

INDEXING INSTRUCTIONS:
Sec. 29, Township 1 South, Range 7 West
DeSoto County, Mississippi

SUBSTITUTE TRUSTEE'S DEED

WHEREAS, on July 30, 2008, Cheryl Jordan, an unmarried woman, executed a Deed of Trust to Jeanine B. Saylor, Trustee, on certain real property situated in DeSoto County, Mississippi, to secure a debt of Cheryl Jordan in the original principal amount of \$119,352.00 (the "Note") owed to Magna Bank, a Federal Savings Bank ("Magna Bank") which Deed of Trust is recorded in Book 2,931 at Page 93 in the Office of the Chancery Clerk of the County of DeSoto, State of Mississippi (the "Deed of Trust), said Deed of Trust being incorporated herein by reference;

WHEREAS, Magna Bank is the true and lawful owner and holder of the Note which is secured by the Deed of Trust and other liens (the "Debt");

WHEREAS, by Appointment of Substitute Trustee recorded in Trust Book 2,954, page 731 in the DeSoto County, Mississippi, Chancery Court Clerk's office, Magna Bank, exercising its authority as such owner and holder, appointed R. Spencer Clift, III, as Substitute Trustee under the Deed of Trust; and

WHEREAS, default was made in the payment of the Debt and obligations secured by said Deed of Trust, and Magna Bank, as the owner and holder of the Debt, declared the entire balance due and payable and instructed the undersigned Trustee to foreclose said Deed of Trust in accordance with its terms and provisions;

WHEREAS, the undersigned Substitute Trustee did, in compliance with the provisions of said Deed of Trust and the laws of the state of Mississippi did advertise said sale of the property in The DeSoto Times Today, a newspaper published in DeSoto County, Mississippi, in the issues of October 23, October 30, November 6, and November 13, 2008, as more fully shown by the original Proof of Publication, which is attached hereto as Exhibit A and is made a part hereof as if copied in full herein, and by posting a copy of the Notice of Substitute Trustee's Sale at the DeSoto County Courthouse in Hernando, Mississippi, on October 23, 2008, said sale having been advertised for Thursday, the 20th day of November, 2008, at 12:00 noon at the East entrance of the DeSoto County Courthouse, 2535 Highway 51 South, Hernando, Mississippi; and

WHEREAS, at 12:00 noon, on Thursday, November 20, 2008, being the time and at the East entrance of the DeSoto County Courthouse, 2535 Highway 51 South, Hernando, Mississippi, being the place mentioned in said advertisement, the undersigned, as Substitute Trustee, did offer for sale and sold the said property;

WHEREAS, said sale was made subject to prior liens and encumbrances of record, including liens of real estate taxes, any applicable restrictions, building liens, and easements, conditions, covenants, rights-of-way or subdivision plats affecting the property; and any dedication of roads affecting the property and any governmental zoning and subdivision ordinances or regulations in effect; and any prior or superior liens, judgment, deeds of trust or other interests of record.

WHEREAS, the highest and best bid for said property was then and there made on behalf of Magna Bank, a Federal Savings Bank, in the amount of One Hundred Eighteen Thousand Seven Hundred Seventy-six and 00/100 Dollars (\$118,776.00) for said property, which bid was then and there accepted by R. Spencer Clift, III, as Substitute Trustee.

NOW, THEREFORE, for the consideration named, and for and in consideration of the compliance with the terms of said bid, the undersigned, R. Spencer Clift, III as Substitute Trustee, has bargained and sold, and does by these presents, bargain, sell, and convey unto Magna Bank, a Federal Savings Bank ("Grantee"), the property advertised and sold as hereinabove recited, and more particularly described in and situated in the State of Mississippi, DeSoto County, and is described as follows:

Lot 160, Section A, Stonehedge Place Patio Homes, 2nd Revision, situated in Section 29, Township 1 South, Range 7 West, Desoto County, Mississippi, as shown on plat of record in Plat Book 62, Page 37 in the Chancery Clerk's Office of Desoto County, Mississippi.

Being the same property conveyed to Cheryl Jordan, an unmarried person, by Warranty Deed of record in Book 590, Page 468 in the Office of the Chancery Court Clerk of Desoto County, Mississippi.

TO HAVE AND TO HOLD, unto Grantee, Grantee's successors, heirs, and assigns, the same together with all hereditaments and appurtenances belonging or appertaining thereto and further SUBJECT to the following:

1. Any unpaid taxes against the property; and
2. Any recorded easements, conditions, covenants, rights-of-way or subdivision plats affecting the property; and
3. Any dedication of roads affecting the property and any governmental zoning and subdivision ordinances or regulations in effect; and
4. Any prior or superior liens, judgment, deeds of trust or other interests of record.

The undersigned Grantor as Substitute Trustee believes the title hereby conveyed to be good except for prior liens of record, including without limitation those described hereinabove, and including any prior liens for taxes, and any applicable restrictions, building lines and easements, but warrants same against the lawful claims of all persons claiming by, through and under a conveyance from the undersigned as Substitute Trustee, under the provisions of the above described instruments, AND NO FURTHER OR OTHERWISE.

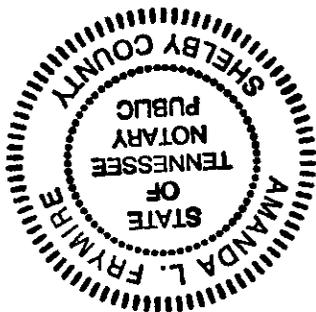
IN WITNESS WHEREOF, the said R. Spencer Clift, III, as Substitute Trustee, has hereunto set his hand as of this 9th day of December, 2008.

By: R. Spencer Clift, III
R. Spencer Clift, III, Substitute Trustee

STATE OF TENNESSEE
COUNTY OF SHELBY

Personally came and appeared before me, the undersigned Notary Public in and for said State and County duly commissioned and qualified, R. Spencer Clift, III, Substitute Trustee, with whom I am personally acquainted, and who acknowledged to and before me that he executed the foregoing instrument of the day and year therein mentioned and for the purposes therein contained.

WITNESS MY SIGNATURE AND OFFICIAL SEAL OF OFFICE this, the 9th day of December, 2008.



Amanda L. Frymire
Notary Public
My Commission expires: 7-28-2009

PROPERTY OWNER &
MAIL TAX NOTICE TO:
(Grantee) Magna Bank, a Federal Savings Bank
6525 Quail Hollow Road
Ste. 513
Memphis, TN 38120
(901) 259-5418

SUBSTITUTE TRUSTEE:
(Grantor) R. Spencer Clift, III
Baker, Donelson, Bearman, Caldwell & Berkowitz, P.C.
Suite 2000
165 Madison Ave.
Memphis, TN 38103
(901) 526.2000

PREPARED BY
AND RETURN TO: R. Spencer Clift, III
Baker, Donelson, Bearman, Caldwell & Berkowitz, P.C.
Suite 2000
165 Madison Ave.
Memphis, TN 38103
(901) 526.2000

TAX PARCEL NO.: 1079-2903-0-00160.00

INDEXING
INSTRUCTIONS: Section 29, Township 1 South, Range 7 West,
DeSoto County, Mississippi

NOTICE OF SUBSTITUTE TRUSTEE'S SALE

WHEREAS, on July 30, 2008, Cheryl Jordan executed a Deed of Trust to Jeanine B. Saylor, Trustee, on certain real property situated in DeSoto County, Mississippi, to secure a debt of Cheryl Jordan in the original principal amount of \$119,352.00 ("the Note") owed to Magna Bank, A Federal Savings Bank ("Magna Bank") which Deed of Trust is recorded in Book 2,931 at Page 93 in the Office of the Chancery Court Clerk of DeSoto County, Mississippi (the "Deed of Trust), said Deed of Trust being incorporated herein by reference;

WHEREAS, Magna Bank is the true and lawful owner and holder of the Note which is secured by the Deed of Trust and other liens ("the Debt");

WHEREAS, by Appointment of Substitute Trustee recorded in Trust Book 2,954, Page 731 in the Office of the Chancery Court Clerk of DeSoto County, Mississippi, Magna Bank, exercising its authority as such owner and holder, appointed R. Spencer Clift, III, as Substitute Trustee under the Deed of Trust; and

WHEREAS, default has been made in the payment of Debt and obligations secured by said Deed of Trust, and Magna Bank, as the owner and holder of the Debt has declared the entire balance due and payable and has instructed the undersigned Trustee to foreclose said Deed of Trust in accordance with its terms and provisions;

NOW, THEREFORE, by the authority vested in me as Trustee under said instruments, I will on **Thursday, the 20th day of November, 2008, at 12:00 noon** at East entrance of the DeSoto County Courthouse, 2535 Highway 51 South, Hernando, Mississippi, offer for sale and sell at public auction to the highest and best bidder for cash the property therein conveyed which is situated in the State of Mississippi, County of Desoto, and is described as follows:

Lot 160, Section A, Stonehedge Place Patio Homes, 2nd Revision, situated in Section 29, Township 1, South, Range 7 West, Desoto county, Mississippi, as shown on plat of record in Plat Book 62, Page 37 in the Chancery Clerk's Office of Desoto County, Mississippi.

Being the same property conveyed to Cheryl Jordan, an unmarried person, by Warranty Deed of record in Book 590, Page 468 in the Office of the Chancery Court Clerk of Desoto County, Mississippi.

Said property is known as 1109 Atterbury Circle South, Southaven, DeSoto County, Mississippi, 38671 but such address or designation is not a part of the legal description of the property sold herein and in the event of any discrepancy, the legal description herein shall control.

Said sale shall be made for cash to the highest and best bidder in cash subject to the following:

1. Any unpaid taxes against the property; and
2. Any recorded easements, conditions, covenants, rights-of-way or subdivision plats affecting the property; and
3. Any dedication of roads affecting the property and any governmental zoning and subdivision ordinances or regulations in effect; and
4. Any prior or superior liens, judgment, deeds of trust or other interests of record.

Magna Bank reserves the right to retain any escrows, reserves, security deposits, or other funds or rights to payment of funds and to apply the same in accordance with the terms and provisions of the Deed of Trust and related documents.

The right is reserved to adjourn the day of sale to another day and time certain, without further publication and in accordance with law, upon announcement of said adjournment on the day and time and place of sale set forth above.

The failure of any high bidder to pay the purchase price and close this sale immediately shall, at the option of the Trustee, be cause for rejection of the bid. The proceeds derived from the sale of the property will be applied as provided for in said Deed of Trust and are made a part hereof as if set forth verbatim herein.

This Notice of Sale has been posted and published in accordance with Miss. Code Ann. § 89-1-55 and any provisions of the Deed of Trust affecting same beginning October 23, 2008.

R. Spencer Clift, III

BAKER, DONELSON, BEARMAN, CALDWELL
& BERKOWITZ, P.C.
Suite 2000
165 Madison Avenue
Memphis, Tennessee 38103
901-577-2216

Published: The DeSoto Times Today
Hernando, Mississippi
October 23, October 30, November 6, and November 13, 2008

DESOTO TIMES-TRIBUNE

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-Tribune, 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:

NOTICE OF SUBSTITUTE TRUSTEE'S SALE

WHEREAS, on July 30, 2008,

Cheryl Jordan executed a Deed of Trust to Jeanine B. Saylor, Trustee, on certain real property situated in DeSoto County, Mississippi, to secure a debt of Cheryl Jordan in the original principal amount of \$119,352.00 ("the Note") owed to Magna Bank, A Federal Savings Bank ("Magna Bank") which Deed of Trust is recorded in Book 2,931 at Page 83 in the Office of the Chancery Court Clerk of DeSoto County, Mississippi (the "Deed of Trust"), said Deed of Trust being incorporated herein by reference;

WHEREAS, Magna Bank is the true and lawful owner and holder of the Note which is secured by the Deed of Trust and other liens ("the Debt");

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WHEREAS, default has been made in the payment of Debt and obligations secured by said Deed of Trust, and Magna Bank, as the owner and holder of the Debt has declared the entire balance due and payable and has instructed the undersigned Trustee to foreclose said Deed of Trust in accordance with its terms and provisions;

NOW, THEREFORE, by the authority vested in me as Trustee under said instruments, I will on Thursday the 20th day of November, 2008, at 12:00 noon at East entrance of the DeSoto County Courthouse, 2535 Highway 51 South, Hernando, Mississippi, offer for sale and sell at public auction to the highest and best bidder for cash the property therein conveyed which is situated in the State of Mississippi, County of Desoto, and is described as follows:

- Volume No. 113 on the 23 day of Oct., 2008
- Volume No. 113 on the 30 day of Oct., 2008
- Volume No. 113 on the 6 day of Nov., 2008
- Volume No. 113 on the 13 day of Nov., 2008
- Volume No. _____ on the _____ day of _____, 2008
- Volume No. _____ on the _____ day of _____, 2008

Diane Smith

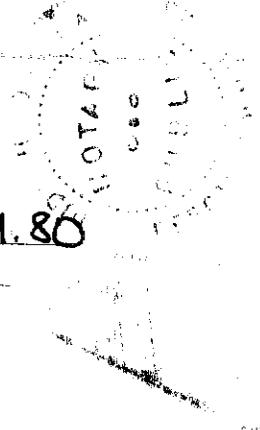
Sworn to and subscribed before me, this 20 day of Nov., 2008

BY Judy 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 706 words @ .12 \$ 84.72
- B. 3 subsequent insertions of 2118 words @ .10 \$ 211.80
- C. Making proof of publication and deposing to same \$ 3.00

TOTAL PUBLISHER'S FEE: \$ 299.52



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4. Any prior or superior liens, judgment, deeds of trust or other interests of record.

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The right is reserved to adjourn the day of sale to another day and time certain, without further publication and in accordance with law, upon announcement of said adjournment on the day and time and place of sale set forth above.

The failure of any high bidder to pay the purchase price and close this sale immediately shall, at the option of the Trustee, be cause for rejection of the bid. The proceeds derived from the sale of the property will be applied as provided for in said Deed of Trust and are made a part hereof as if set forth verbatim herein.

This Notice of Sale has been posted and published in accordance with Miss. Code Ann. § 89-1-55 and any provisions of the Deed of Trust affecting same beginning October 23, 2008.

R. Spencer Clift, III
BAKER, DONELSON,
BEARMAN, CALDWELL
& BERKOWITZ, P.C.
Suite 2000
165 Madison Avenue
901-577-2210

Published:
October 23, October 30,
November 6, and November
13, 2008