the Substituted Trustee having been requested and directed by 1st Trust Bank for Savings to foreclose under the terms of said Deed of Trust, I did on October 28, 2005, during 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 of DeSoto County, Hernando, Mississippi, in accordance with the terms of the Deed of Trust and the laws of the State of Mississippi, offer for sale at public auction and sell to the highest and best bidder for cash the following described land and property lying and being situated in DeSoto County, Mississippi, being more particularly described as follows, to wit:

Lot 84, Section A, Braybourne Subdivision, in Section 32, Township 1 South, Range 5 West, as shown on plat of record in Plat Book 59, Page 32 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.

This being the same property conveyed to Willie Davis and wife, Mary Davis, as tenants by the entirety with full rights of survivorship and not as tenants in common, from Donald E. Stone and wife, Pamela A. Stone, as tenants by the entirety with full rights of survivorship and not as tenants in common, by Deed dated March 30, 2001, being filed simultaneously herewith.

Said property was sold after strictly complying with all the terms and conditions of said Deed of Trust and the statutes made and provided in such cases. A notice of time, place and terms of said sale, together with a description of the property to be sold, was given by publication in the DeSoto County Times, a newspaper published in DeSoto County, Mississippi for three consecutive weeks preceding the date of sale. The notices were published on October 7, 14, and 21, 2005, (a certified copy of which is attached hereto), and a notice identical to the published notice was posted on the bulletin board at the East Front door of the County Courthouse of DeSoto County, Hernando, Mississippi for said period of three consecutive weeks. Everything necessary to be done was done to make and effect a good and lawful sale.

At said Sale, 1st Trust Bank for Savings bid for said property in the amount of \$172,325.52, which being the highest and best bid, the same was then and there struck off to 1st Trust Bank for Savings and it was declared the purchaser thereof.

NOW THEREFORE, in consideration of the full payment of the purchase price, I, the undersigned Substituted Trustee, do hereby sell and convey unto 1st Trust Bank for Savings the land and property herein described. I convey only such title as is vested in me as Substituted Trustee.

WITNESS MY SIGNATURE, on October 28, 2005.

*J. Gary Massey*  
\_\_\_\_\_  
J. Gary Massey, Substituted Trustee

STATE OF MISSISSIPPI  
COUNTY OF HINDS

Personally appeared before me, the undersigned authority in and for said county and state, on October 28, 2005, the within named J. Gary Massey, Substituted Trustee, duly identified before me, who acknowledged that in said representative capacity he executed the above and foregoing instrument, after having first been duly authorized to do so.

*Debra A. Martin*  
\_\_\_\_\_  
Notary Public

My commission expires:



GRANTOR'S ADDRESS:

J. Gary Massey, Substitute Trustee  
Shapiro & Massey, L.L.P.  
1910 Lakeland Drive, Suite B  
Jackson, MS 39216  
601-981-9299  
S&M #05-0957

GRANTEE'S ADDRESS:

1st Trust Bank for Savings  
6655 Poplar Ave  
Suite 201  
Germantown, Tennessee 38138  
800-467-0311

PREPARED BY:

J. Gary Massey, Substitute Trustee  
Shapiro & Massey, L.L.P.  
1910 Lakeland Drive, Suite B  
Jackson, MS 39216  
(601) 981-9299

INDEX: Lot 84, Section A, Braybourne Subd., Sec. 32, T1S, R5W, DeSoto County, MS



# 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 3 consecutive times, as follows, to-wit:

**SUBSTITUTED TRUSTEES  
NOTICE OF SALE**

WHEREAS, on March 30, 2001, Willie Davis and wife, Mary Davis executed a certain deed of trust to Jeanine B. Saylor, Trustee for the benefit of 1st Trust Bank for Savings which deed of trust is of record in the office of the Chancery Clerk of DeSoto County, State of Mississippi in Book 1310 at Page 528; and WHEREAS, 1st Trust Bank for Savings has heretofore substituted J. Gary Massey as Trustee by instrument dated September 19, 2005 and recorded in the aforesaid Chancery Clerk's Office in Book 2,313 at Page 527; 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, 1st Trust Bank for Savings, the legal holder of said indebtedness, having requested the undersigned Substituted Trustee to execute the trust and sell said land and property in accordance with the terms of said deed of trust and for the purpose of raising the sums due thereunder, together with attorney's fees, trustee's fees and expense of sale.

NOW, THEREFORE, J. Gary Massey, Substituted Trustee in said deed of trust, will on October 28, 2005 offer for sale at public outcry 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 of DeSoto County, located at Hernando, Mississippi, to the highest and best bidder for cash the following described property situated in DeSoto County, State of Mississippi, to-wit:

Lot 84, Section A, Braybourn Subdivision, in Section 32, Township 1 South, Range 5 West, as shown on plat of record in Plat Book 59, Page 32 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. This being the same property conveyed to Willie Davis and wife, Mary Davis, as tenants by the entirety with full rights of survivorship and not as tenants in common, from Donald E. Stone and wife, Pamela A. Stone, as tenants by the entirety with full rights of survivorship and not as tenants in common, by Deed dated March 30, 2001, being filed simultaneously herewith.

I WILL CONVEY only such title as vested in me as Substituted Trustee.  
WITNESS MY SIGNATURE on this 4th day of October, 2005.  
J. Gary Massey  
SUBSTITUTED TRUSTEE  
Shapiro & Massey, L.L.P.  
1910 Lakeland Drive, Suite B  
Jackson, MS 39216  
(601) 981-9299  
6731 Sanbourne West  
Olive Branch, MS 38654  
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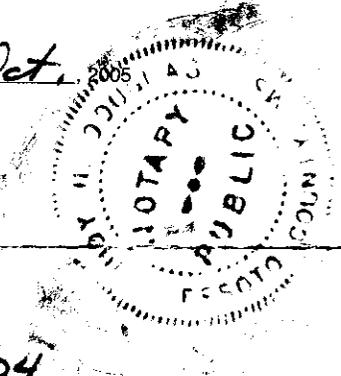
- Volume No. 110 on the 7 day of Oct., 2005
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- Volume No. 110 on the 21 day of Oct., 2005
- Volume No. \_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_, 2005
- Volume No. \_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_, 2005

Diane Smith

Sworn to and subscribed before me, this 21 day of Oct., 2005

By Judy A. Douglas

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



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