BC 4/18/08 1:43:34
BK 582 PG 644
DESOTO COUNTY, MS
W.E. DAVIS, CH CLERK

SUBSTITUTED TRUSTEE'S DEED

WHEREAS, on April 7, 2006, Mark Matthews Development, LLC, whose address is 8134 Country Village, Suite 101, Cordova, Tennessee 38016, executed a certain deed of trust to TRSTE, Inc., a Virginia corporation qualified to do business in Mississippi, whose address is 201 S. Jefferson Street, Roanoke, Virginia 24011, Trustee for the benefit of Wachovia Bank, National Association, whose address is 816 Greenbrier Circle, Suite G, Chesapeake, Virginia 23320, N/A which deed of trust is recorded in the Deed of Trust Book 2449 at Page 256 in the office of the Chancery Clerk of DeSoto County, State of Mississippi, said deed of trust conveying in trust the hereinafter described property; and,

WHEREAS, Wachovia Bank, National Association has heretofore substituted Eric F. Hatten as Trustee in place and in lieu of TRSTE, Inc. by instrument dated March 10, 2008, and recorded in the aforesaid Chancery Clerk's office in Book 2867 at Page 490; 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, Wachovia Bank, National Association, the legal holder of said indebtedness, having requested the undersigned Substituted Trustee to execute the trust and sell said land and property in accordance with the terms of said deed of trust and for the purpose of raising the sums due thereunder, together with attorney's fees, trustee's fees, and expense of sale; and,

WHEREAS, the undersigned Substituted Trustee in accordance with the terms of the deed of trust and the laws of the State of Mississippi did advertise said sale in the DeSoto Times, a newspaper published in the City of Hernando, State of Mississippi, on the following dates, to-wit: March 25, 2008; April 1, 2008; April 8, 2008; and, April 15, 2008, which is more fully shown by the original Proof of Publication, which is attached hereto as Exhibit "A" and is made

Preparer

10

a part hereof as if copied in full herein, and by posting on the 24th day of March, 2008, a copy of said Notice on the Bulletin Board of the Courthouse of DeSoto County, State of Mississippi, at Hernando; and,

WHEREAS, on the 18th day of April, 2008, at the east front door of the County Courthouse of DeSoto County, State of Mississippi, at Hernando between the hours of 11:00 a.m. and 4:00 p.m., I, the undersigned Substituted Trustee did offer for sale at public outcry and did sell to the highest bidder for case the following described land and property situated in DeSoto County, State of Mississippi, to-wit:

> Lot 117, Section C, Rosebury Subdivision, Section 10, Township 2 South, Range 7 West, as shown on plat of record in Plat Book 97, Page 28 in the Chancery Clerk's Office of Desoto County, Mississippi, to which plat reference is here by made for a more particular description of said property.
>
> Being the same property conveyed to Grantors herein by Warranty Deed recorded simultaneously herewith in the Chancery Clerk's Office of DeSoto County, Mississippi.
>
> Tax Parcel ID: Part of 2-07-2-10-00-0-0003-01

The undersigned Substituted Trustee offered the aforesaid property for sale at public outcry as set forth above, and there appeared at said sale Wachovia Bank, National Association, bidding the sum of Thirty-Five Thousand Dollars ($35,000.00), for all of the above described property, and said property was struck off to Wachovia Bank, National Association for said amount, and said bidder was declared the purchaser thereof.

NOW THEREFORE, in consideration of the premises and the sum of Thirty-Five Thousand Dollars ($35,000.00), cash in hand paid, the receipt of which is hereby acknowledged, I do hereby sell and convey to Wachovia Bank, National Association all the above described property, conveying only such title as is vested in me as Substituted Trustee.

WITNESS MY SIGNATURE, this the 18th day of April, 2008.

Substituted Trustee

STATE OF MISSISSIPPI

COUNTY OF DESOTO

Personally came and appeared before me, the undersigned authority in and for the aforesaid jurisdiction, the within named Eric F. Hatten, Substituted Trustee in the above and foregoing instrument of writing, who acknowledged that he, as Substituted Trustee, signed and delivered the above and foregoing instrument of writing on the day and for the purposes therein mentioned.

WITNESS MY SIGNATURE AND OFFICIAL SEAL OF OFFICE, this the 18th day of April, 2008.

W.E. Davis Chancery Clerk

Notary Public

By: Misty D. Huffman D.C.

My Commission Expires January 2,2012

This instrument prepared by:

Eric F. Hatten
Burr & Forman LLP
The Heritage Building
401 E. Capitol Street, Suite 100
Jackson, Mississippi 39201
Telephone: (601) 355-3434
Facsimile: (601) 355-5150
MS Bar No: 10428

DeSoto TIMES
It's All About Your Life.

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:

Volume No. 113 on the 25 day of Mar., 2008

Volume No. 113 on the 1 day of April, 2008

Volume No. 113 on the 8 day of April, 2008

Volume No. 113 on the 15 day of April, 2008

Volume No. _____ on the _____ day of _____, 2008

Volume No. _____ on the _____ day of _____, 2008

Diane Smith

Sworn to and subscribed before me, this 15 day of April, 2008

BY Judy H. 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 511 words @ .12 $ 61.32
B. 3 subsequent insertions of 1533 words @ .10 $ 153.30
C. Making proof of publication and deposing to same $ 3.00
TOTAL PUBLISHER'S FEE: $ 217.62

reet - On the Square- Hernando, MS 38632 • 662.429.6397 • Fax: 662.429.5229

EXHIBIT
A

3/24/08 9:22:04
DESOTO COUNTY, MS
W.E. DAVIS, CH CLERK
BK 582 PG 648

AFFIDAVIT

I, _____, hereby state on oath that on the ____ day of March, 2008, I posted the Substituted Trustee's Notice of Sale of the property covered by the deed of trust and assignment of rents of Mark Matthews Development, LLC, recorded in the office of the Chancery Clerk of DeSoto, County, at Hernando, Mississippi, in Book 2449, at Page 256, on the bulletin board of the DeSoto County Courthouse in Hernando, DeSoto County, Mississippi.

COPY

WITNESS my signature this _____ day of March, 2008.

_____

STATE OF MISSISSIPPI
COUNTY OF DESOTO

Personally came and appeared before me, the undersigned authority in and for the aforesaid jurisdiction, the within named _____, who acknowledged that he/she posted the Substituted Trustee's Notice of Sale as set forth in the above and foregoing instrument of writing on the day therein mentioned.

WITNESS MY SIGNATURE AND OFFICIAL SEAL OF OFFICE, this the ____ day of March, 2008.

_____
NOTARY PUBLIC

My Commission Expires: _____

This instrument prepared by:

Eric F. Hatten
Burr & Forman LLP
401 E. Capitol Street, Suite 100
Jackson, Mississippi 39201
Telephone: (601) 355-3434
MS Bar No. 10428

SUBSTITUTED TRUSTEE'S NOTICE OF SALE

WHEREAS, on the 7th day of April, 2006, a Deed of Trust and Assignment of Rents was executed by Mark Matthews Development, LLC, to TRSTE, Inc. Trustee for Wachovia Bank, N.A., which Deed of Trust is recorded in the Office of the Chancery Clerk of DeSoto County, Mississippi, in Book 2449 at Page 256; and,

WHEREAS, the legal holder of the said Deed of Trust and the note secured thereby, substituted Eric F. Hatten as Trustee therein, as authorized by the terms thereof, by instrument recorded in the office of the aforesaid Chancery Clerk in Book 2867 at Page 490 thereof; and,

WHEREAS, default having been made in the performance of the conditions and stipulations as set forth by said Deed of Trust, and having been requested by the legal holder of the indebtedness secured and described by said Deed of Trust so to do, notice is hereby given that I, Eric F. Hatten, Substituted Trustee, by virtue of the authority conferred upon me in said Deed of Trust, will offer for sale and will sell at public sale and outcry to the highest and best bidder for cash, during the legal hours (between the hours of 11 o'clock a.m. and 4 o'clock p.m.), on the steps of the east front door of the County Courthouse of DeSoto County, Mississippi, on the 18th day of April, 2008, the following described land and property being the same land and property described in said Deed of Trust, situated in DeSoto County, State of Mississippi, to-wit:

> Lots 116, 117 and 119, Section C, Rosebury Subdivision, Section 10, Township 2 South, Range 7 West, as shown on plat of record in Plat Book 97, Page 28 in the Chancery Clerk's Office of Desoto County, Mississippi, to which plat reference is here by made for a more particular description of said property.
>
> Being the same property conveyed to Grantors herein by Warranty Deed recorded simultaneously herewith in the Chancery Clerk's Office of DeSoto County, Mississippi.
>
> Tax Parcel ID: Part of 2-07-2-10-00-0-0003-01
>
> Property known as: Vacant Land - Lots 116, 117, 119, Section C, Rosebury Subdivision, Southaven, MS

Should the undersigned become the last and highest bidder at the foreclosure sale, the Substituted Trustee is hereby authorized to transfer and assign said bid and to convey title to said foreclosed property to the Secretary of Veterans Affairs, an Office of the United States of America, or whomever the undersigned shall authorize. The statement in the Substituted Trustee's Deed that the undersigned has requested transfer of its bid to grantee(s) in the Substituted Trustee's Deed shall be binding on the undersigned and conclusive evidence in favor of the assignee of other parties thereto and that the Substituted Trustee is duly authorized and empowered to execute same.

WITNESS my signature, on this the 14th th day of March, 2008.

Substituted Trustee

This instrument prepared by:

Eric F. Hatten
Burr & Forman LLP
401 E Capitol Street, Suite 100
Jackson, Mississippi 39201
Telephone: (601) 355-3434
MS Bar #10428

AFFIDAVIT

STATE OF MISSISSIPPI
COUNTY OF DESOTO

THE UNDERSIGNED, after having been first duly sworn, state upon oath that they personally witnessed and/or participated in a public foreclosure sale conducted on April 18, 2008 at _____ p.m, held at the east door of the County Courthouse located at Hernando, DeSoto County, Mississippi, wherein certain property, more particularly described in the Substituted Trustee's Notice of Sale, which was read at the sale (a true and correct copy of which is attached hereto as an exhibit), was sold at public outcry by Eric F. Hatten, Substituted Trustee, to Wachovia Bank, National Association, the highest bidder at said sale, for the sum of $35,000.00.

WITNESS OUR SIGNATURES, on this the 18th day of April, 2008.

Lawrence M Bell	
WITNESS	WITNESS
455 Cedar Cove	
Address	Address
Hernando	
City	City
MS 38632	
State and Zip Code	State and Zip Code
35,000	Eric F. Hatten
High Bidder	Substituted Trustee
Wachovia Bank	~~Fee Bank~~ 401 E. capitol st
Address	Address
National Ass.	Jackson, MS
City	City
	MS 39201
State and Zip Code	State and Zip Code

W.E. Davis Chancery Clerk
By: Mistry J. Hefner D.C.

My Commission Expires January 2,2012

13385 v1

SUBSTITUTED TRUSTEE'S NOTICE OF SALE

WHEREAS, on the 7th day of April, 2006, a Deed of Trust and Assignment of Rents was executed by Mark Matthews Development, LLC, to TRSTE, Inc. Trustee for Wachovia Bank, N.A., which Deed of Trust is recorded in the Office of the Chancery Clerk of DeSoto County, Mississippi, in Book 2449 at Page 256; and,

WHEREAS, the legal holder of the said Deed of Trust and the note secured thereby, substituted Eric F. Hatten as Trustee therein, as authorized by the terms thereof, by instrument recorded in the office of the aforesaid Chancery Clerk in Book 2867 at Page 490 thereof; and,

WHEREAS, default having been made in the performance of the conditions and stipulations as set forth by said Deed of Trust, and having been requested by the legal holder of the indebtedness secured and described by said Deed of Trust so to do, notice is hereby given that I, Eric F. Hatten, Substituted Trustee, by virtue of the authority conferred upon me in said Deed of Trust, will offer for sale and will sell at public sale and outcry to the highest and best bidder for cash, during the legal hours (between the hours of 11 o'clock a.m. and 4 o'clock p.m.), on the steps of the east front door of the County Courthouse of DeSoto County, Mississippi, on the 18th day of April, 2008, the following described land and property being the same land and property described in said Deed of Trust, situated in DeSoto County, State of Mississippi, to-wit:

> Lots 116, 117 and 119, Section C, Rosebury Subdivision, Section 10, Township 2 South, Range 7 West, as shown on plat of record in Plat Book 97, Page 28 in the Chancery Clerk's Office of Desoto County, Mississippi, to which plat reference is here by made for a more particular description of said property.
>
> Being the same property conveyed to Grantors herein by Warranty Deed recorded simultaneously herewith in the Chancery Clerk's Office of DeSoto County, Mississippi.
>
> Tax Parcel ID: Part of 2-07-2-10-00-0-0003-01
>
> Property known as: Vacant Land - Lots 116, 117, 119, Section C, Rosebury Subdivision, Southaven, MS

Should the undersigned become the last and highest bidder at the foreclosure sale, the Substituted Trustee is hereby authorized to transfer and assign said bid and to convey title to said foreclosed property to the Secretary of Veterans Affairs, an Office of the United States of America, or whomever the undersigned shall authorize. The statement in the Substituted Trustee's Deed that the undersigned has requested transfer of its bid to grantee(s) in the Substituted Trustee's Deed shall be binding on the undersigned and conclusive evidence in favor of the assignee of other parties thereto and that the Substituted Trustee is duly authorized and empowered to execute same.

EXHIBIT
tabbies
A

13016 v1

WITNESS my signature, on this the 14th th day of March, 2008.

Substituted Trustee

This instrument prepared by:

Eric F. Hatten
Burr & Forman LLP
401 E Capitol Street, Suite 100
Jackson, Mississippi 39201
Telephone: (601) 355-3434
MS Bar #10428