

**SUBSTITUTE TRUSTEE'S DEED**

WHEREAS, on the 23<sup>rd</sup> day of May, 2005, Ed Cowan and spouse Allicia B. Cowan, executed a Deed of Trust to Katie Winchester, Trustee for the use and benefit of First Citizens National Bank which Deed of Trust is on file and of record in the office of the Chancery Clerk of Desoto County, Mississippi, in Deed of Trust Book 2,222 at Page 626, in the principal amount of \$297,000.00 and further modified by Modification Agreement recorded January 27, 2006 in Book 2,400, Page 132 in the principal amount of \$344,000.00 and further modified by Modification Agreement recorded August 18, 2006 in Book 2,544, Page 329 in the principal amount of \$389,000.00 all of record in the office of the Chancery Clerk of Desoto County, Mississippi; and

WHEREAS, the legal holder and beneficiary of said deed of trust, in accordance with the terms of said Deed of Trust, substituted Ralph Henson, as Substitute Trustee, in place and stead of the original Trustee named in said Deed of Trust by Substitution of Trustee which is on file and of record in the office of the aforesaid Chancery Clerk in Book 2,769 at Page 97 thereof, the said Ralph Henson, being granted all the rights, powers and privileges of the said original Trustee named in said Deed of Trust; and

WHEREAS, default having been made in the terms and conditions of said Deed of Trust and the entire indebtedness secured thereby having been declared to be due and payable in accordance with the terms of said Deed of Trust, First Citizens National Bank, the legal holder of said indebtedness, having requested the undersigned Substitute Trustee to execute the trust and sell said land and property described in said Deed of Trust in accordance with the terms of said Deed of Trust for the purpose of raising the sums due thereunder, together with attorney's fees, trustee's fees and expenses of sale; and

WHEREAS, the undersigned Substitute Trustee in accordance with terms of said Deed of Trust and the laws of the State of Mississippi did advertise said sale in The Desoto Times, a newspaper published in the County of Desoto, State of Mississippi, on the following dates, to-wit: August 16<sup>th</sup>, 23<sup>rd</sup>, 30<sup>th</sup> and September 6<sup>th</sup>, 2007, which is more fully shown by the original Proof of Publication which is attached hereto as Exhibit "A" and made a part hereof as though fully copied herein in words and figures; and by posting on the 15th day of August, 2007, a copy of the Substitute Trustee's Notice of Sale on the bulletin board of the County Courthouse of Desoto, Mississippi; and

WHEREAS, on the 11th day of September, 2007, at the east front door of the Desoto County Courthouse, at Hernando, Mississippi, between the hours of 11:00 o'clock a.m. and 4:00 o'clock p.m., the undersigned Substitute Trustee did offer for sale at public outcry and did sell to the highest bidder for cash the following described land and property situated in Desoto County, Mississippi, to-wit:

*Insulin*

Lot 29, Phase 2, Misty Oaks Subdivision, located in Sections 8 and 17, Township 2 South, Range 8 West, Desoto County, Mississippi, as recorded in Plat Book 80, Pages 17-19 in the office of the Chancery Clerk of DeSoto County, Mississippi.

WHEREAS, the undersigned Substitute Trustee offered the above described property for sale at public outcry as set forth above, and there appeared at said sale an agent for First Citizens National Bank, bidding the sum of \$350,000.00 for all of the above-described property and said property was struck off to First Citizens National Bank, for said amount, and said bidder was declared the purchaser thereof.

NOW THEREFORE, in consideration of the premises and the sum of \$350,000.00, cash in hand paid, the receipt of which is hereby acknowledged, Ralph Henson, SUBSTITUTE TRUSTEE, does hereby sell and convey to First Citizens National Bank, all of the above-described property, conveying only such title as is vested in him as Substitute Trustee.

WITNESS MY SIGNATURE on this the 12<sup>th</sup> day of September, 2007.

*Ralph Henson*  
\_\_\_\_\_  
RALPH HENSON  
SUBSTITUTE TRUSTEE

STATE OF Tennessee

COUNTY OF Dyer

PERSONALLY came and appeared before me, the undersigned authority in and for the jurisdiction aforesaid, the within named Ralph Henson, SUBSTITUTE TRUSTEE for First Citizens National Bank, in the above and foregoing instrument of writing, who acknowledged to me that he, as said Substitute Trustee, signed and delivered the above and foregoing instrument of writing on the day and year and for the purposes therein mentioned, he having been so duly authorized to so do.

GIVEN UNDER MY HAND AND OFFICIAL SEAL OF OFFICE on this the 12<sup>th</sup> day of September, 2007.

*Erica Michelle Seymour*  
\_\_\_\_\_  
NOTARY PUBLIC

My Commission Expires:

My Commission Expires: 04/19/2011

Grantor and Grantee: P.O. Box 370  
Dyersburg, TN 38025  
Business Phone: 731-287-4320

PREPARED BY: Austin Law Firm, P.A.  
6928 Cobblestone Drive, Suite 100  
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# 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:

**SUBSTITUTED TRUSTEE'S NOTICE OF SALE**

WHEREAS, on the 23rd day of May, 2005, Ed Cowan and spouse, Allicia B. Cowan executed a Deed of Trust to Katie Winchester, as Trustee for the benefit of First Citizens National Bank, which Deed of Trust is recorded in Trust Deed Book 2,222, Page 626, in the principal amount of \$297,000.00 and further modified by Modification Agreement, recorded January 27, 2006 in Book 2,400, Page 132, in the principal amount of \$344,000.00 and further modified by Modification Agreement, recorded August 18, 2006 in Book 2,544, Page 329, in the principal amount of \$389,000.00 all of record in the office of the Chancery Clerk of DeSoto County, Mississippi; and

WHEREAS, the legal holder of the said Deed of Trust and the note secured thereby, substituted Ralph Henson as Substitute Trustee therein, as authorized by the terms thereof, by instrument recorded in the office of the aforesaid Chancery Clerk in Book 2769 at Page 97 thereof, and

WHEREAS, default having been made in the performance of 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 First Citizens National Bank, 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, Trustee's fees and expenses of sale;

NOW, THEREFORE, I, Ralph Henson, Substitute Trustee in said Deed of Trust, will on the 11th day of September, 2007, offer for sale and will sell at public outcry, to the highest bidder for cash, within legal hours (being between the hours of 11:00 A.M. and 4:00

- Volume No. 112 on the 16 day of Aug., 2007
- Volume No. 112 on the 23 day of Aug., 2007
- Volume No. 112 on the 30 day of Aug., 2007
- Volume No. 112 on the 6 day of Sept., 2007
- Volume No. \_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_, 2007
- Volume No. \_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_, 2007

Diane Smith

Sworn to and subscribed before me, this 6 day of Sept., 2007

BY Judy H. Paragan

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

- A. Single first insertion of 407 words @ .12 \$ 48.84
  - B. 3 subsequent insertions of 1221 words @ .10 \$ 122.10
  - C. Making proof of publication and deposing to same \$ 3.00
- TOTAL PUBLISHER'S FEE: \$ 173.94



P.M) at the east front door of the County Courthouse in Hernando, DeSoto County, State of Mississippi, the following described property situated in DeSoto County, Mississippi, as follows: Lot 28, Phase 2, Misty Oaks Subdivision, located in Sections 8 and 17, Township 2 South, Range 8 West, Desoto County, Mississippi, as recorded in Plat Book 80, Pages 17-19 in the office of the Chancery Clerk of DeSoto County, Mississippi. I will convey only such title as is vested in Substitute Trustee. WITNESS MY SIGNATURE this the 13th day of August, 2007. /s/ Ralph Henson Ralph Henson Publish: 8/16/07, 8/23/07, 8/30/07 and 9/6/07