

SUBSTITUTE TRUSTEE'S DEED

WHEREAS, the United States of America, acting by and through the United States Department of Agriculture, is the owner and holder of the following real estate deed(s) of trust, securing an indebtedness therein mentioned, and covering certain real estate hereinafter described located in Desoto County, Mississippi, said deed(s) of trust being duly recorded in the Office of the Chancery Clerk in and for said County and State:

<u>GRANTORS</u>	<u>DATE EXECUTED</u>	<u>TRUST DEED BOOK</u>	<u>PAGE</u>
Mary L. Cook	February 27, 1985	333	314

The indebtedness secured by the Deed of Trust dated February 27, 1985 and executed by Mary L. Cook was assumed by David Wayne Cook with Assumption Agreement dated January 7, 2002.

And default having been made in the payment of said indebtedness;

And the United States of America, as Beneficiary, having authorized and instructed the Substitute Trustee to foreclose said deed(s) of trust by advertisement and sale at public auction as required by law;

The said Substitute Trustee caused a due notice to be published in the Desoto Times Today, a newspaper published in the City of Hernando, said County and State, and on March 4, 2004, posted alike notice on the bulletin board of the County Courthouse in Hernando, Mississippi; that certain lands herein after described would on March 29, 2004, be sold at public auction at the East front door of said Courthouse to the highest bidder for cash by virtue of the authority vested in the said Substitute Trustee by said deed(s) of trust, which said notice was published in said newspaper in the issues March 4, March 11, March 18, and March 25, 2004.

And said lands having been sold by said Substitute Trustee on March 29, 2004, within legal hours (being between the hours of 11:00 AM and 4:00 PM), in the manner prescribed in and by said deed(s) of trust and in accordance with the laws of the State of Mississippi, and at the place aforesaid in pursuance of said notice, offered for sale at public auction to the highest bidder for cash, and David Philley and Tim Durham Sr.

having been the highest bidder therefore and having bid the sum of FORTYFIVE THOUSAND 00/100 Dollars (\$ 45,000.00), the said David Philley and Tim Durham Sr. was duly declared the purchaser thereof.

NOW, THEREFORE, in consideration of the sum so bid, I, Richard J. Hill, as Substitute Trustee, do hereby convey and sell to the said David Philley and Tim Durham Sr.

the following described land situated in Desoto County, Mississippi, to-wit:

Chancery Clerk
429-1380
429 1318

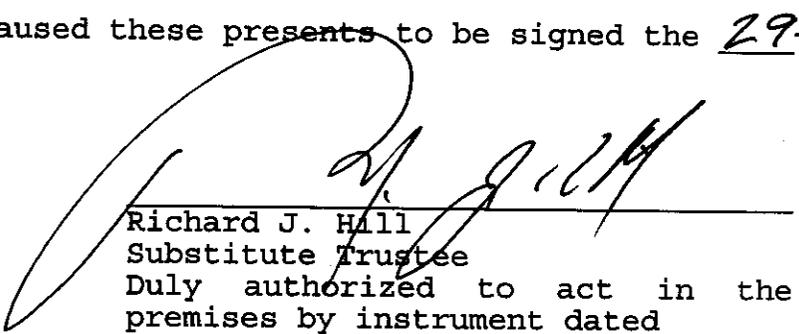
(SEE ATTACHED LEGAL DESCRIPTION)

Return to Grantee

being the same property described in said deed(s) of trust and the same property sold and purchased at said sale.

I, Richard J. Hill, Substitute Trustee, convey only such title as is vested in me as Substitute Trustee.

IN WITNESS WHEREOF, I have caused these presents to be signed the 29th day of March, 2004.

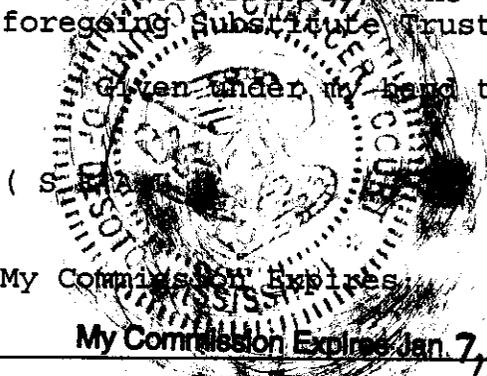

Richard J. Hill
Substitute Trustee
Duly authorized to act in the premises by instrument dated March 7, 1994, and recorded in Book 1, Page 23, of the records of the aforesaid County and State.

ACKNOWLEDGEMENT

STATE OF MISSISSIPPI)
)SS:
COUNTY OF DESOTO)

Personally appeared before me, W.E. Davis Chancery Clerk, a notary public in and for the County and State aforesaid Richard J. Hill, Substitute Trustee, who acknowledged that he signed and delivered the foregoing Substitute Trustee's Deed on the day and year therein mentioned.

Given under my hand this 29th day of March, 2004.



W.E. Davis Chancery Clerk
NOTARY PUBLIC
By: M. Heyner D.C.

My Commission Expires Jan. 7, 2008

Grantor: Richard J. Hill, Substitute Trustee for the United States of America; 3260 Hwy. 51 South; Hernando, Mississippi 38632; telephone: (662) 429-8687.

Grantee: David Philley and Tim Durham Sr. (662) 895-9122 N/A
5135 Summers Creek Olive Branch, MS 38654

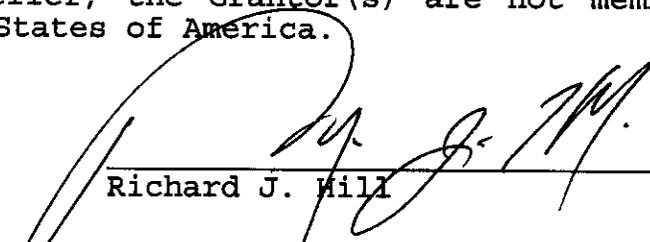
Lot 1274, Section C, South DeSoto Village Subdivision in Section 33,
Township 1 South, Range 8 West as per plat thereof recorded in Plat
Book 10, Pages 3-8, in the office of the Chancery Clerk of DeSoto
County, Mississippi.

AFFIDAVIT OF FORECLOSURE PROCEEDINGS

STATE OF MISSISSIPPI)
)SS:
COUNTY OF DESOTO)

Richard J. Hill, being first duly sworn on oath, deposes and says that on March 4, 2004, as Substitute Trustee, he posted a copy of the Notice annexed to the foregoing Publisher's Affidavit on the bulletin board of the County Courthouse in Hernando, Mississippi; that further, he was authorized and instructed by the Beneficiary to foreclose certain deed(s) of trust by advertisement and sale; that he acted as auctioneer for the sale of the premises described in the notice annexed to the foregoing Publisher's Affidavit and that pursuant to such Notice of Sale, he sold said premises at public auction at the place and at the time of sale mentioned therein, to wit: At the hour of 12:00PM on March 29, 2004 at the East front door of the County Courthouse in the aforesaid County where said premises are situated; and that said premises were then and there purchased by

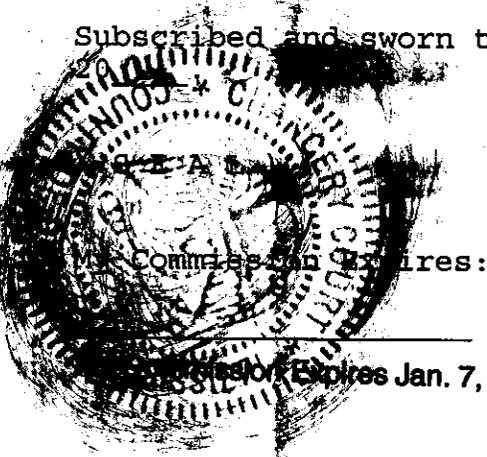
David Philley and Tim Durham Sr.
for the sum of \$ 45,000.00, said purchaser being the highest bidder, and said sum being the highest sum bid; and deponent further says that said sale was conducted fairly, honestly, and according to the terms of said deed(s) of trust and the laws of the State of Mississippi, and that to the best of his knowledge and belief, the Grantor(s) are not members of the Armed Services of the United States of America.



Richard J. Hill

Subscribed and sworn to before me this 29th day of March

W.E. Davis Chancery Clerk
NOTARY PUBLIC
By: M. Heffer D.C.





PROOF OF PUBLICATION

THE STATE OF MISSISSIPPI
 COUNTY OF DESOTO

Lisa Fuller 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:

- Volume No. 109 on the 4 day of Mar., 2004
- Volume No. 109 on the 11 day of Mar., 2004
- Volume No. 109 on the 18 day of Mar., 2004
- Volume No. 109 on the 25 day of Mar., 2004
- Volume No. _____ on the _____ day of _____, 2004

Lisa Fuller

NOTICE OF SALE
 WHEREAS, the United States of America, acting by and through the United States Department of Agriculture, is the owner and holder of the following real estate deed(s) of trust, securing an indebtedness therein mentioned and covering certain real estate hereinafter described located in Desoto County, Mississippi, said deed(s) of trust being duly recorded in the Office of the Chancery Clerk in and for said County and State:
 GRANTORS: Mary L. Cook
 DATE EXECUTED: February 27, 1985
 TRUST DEED BOOK: 333
 PAGE: 314

The indebtedness secured by the Deed of Trust dated February 27, 1985 and executed by Mary L. Cook was assumed by David Wayne Cook with Assumption Agreement dated January 7, 2002.

WHEREAS, said debt is now due to the Government of the United States as secured by said deed(s) of trust, and the United States of America, as Secretary, has authorized and instructed me as Substitute Trustee to foreclose said deed(s) of trust by advertisement and sale at public auction in accordance with the statutes made and provided therefor.

THEREFORE, notice is hereby given that pursuant to the power of sale contained in said deed(s) of trust and in accordance with the statutes made and provided therefor, the said deed(s) of trust will be foreclosed and the property covered thereby and hereinafter described will be sold at public auction to the highest bidder for cash at the East front door of the County Courthouse in the city of Hernando, Mississippi, in the aforesaid County and will sell within legal hours (being between the hours of 11:00 AM and 4:00 PM) on March 29, 2004, to satisfy the indebtedness now due under and secured by said deed(s) of trust.

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

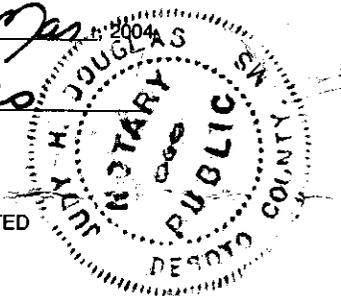
The premises to be sold are:
 Lot 10, Section C, Block Duffalo, Village Subdivision in Section 33, Township 1 North, Range 7 West of the 6th Principal Meridian in Plat Book 10, Pages 3-6, in the office of the Chancery Clerk of Desoto County, Mississippi.

Richard J. Hill
 Substitute Trustee
 Duly authorized to act in the premises by instrument dated March 7, 1994, and recorded in Book 7, Page 23, of the records of the aforesaid County and State.
 Mar. 4, 11, 18, 25, 2004

Sworn to and subscribed before me, this 25 day of Mar., 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 380 words @ .12 \$ 45.60
- B. 3 subsequent insertions of 1140 words @ .10 \$ 114.00
- C. Making proof of publication and depositing to same \$ 3.00

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