

2/21/06 1:45:01
BK 521 PG 575
DESOTO COUNTY, MS
W.E. DAVIS, CH CLERK

Current Borrower: Cynthia T. Ennis
Client Loan Number: 62627255
B&H File Number: 229411
VA/FHA/PMI Number: 2812941084703
Loan Type: FHA-BUYD
Property Address: 7335 Perrin Lake, Horn Lake, MS 38637

Indexing Instructions:

SUBSTITUTE TRUSTEE'S DEED

Grantor: Cole D. Patton or Zachary A. Copp or Amy M. Merino, Substitute Trustee
Grantee: COUNTRYWIDE HOME LOANS, SERVICING LP

WHEREAS, on October 31, 2002, Cynthia T. Ennis, a single person, executed a deed of trust to J. Patrick Caldwell, Trustee for the benefit of BancorpSouth Bank, state Chartered Institution, which deed of trust is recorded in Deed of Trust Book 1595 at Page 0268 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, SERVICING LP, by instrument dated April 5, 2004 and recorded in Book 2367 at Page 494 of the records of the aforesaid Chancery Clerk; and

WHEREAS, the aforesaid, COUNTRYWIDE HOME LOANS, SERVICING LP, 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 December 28, 2005, and recorded in the office of the aforesaid Chancery Clerk in Book 2382 at Page 703; 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 COUNTRYWIDE HOME LOANS, SERVICING LP, 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 the February 21, 2006, at public outcry offered the

BH # 229411/457

Defaultlink - Fed Ex

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hereinafter described property for sale at the East front door of the County Courthouse at Hernando, Desoto County of Desoto, 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 \$83,601.41 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 COUNTRYWIDE HOME LOANS, SERVICING LP 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 24, KINGSTON ESTATE TOWNHOMES SUBDIVISION, IN SECTION 28, TOWNSHIP 1 SOUTH, RANGE 8 WEST, DESOTO COUNTY, MISSISSIPPI, AS PER PLAT THEREOF RECORDED IN PLAT BOOK 73, PAGE 2-3, IN THE OFFICE OF THE CHANCERY CLERK OF DESOTO COUNTY, MISSISSIPPI.

Also known as 7335 Perrin Lake, Horn Lake, MS 38637

I hereby convey only such title as is vested in me as Substitute Trustee. WITNESS MY

SIGNATURE, this, the 21 day of FEBRUARY, 2006.

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)
)
COUNTY OF DALLAS) ACKNOWLEDGMENT

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 21ST day of FEBRUARY, 2006



Doris K. Ligon-Anaba
Notary Public

My Commission Expires: _____

GRANTOR'S NAME, ADDRESS AND PHONE NUMBER:

Cole D. Patton or Zachary A. Copp or Amy M. Merino
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):

COUNTRYWIDE HOME LOANS, SERVICING LP
%Countrywide Home Loans, Inc.
6400 Legacy Drive
Plano, TX 72024
(972) 526-6311

THIS DOCUMENT PREPARED BY AND AFTER RECORDING PLEASE RETURN TO:

Kortney R. Gurnell
Butler & Hosch, P.A.
13800 Montfort Drive, Suite 155
Dallas, Texas 75240
(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 October 31, 2002, Cynthia T. Smith, a single person executed a deed of trust to J. Patrick Caldwell, Trustee for the benefit of Bancorp South Bank, state chartered institution, which deed of trust is recorded in Deed of Trust Book 1585 at Page 0288 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, SERVICING LP, by instrument dated April 5, 2004 and recorded in Book 2367 at Page 494 of the records of the aforesaid Chancery Clerk; and

WHEREAS, under the terms of said deed of trust, the beneficiary or any subsequent holder of the note secured by said deed of trust is authorized and empowered to appoint and substitute another trustee in the place and stead of the trustee named therein, at any time by writing duly signed and acknowledged and recorded in the County in which the premises are located; and

WHEREAS, the aforesaid, COUNTRYWIDE HOME LOANS, SERVICING LP, the holder of said deed of trust and the note secured thereby, substituted Cole D. Patton or Zachary A. Copp or Amy M. Marino, as Trustee therein, as authorized by the terms thereof, by instrument dated December 28, 2005 and recorded in the office of the aforesaid Chancery Clerk in Book 2382 at Page 703; 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 COUNTRYWIDE HOME LOANS, SERVICING LP, 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. Marino, Substitute Trustee in said deed of trust, will on February 21, 2006, 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 Court House of the County Courthouse at Hernando, Desoto County, State of Mississippi, the following described property situated in the County of Desoto, State of Mississippi to-wit:

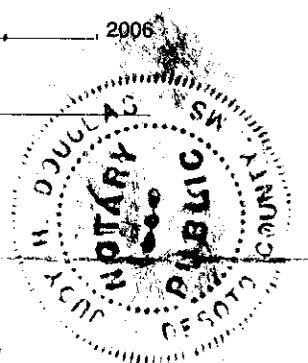
Volume No. 111 on the 26 day of Jan., 2006
 Volume No. 111 on the 2 day of Feb., 2006
 Volume No. 111 on the 9 day of Feb., 2006
 Volume No. 111 on the 16 day of Feb., 2006
 Volume No. _____ on the _____ day of _____, 2006

Diane Smith

Sworn to and subscribed before me, this 16 day of Jan., 2006

BY *Judy H. Cougler*

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



A. Single first insertion of 533 words @ .12 \$ 63.96
 B. 3 subsequent insertions of 1599 words @ .10 \$ 159.90
 C. Making proof of publication and depositing to same \$ 3.00

LOT 24, KINGSTON ESTATE TOWNHOMES SUBDIVISION, IN SECTION 20, TOWNSHIP 1 SOUTH, RANGE 8 WEST, DESOTO COUNTY, MISSISSIPPI, AS PER PLAT THEREOF RECORDED IN PLAT BOOK 73, PAGE 2-3, IN THE OFFICE OF THE CHANCERY CLERK OF DESOTO COUNTY, MISSISSIPPI.

Also known as 7335 Perrin Lake, Horn Lake, MS 38637

I WILL CONVEY only such title as is vested in me as Substitute Trustee.

WITNESS MY SIGNATURE, this the 23rd day of January, 2006.

Cole D. Patton or Zachary A. Copp or Amy M. Marino

Substitute Trustee
 Butler & Hoeh, P.A.
 13800 Montfort Drive, Suite 155
 Dallas, Texas 75240

Telephone No.:(972) 233-2500

PUBLISH: January 26, 2006,
 February 02, 2006, February 09,
 2006, and February 16, 2006.

FEE: \$ 226.86

Hernando, MS 38632 • 662.429.6397 • Fax: 662.429.5229

Current Borrower: CYNTHIA T. ENNIS
Client Loan Number: 62627255
B&H File Number: 229411
VA/FHA/PMI Number: 2812941084703
Loan Type: FHA-BUYD
Property Address: 7335 Perrin Lake, Horn Lake, MS 38637

Affidavit of Mortgagee

STATE OF TEXAS §
COUNTY OF DALLAS §

BEFORE ME, the undersigned authority on this day personally appeared Kortney R. Gurnell, 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 COUNTRYWIDE HOME LOANS, SERVICING LP 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 October 31, 2002, recorded in Volume 1595, Page 0268, Real Property Records, Desoto County, Mississippi, executed by Cynthia T. Ennis, a single person, to J. Patrick Caldwell, Trustee, to secure payment of a Note to BancorpSouth Bank, state Chartered Institution.
- 3. COUNTRYWIDE HOME LOANS, SERVICING LP 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.

Kortney Gurnell
AFFIANT

STATE OF TEXAS §
COUNTY OF DALLAS §

Sworn to and subscribed before me, the undersigned Notary Public, on this day personally appeared Kortney R. Gurnell, 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 15TH day of FEBRUARY, 2006

Doris K. Ligon-Anaba
Notary Public for the State of Texas

Printed Name of Notary Public _____
My Commission Expires: _____



Current Borrower: Cynthia T. Ennis
Client Loan Number: 62627255
B&H File Number: 229411
VA/FHA/PMI Number: 2812941084703
Loan Type: FHA-BUYD
Property Address: 7335 Perrin Lake, Horn Lake, MS 38637

MEMORANDUM OF SALE

The undersigned Substitute Trustee (hereinafter "Trustee") hereby appoints _____
JOSEPH 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 15 day of FEBRUARY, 2006

Cole D. Patton

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

RESULTS OF SALE:

DEED OF TRUST FORECLOSED: BOOK 1595 PAGE 0268

DATE & TIME OF SALE: February 21, 2006, AT 1:15 A.M.(P.M.)

AMOUNT OF HIGHEST BID: \$ STALK TO MTR CO

CONVEY TO: 83,601.41

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 21st day of FEB, 2006.

[Signature]
AUCTIONEER
Printed Name: JASON J. SIMON

[Signature]
WITNESS
Printed Name: 2-21-06 Joe Crawford

HIGHEST BIDDER
Printed Name: _____

WITNESS
Printed Name: _____