7/10/08 11:02:42
BK 588 PG 679
DESOTO COUNTY, MS
W.E. DAVIS, CH CLERK

Current Borrower: David B. Hepburn
B&H File Number: 238792
Loan Type: FHA
Property Address: 6967 Green Way Cove, Olive Branch, MS 38654

SUBSTITUTE TRUSTEE'S DEED

Grantor: James L. DeLoach, Substitute Trustee
Grantee: COUNTRYWIDE HOME LOANS INC., FOR THE BENEFIT OF THE PURCHASER, MASSACHUSETTS MUTUAL LIFE INSURANCE COMPANY

WHEREAS, on July 16, 2004, David B. Hepburn, a single man, executed a deed of trust to CTC Real Estate Services, Trustee for the benefit of Countrywide Home Loans, Inc., which deed of trust is recorded in Deed of Trust Book 2039 at Page 0539 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., FOR THE BENEFIT OF THE PURCHASER, MASSACHUSETTS MUTUTAL LIFE INSURANCE COMPANY, by instrument dated August 30, 2006, and recorded in Book 2555 at Page765 of the records of the aforesaid Chancery Clerk; and

WHEREAS, the aforesaid, COUNTRYWIDE HOME LOANS INC., FOR THE BENEFIT OF THE PURCHASER, MASSACHUSETTS MUTUAL LIFE INSURANCE COMPANY, the holder of said deed of trust and the note secured thereby, substitute James L. DeLoach, as Trustee therein, as authorized by the terms thereof, by instrument dated May 2, 2008, and recorded in the office of the aforesaid Chancery Clerk in Book 2898 at Page 34; 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., FOR THE BENEFIT OF THE PURCHASER, MASSACHUSETTS MUTUAL LIFE INSURANCE COMPANY, 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

DLJ
UPS (em)

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between the hours of 11:00 A.M. and 4:00 P.M.), on June 20, 2008, at public outcry offered the hereinafter described property for sale at the east front door of the County Courthouse in, Hernando, at Desoto, County 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 $112,823.63 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., FOR THE BENEFIT OF THE PURCHASER, MASSACHUSETTS MUTUAL LIFE INSURANCE COMPANY 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 23, MAGNOLIA TRACE SUBDIVISION, SECTION 35, TOWNSHIP 1 SOUTH, RANGE 6 WEST, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 49, PAGES 33-34, IN THE OFFICE OF THE CHANCERY CLERK OF DESOTO COUNTY, AT OLIVE BRANCH, MISSISSIPPI.

BEING THE SAME PROPERTY CONVEYED BY CORPORATE WARRANTY DEED RECORDED ON NOVEMBER 20, 1995, IN BOOK 293, PAGE 121, AND BY QUITCLAIM DEED RECORDED ON DECEMBER 23, 2002, IN BOOK 434, PAGE 508, IN THE OFFICE OF THE CHANCERY 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 June, 2008

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

BH # 238792/457

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, 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 20th day of June, 2008

HEATHER NICOLE MALONE
Notary Public, State of Texas
My Commission Expires
May 09, 2012

Heather N. Malone
Notary Public

My Commission Expires: 5/9/12

GRANTOR'S NAME, ADDRESS AND PHONE NUMBER:
James L. DeLoach
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., FOR THE BENEFIT OF THE PURCHASER,
MASSACHUSETTS MUTUAL LIFE INSURANCE COMPANY
Countrywide Home Loans, Inc.
7105 Corporate Drive
MS PTX-B-35
Plano, TX 75024
(972) 526-2224

THIS DOCUMENT PREPARED BY AND AFTER RECORDING PLEASE RETURN TO:
BUTLER & HOSCH, P. A.
MS Foreclosure Department
13800 Montfort; Suite 300
Dallas, TX 75240
(972) 233-2500

Current Borrower: DAVID B. HEPBURN
B&H File Number: 238792
Loan Type: FHA
Property Address: 6967 Green Way Cove, Olive Branch, MS 38654

Affidavit of Mortgagee

STATE OF TEXAS §
COUNTY OF DALLAS §

BEFORE ME, the undersigned authority on this day personally appeared Marilee Linker, 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., FOR THE BENEFIT OF THE PURCHASER, MASSACHUSETTS MUTUAL LIFE INSURANCE COMPANY 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 July 16, 2004, recorded in Volume 2039, Page 0539, Real Property Records, Desoto County, Mississippi, executed by David B. Hepburn, a single man, to CTC Real Estate Services, Trustee, to secure payment of a Note to Countrywide Home Loans, Inc.

3. COUNTRYWIDE HOME LOANS INC., FOR THE BENEFIT OF THE PURCHASER, MASSACHUSETTS MUTUAL LIFE INSURANCE COMPANY 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.

Marilee Linker
AFFIANT

STATE OF TEXAS §
COUNTY OF DA LLAS §

Sworn to and subscribed before me, the undersigned Notary Public, on this day personally appeared Marilee Linker 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 June, 2008

Heather N. Malone
Notary Public for the State of Texas
Heather N. Malone
Printed Name of Notary Public
My Commission Expires: 5/9/12

HEATHER NICOLE MALONE
Notary Public, State of Texas
My Commission Expires
May 09, 2012

BH # 238792/457

Current Borrower: David B. Hepburn
B&H File Number: 238792
Loan Type: FHA
Property Address: 6967 Green Way Cove, Olive Branch, MS 38654

MEMORANDUM OF SALE

The undersigned Substitute Trustee (hereinafter "Trustee") hereby appoints _____ Josh Mayfu _____, 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 20th day of June, 2008

James L. DeLoach, 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 2039 PAGE 0539

DATE & TIME OF SALE: June 20, 2008, AT 11:31 (A.M./P.M.)

AMOUNT OF HIGHEST BID: $ 112,823.63

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 20 day of July, 2008.

AUCTIONEER
Printed Name: Josh Marlar

WITNESS
Printed Name: Candace Jackson

HIGHEST BIDDER
Printed Name: Countrywide Home loans

WITNESS
Printed Name: _____

B&H 238792 / 904

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:

SUBSTITUTE TRUSTEE'S NOTICE OF SALE

WHEREAS, on July 19, [illegible], David S. Heacorn, a [illegible] man executed a deed of trust to CTC Real Estate Services, Trustee for the benefit of Countrywide Home Loans, Inc., which deed of trust is recorded in Deed of Trust Book 2039 at Page 0539 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., FOR THE BENEFIT OF THE PURCHASER, MASSACHUSETTS MUTUAL LIFE INSURANCE COMPANY by instrument dated August 30, 2006, and recorded in Book 2555 at Page765 of the records of the aforesaid Chancery Clerk; and

WHEREAS, the aforesaid, COUNTRYWIDE HOME LOANS INC., FOR THE BENEFIT OF THE PURCHASER, MASSACHUSETTS MUTUAL LIFE INSURANCE COMPANY, the holder of said deed of trust and the note secured thereby, substituted James L. DeLoach as Trustee therein, as authorized by the terms thereof, by instrument dated May 2, 2008 and recorded in the office of the aforesaid Chancery Clerk in Book [illegible] at Page 34; 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., FOR THE BENEFIT OF THE PURCHASER, MASSACHUSETTS MUTUAL LIFE INSURANCE COMPANY, 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 [illegible] [illegible] [illegible] attorney's fees, Substitute Trustee's fees and expenses of sale;

NOW, THEREFORE, I, James L. DeLoach, Substitute Trustee [illegible] [illegible] 20, 2008, 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 [illegible] P.M.) at the east front door of the County Courthouse in Hernando, Desoto County, State of Mississippi, the [illegible]

Volume No. 113 on the 27 day of May, 2008

Volume No. 113 on the 3 day of June, 2008

Volume No. 113 on the 10 day of June, 2008

Volume No. 113 on the 17 day of June, 2008

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

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

Diane Smith

Sworn to and subscribed before me, this 7 day of July, 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 502 words @ .12 $ 60.24

B. 3 subsequent insertions of 1004 words @ .10 $ 100.40

C. Making proof of publication and deposing to same $ 3.00

TOTAL PUBLISHER'S FEE: $ 163.64

[illegible]

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