

3/20/07 1:32:33
BK 554 PG 295
DE SOTO COUNTY, MS
M.E. DAVIS, CH CLERK

SUBSTITUTE TRUSTEE'S DEED

KENNETH E. STOCKTON, SUBSTITUTE TRUSTEE
GRANTOR

TO:

THE BANK OF NEW YORK TRUST COMPANY, N.A.
AS SUCCESSOR TO JPMORGAN CHASE BANK, N.A., AS TRUSTEE,
GRANTEE

WHEREAS, on January 09, 2004, James Ervin Moore and Kissandra Moore executed a Deed of Trust to Kirk Smith, as Trustee, with Mortgage Electronic Registration Systems, Inc. as Nominee for Southstar Funding, LLC being shown as Beneficiary therein, under the terms of which the hereinafter described property was conveyed to said Trustee to secure the payment to the said Beneficiary therein, under the terms of which the hereinafter described property was conveyed to said Trustee to secure the payment to the said Beneficiary of a certain indebtedness therein mentioned and described, which Deed of Trust is of record in Book 1908, Page 403 of the Office of the Chancery Clerk of DeSoto County, Mississippi; and

WHEREAS, Mortgage Electronic Registration Systems, Inc. substituted John C. Underwood, Jr. as Trustee therein, as authorized by the terms thereof, as evidenced by an instrument dated February 10, 2005 and recorded in Book 2162, Page 478 in the Office of the Chancery Clerk of DeSoto County, Mississippi; and

WHEREAS, Mortgage Electronic Registration Systems, Inc. as Nominee for Southstar Funding, LLC assigned said Deed of Trust to The Bank of New York Trust Company, N.A. as Successor to JPMorgan Chase Bank, N.A. as Trustee pursuant to a Corporation Assignment of Deed of Trust dated December 14, 2006 and recorded in Book 2660, Page 470 in the Office of the Chancery Clerk of DeSoto County, Mississippi; and

WHEREAS, The Bank of New York Trust Company, N.A. as Successor to JPMorgan Chase Bank, N.A. as Trustee, the holder of said Deed of Trust and the Note secured thereby, substituted Kenneth E. Stockton as Trustee therein in place of the aforementioned original Trustee and substituted Trustee, as authorized by the terms thereof, as evidenced by an instrument dated December 21, 2006, and recorded in Book 2660, Page 471 in the Office of the Chancery Clerk of DeSoto County, Mississippi; and

WHEREAS, default having been made in the payment of the indebtedness secured by said Deed of Trust, and the Beneficiary having exercised the option in such case provided, and having declared the entire unpaid balance of said indebtedness immediately due and payable, and having directed the undersigned as Substitute Trustee in said Deed of Trust, to execute the same by sale of the property therein described in accordance with the terms and conditions of the said Deed of Trust; and,

WHEREAS, after having advertised the said sale in all respects as required by law and the terms of said Deed of Trust, the undersigned did, between the hours of 11:00 o'clock in the forenoon and 4:00 o'clock in the afternoon on March 20, 2007, at the East front door steps of the DeSoto County Courthouse in Hernando, Mississippi, offer the hereinafter described land and property for sale to the highest bidder for cash in the manner required by law and the terms and conditions of said Deed of Trust; and,

Stockton

WHEREAS, at the time and place aforementioned, the undersigned received from the hereinafter named grantee a bid of One Hundred Ten Thousand Five Hundred and 00/100 (\$110,500.00), 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 hand paid, the receipt whereof is hereby acknowledged, the undersigned does hereby sell and convey unto The Bank of New York Trust Company, N.A. as Successor to JPMorgan Chase Bank, N.A. as Trustee, the following described real estate, together with all the improvements and appurtenances thereunto belonging, situated in DeSoto County, State of Mississippi, to-wit:

2.0 acres, being part of the Southwest Quarter of Section 4, Township 2 South, Range 8 West, described as being at a point located 208.71 feet West and 40 feet North of the Southeast corner of the Southwest Quarter of Section 4, Township 2 South, Range 8 West, said point being the Point of Beginning and on the North right of way of Church Road (40 feet from the center of road) and marked by an iron pin; thence North 00 degrees 17 minutes 35 seconds West 417.42 feet to an iron pin; thence South 89 degrees 42 minutes 25 seconds West 208.71 feet to an iron pin; thence South 00 degrees 17 minutes 35 seconds East 417.42 feet to an iron pin on the North right away of Church Road (40 feet from the center of road); thence North 89 degrees 42 minutes 25 seconds East along North right away of Church Road to the Point of Beginning. Parcel containing 2.0 acres, and being that same property as recorded in Deed Book 191, Page 49, in the Office of the Chancery Court Clerk of Desoto County, Mississippi.

I hereby convey only such title as is vested in me as Substitute Trustee. WITNESS MY SIGNATURE, this the 20th day of March, 2007.



 Kenneth E. Stockton
 Substitute Trustee
 5 West Commerce Street
 Hernando, Mississippi 38632
 Telephone No. (662) 429-3469

STATE OF MISSISSIPPI)
)
 COUNTY OF DeSoto) ACKNOWLEDGMENT

PERSONALLY appeared before me, the undersigned authority in and for the jurisdiction aforesaid, Kenneth E. Stockton, who acknowledged that he signed and delivered the foregoing Substitute Trustee's Deed, being authorized so to do, on the day and date therein mentioned.

WITNESS MY SIGNATURE and seal of office this 20th day of March, 2007.

W. E. Davis Chancery Clerk
Notary Public
By: S. Patrick, O.C.

My Commission Expires:

My Commission Expires Jan. 7, 2008

GRANTOR'S ADDRESS AND TELEPHONE NUMBER:

Kenneth B. Stockton
Substitute Trustee
5 West Commerce Street
Hernando, Mississippi 38632
Telephone No. (662) 429-3469

GRANTEE'S ADDRESS AND TELEPHONE NUMBER:

The Bank of New York Trust Company, N.A.
as Successor to JPMorgan Chase Bank, N.A. as Trustee
c/o HomeComings Financial, LLC
Attention: Post-Foreclosure Department
9350 Waxie Way
San Diego, California 92133
Telephone No. (800)750-0011

THIS DOCUMENT PREPARED BY AND AFTER RECORDING PLEASE RETURN TO:

Dyke, Henry, Goldsholl & Winzerling, P.L.C.
415 North McKinley, Suite 555
Little Rock, Arkansas 72205
Telephone No. (501) 661-1000
DHG&W No. 33905G

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:

SUBSTITUTE TRUSTEE'S
NOTICE OF SALE

WHEREAS, on January 09, 2004, James Ervin Moore and Kissandra Moore executed a Deed of Trust to Kirk Smith as Trustee for the benefit of Mortgage Electronic Registration Systems, Inc. as Nominee for Southstar Funding, LLC, which Deed of Trust was recorded in Book 1908, Page 403 in the Office of the Chancery Clerk of DeSoto County, Mississippi; and WHEREAS, Mortgage Electronic Registration Systems, Inc. substituted John C. Underwood, Jr. as Trustee therein, as authorized by the terms thereof, as evidenced by an instrument dated February 10, 2005 and recorded in Book 2162, Page 478 in the Office of the Chancery Clerk of DeSoto County, Mississippi; and WHEREAS, Mortgage Electronic Registration Systems, Inc. as Nominee for Southstar Funding, LLC assigned said Deed of Trust to The Bank of New York Trust Company, N.A. as Successor to JPMorgan Chase Bank, N.A. as Trustee pursuant to a Corporation Assignment of Deed of Trust dated December 14, 2006 and recorded in Book 2660, Page 470 in the Office of the Chancery Clerk of DeSoto County, Mississippi; and

WHEREAS, The Bank of New York Trust Company, N.A. as Successor to JPMorgan Chase Bank, N.A. as Trustee, the holder of said Deed of Trust and the Note secured thereby, substituted Kenneth E. Stockton as Trustee therein in place of the afore-mentioned original Trustee and substituted Trustee, as authorized by the terms thereof, as evidenced by an instrument dated December 21, 2006, and recorded in Book 2660, Page 471 in the Office of the Chancery Clerk of DeSoto County, Mississippi; 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, and the legal holder of said indebtedness, The Bank of New York Trust Company, N.A. as Successor to JPMorgan Chase Bank, N.A. as Trustee, having requested the undersigned Substitute Trustee to execute the trust and sell said land and property in accordance with the terms of

Volume No. 112 on the 27 day of Feb., 2007
Volume No. 112 on the 6 day of Mar., 2007
Volume No. 112 on the 13 day of Mar., 2007
Volume No. _____ on the _____ day of _____, 2007
Volume No. _____ on the _____ day of _____, 2007
Volume No. _____ on the _____ day of _____, 2007

Diane Smith

Sworn to and subscribed before me, this 13 day of Mar., 2007

BY Judith 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 696 words @ .12 \$ 83.52
B. 2 subsequent insertions of 1392 words @ .10 \$ 139.20
C. Making proof of publication and depositing to same \$ 3.00
TOTAL PUBLISHER'S FEE: \$ 225.72

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.
NOW, THEREFORE, I, Kenneth E. Stockton, Substitute Trustee, will on March 20, 2007, offer for sale at public outcry to the highest bidder for cash, within legal hours (between the hours of 11:00 a.m. and 4:00 p.m.) at the East front door steps of the DeSoto County Courthouse in Hernando, Mississippi, the following-described property:
2.0 acres, being part of the Southwest Quarter of Section 4, Township 2 South, Range 8 West, described as being at a point located 208.71 feet West and 40 feet North of the Southeast corner of the Southwest Quarter of Section 4, Township 2 South, Range 8 West, said point being the Point of Beginning and on the North right of way of Church Road (.40 feet from the center of road) and marked by an iron pin, thence North 00 degrees 17 minutes 35 seconds West 417.42 feet to an iron pin, thence South 89 degrees 42 minutes 25 seconds West 208.71 feet to an iron pin, thence South 00 degrees 17 minutes 35 seconds East 417.42 feet to an iron pin on the North right away of Church Road (40 feet from the center of road), thence North 89 degrees 42 minutes 25 seconds East along North right of way of Church Road to the Point of Beginning. Parcel containing 2.0 acres, and being that same property as recorded in Deed Book 191, Page 48, in the Office of the Chancery Clerk of DeSoto County, Mississippi.
This to the above described property is believed to be good, but will convey only such title as is vested in me as Substitute Trustee.

WITNESS my signature on this the 20th day of February, 2007
/s/ Kenneth E. Stockton
Kenneth E. Stockton
Substitute Trustee
5 West Commerce Street
Hernando, Mississippi 38632
THIS DOCUMENT PREPARED BY:
DYKE, HENRY, GOLDSHOLL & WINZERLING, P.L.C.
555 Plaza West - 415 North McKinley
Little Rock, Arkansas 72205
Telephone No. (501) 661-1000
DHG&W No. 33905G
PUBLISH ON THESE DATES:
February 27, 2007
March 6, 2007
March 13, 2007

