

7/26/07 3:26:04  
BK 564 PG 442  
DESOTO COUNTY, MS  
W.E. DAVIS, CH CLERK

Current Borrower: Stephen A. Mancuso  
Client Loan Number: 26132747  
B&H File Number: 242555  
VA/FHA/PMI Number: 9587703fl  
Loan Type: FHA  
Property Address: 1173 Central Park Cove, Southhaven, MS 38671

### SUBSTITUTE TRUSTEE'S DEED

Grantor: James L. DeLoach or Zachary A. Copp, Substitute Trustee  
Grantee: COUNTRYWIDE HOME LOANS, INC.

WHEREAS, on February 26, 2004, Stephen A. Mancuso, a married man and wife, Jonnie S. Mancuso, executed a deed of trust to CTC Real Estate Services, Trustee for the benefit of Mortgage Electronic Registration Systems, Inc. solely as nominee for Countrywide Home Loans, Inc., which deed of trust is recorded in Deed of Trust Book 1939 at Page 0214 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 April 5, 2007, and recorded in Book 2705 at Page 427 of the records of the aforesaid Chancery Clerk; and

WHEREAS, the aforesaid, COUNTRYWIDE HOME LOANS, INC., the holder of said deed of trust and the note secured thereby, substitute James L. DeLoach or Zachary A. Copp, as Trustee therein, as authorized by the terms thereof, by instrument dated June 11, 2007, and recorded in the office of the aforesaid Chancery Clerk in Book 2736 at Page 782; 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., 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 July 26, 2007, at public outcry offered the hereinafter

BH # 242555/457

DLI. UPS

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described property for sale at the East front door of the County Courthouse at Hernando, 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 \$145,659.73 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, INC. 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 31, SECTION A, PARCEL 5, CENTRAL PARK NEIGHBORHOOD, PUD, IN SECTION 29, TOWNSHIP 1 SOUTH, RANGE 7 WEST, DESOTO COUNTY, MISSISSIPPI, AS PER PLAT THEREOF RECORDED IN PLAT BOOK 69, PAGE 24, IN THE OFFICE OF THE CHANCERY CLERK OF DESOTO COUNTY, MISSISSIPPI.

Also known as 1173 Central Park Cove, Southaven, MS 38671

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

WITNESS MY SIGNATURE, this, the 26<sup>th</sup> day of July, 2007.

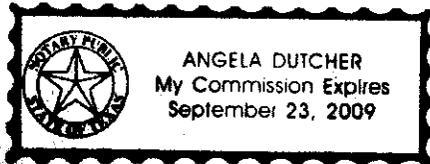


James L. DeLoach or Zachary A. Copp  
SUBSTITUTE TRUSTEE  
Butler & Hosch, P.A.  
13800 Montfort Drive, Suite 300  
Dallas, Texas 75240  
Telephone No.:(972) 233-2500

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, James L. DeLoach or Zachary A. Copp, 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 26<sup>th</sup> day of July, 2007



Angela Dutcher  
Notary Public  
My Commission Expires: 9/23/09

GRANTOR'S NAME, ADDRESS AND PHONE NUMBER:

James L. DeLoach or Zachary A. Copp  
Butler & Hosch, P.A.  
13800 Montfort Drive, Suite 300  
Dallas, Texas 75240  
(972)-233-2500

GRANTEE'S NAME, ADDRESS AND PHONE NUMBER (Send Tax Statements to this address):

COUNTRYWIDE HOME LOANS, INC.  
%Countrywide Home Loans, Inc.  
7105 Corporate Drive  
Plano, Tx 75024  
christie\_vanfleet@countrywide.com

THIS DOCUMENT PREPARED BY AND AFTER RECORDING PLEASE RETURN TO:

Kortney R. Gurnell  
Butler & Hosch, P.A.  
13800 Montfort Drive, Suite 300  
Dallas, Texas 75240  
(972) 233-2500

Current Borrower: STEPHEN A. MANCUSO  
Client Loan Number: 26132747  
B&H File Number: 242555  
VA/FHA/PMI Number: 9587703f  
Loan Type: FHA  
Property Address: 1173 Central Park Cove, Southhaven, MS 38671

**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, INC. 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 February 26, 2004, recorded in Volume 1939, Page 0214, Real Property Records, Desoto County, Mississippi, executed by Stephen A. Mancuso, a married man and wife, Jonnie S. Mancuso, to CTC Real Estate Services, Trustee, to secure payment of a Note to Countrywide Home Loans, Inc.
- 3. COUNTRYWIDE HOME LOANS, INC. 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 20th day of July, 2007



*Angela Dutcher*  
Notary Public for the State of Texas  
*Angela Dutcher*  
Printed Name of Notary Public  
My Commission Expires: 9/23/09

Current Borrower: Stephen A. Mancuso  
 Client Loan Number: 26132747  
 B&H File Number: 242555  
 VA/FHA/PMI Number: 9587703fl  
 Loan Type: FHA  
 Property Address: 1173 Central Park Cove, Southaven, MS 38671

**MEMORANDUM OF SALE**

The undersigned Substitute Trustee (hereinafter "Trustee") hereby appoints \_\_\_\_\_  
Josh Mankin, 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 26<sup>th</sup> day of July, 2007.

James L. DeLoach

James L. DeLoach or Zachary A. Copp,  
Substitute Trustee  
Butler & Hosch, P.A.  
13800 Montfort Drive, Suite 300  
Dallas, Texas 75240  
Telephone No.:(972) 233-2500

**RESULTS OF SALE:**

DEED OF TRUST FORECLOSED: BOOK 1939 PAGE 0214

DATE & TIME OF SALE: July 26, 2007, AT 3:25 A.M./P.M.

AMOUNT OF HIGHEST BID: \$ 145659.73

CONVEY TO: Countrywide Home Loans

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 26 day of July, 2007.

[Signature]  
AUCTIONEER  
Printed Name: Josh Marlow

[Signature]  
WITNESS  
Printed Name: JAMES COPPERS

Countrywide Home Loans  
HIGHEST BIDDER  
Printed Name: \_\_\_\_\_

WITNESS  
Printed Name: \_\_\_\_\_



# 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 February 28, 2004, Stephen A. Marcuso, a married man and wife, Jonnie S. Marcuso executed a deed of trust to CTC Real Estate Services, Trustee for the benefit of Mortgage Electronic Registration Systems, Inc. solely as nominee for Countrywide Home Loans, Inc., which deed of trust is recorded in Deed of Trust Book 1939 at Page 0214 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 April 5, 2007, and recorded in Book 2705 at Page 427 of the records of the aforesaid Chancery Clerk; and

WHEREAS, the aforesaid COUNTRYWIDE HOME LOANS, INC., the holder of said deed of trust and the note secured thereby, substituted James L. DeLoach or Zachary A. Copp as Trustee therein, as authorized by the terms thereof, by instrument dated June 11, 2007 and recorded in the office of the aforesaid Chancery Clerk in Book 2738 at Page 788; 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., 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 expenses of sale;

NOW, THEREFORE, James L. DeLoach or Zachary A. Copp, Substitute Trustee in said deed of trust, will on July 28, 2007, offer for sale at public outcry for cash to the highest bidder, and sell within legal hours (being between the hours of 11:30 A.M. and 4:00 P.M.) at the East front door of the County Courthouse at Hernando, Mississippi, the premises described in the deed of trust, to-wit;

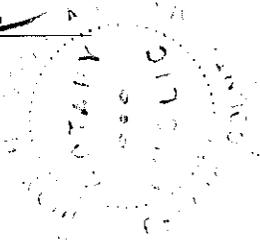
- Volume No. 112 on the 3 day of July, 2007
- Volume No. 112 on the 10 day of July, 2007
- Volume No. 112 on the 17 day of July, 2007
- Volume No. 112 on the 24 day of July, 2007
- Volume No. \_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_, 2007
- Volume No. \_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_, 2007

Diane Smith

Sworn to and subscribed before me, this 24 day of July, 2007

BY Jerry 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 466 words @ .12 \$ 55.92  
 B. 3 subsequent insertions of 1398 words @ .10 \$ 139.80  
 C. Making proof of publication and depositing to same \$ 3.00  
 TOTAL PUBLISHER'S FEE: \$ 198.72

LOT 31, SECTION A, PARCEL 5,  
 CENTRAL  
 NEIGHBORHOOD, TWP. 14  
 SECTION 28, TOWNSHIP 14  
 SOUTH, RANGE 7, COUNTY  
 DESOTO, MISSISSIPPI, AS PER PLAT  
 THEREOF RECORDED IN  
 PLAT BOOK 89, PAGE 24, IN  
 THE OFFICE OF THE  
 CHANCERY CLERK OF  
 DESOTO COUNTY,  
 MISSISSIPPI.  
 Also known as: 1173 Central Park  
 Cove, Southaven, MS 38671  
 I WILL CONVEY only such title as  
 is vested in me as Substitute  
 Trustee. MY SIGNATURE this  
 the 28th day of June, 2007.  
 James L. DeLoach or Zachary A.  
 Copp  
 Substitute Trustee  
 Butler & Hosen, P.A.  
 13800 Montfort Drive, Suite 300  
 Dallas, Texas 75244  
 Telephone No.: (972) 233-2500  
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