

2/23/09 10:22:37 ^{SS}
BK 603 PG 284
DESOTO COUNTY, MS
W.E. DAVIS, CH CLERK

Instrument prepared by and return to:
Kelly E. McCarthy
Morton & Germany, PLLC
45 North Third Street, Suite 201
Memphis, TN 38103
Phone: (901) 522-0050
08-628G

INDEXING INSTRUCTIONS: Lot 313, Section A, DeSoto Village Subdivision in Section 34, Township 1 South, Range 8 West, DeSoto County, Mississippi

SUBSTITUTED TRUSTEE'S DEED

WHEREAS, Mark Froelich Construction Company, Inc., a Tennessee corporation, as Grantor, executed that certain Deed of Trust to Andrew H. Taylor, Trustee, for the benefit of PARAGON NATIONAL BANK as Beneficiary, bearing the date of October 30, 2006, which Deed of Trust is recorded in Deed of Trust Book 2609, at Page 98, et seq., on November 20, 2006, of the land records in the Office of the Chancery Clerk of DeSoto County, located in Hernando, Mississippi ("Deed of Trust"); and

WHEREAS, Paragon National Bank has heretofore substituted the undersigned Kelly E. McCarthy as Trustee in the place and in lieu of the original trustees named in said Deed of Trust by instrument dated January 6, 2008, and recorded in said office at Book 2980, Page 613 on January 8, 2009; 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 due and payable in accordance with the terms of said Deed of Trust, and the legal holder of said Deed of Trust and the indebtedness secured thereby, Paragon National Bank, having requested the undersigned Substituted Trustee to execute the trust and to 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 expenses of sale; and

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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 of general circulation published for more than one year next preceding the date of the first publication, in the County of DeSoto, State of Mississippi, on January 20, 27, February 3 and 10, 2009, as evidenced by the Proof of Publication (copy attached hereto as Exhibit "A"); and by posting on the on the 16th day of January, 2009, a copy of the Substituted Trustee's Notice of Sale (copy attached hereto as Exhibit "B") on the bulletin board in the DeSoto County Chancery Courthouse Building, 2535 Hwy 51 South, Hernando, Mississippi; and

WHEREAS, on the 12th day of February, 2009 at the East front door of the DeSoto County Chancery Courthouse Building, 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 and best bidder for cash the following described land and property situated in DeSoto County, State of Mississippi, to-wit:

Lot 313, Section A, DeSoto Village Subdivision in Section 34, Township 1 South, Range 8 West, DeSoto County, Mississippi as per plat thereof recorded in Plat Book 7, Pages 9-14 in the office of the Chancery Clerk of DeSoto County, Mississippi.

and

WHEREAS, the undersigned Substituted Trustee offered the aforesaid property for sale at public outcry as set forth above, and there appeared at said sale Paragon National Bank, bidding the sum of Fifty Seven Thousand Five Hundred and 00/100 Dollars (\$57,500.00) for all the above described property; said property was struck off to Paragon National Bank,, for said amount, and said bidder was declared the purchaser thereof, as the highest and best bidder for cash.

NOW, THEREFORE, in consideration of the premises and the sum of Fifty Seven Thousand Five Hundred and 00/100 Dollars (\$57,500.00) cash in hand paid, the receipt of which is hereby acknowledged, I do hereby sell, quit-claim and convey to Paragon National Bank, in fee simple, all of the above described property, conveying only such title as vested in me as Substituted Trustee.

WITNESS MY SIGNATURE on this 12 day of February, 2009.



Kelly E. McCarthy
KELLY E. MCCARTHY
Substituted Trustee

STATE OF MISSISSIPPI
COUNTY OF DESOTO

PERSONALLY appeared before me, the undersigned authority in and for the said county and state, on this 12th day of February, 2009 within my jurisdiction, the within named KELLY E. MCCARTHY, Substituted Trustee, duly identified before me, who acknowledged that in such representative capacity she executed the above and foregoing Substituted Trustee's Deed as her own free and voluntary act and deed, after first having been authorized so to do.

Priscilla Lee
NOTARY PUBLIC

My Commission Expires: 3-25-12

GRANTOR:
Kelly E. McCarthy
Morton & Germany, PLLC
45 North Third Street, Suite 201
Memphis, TN 38103
Phone: (901) 522-0050

GRANTEE:
Paragon National Bank
6300 Poplar Avenue, Suite 117
Memphis, TN 38119
Phone: (901) 322-0631

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:

SUBSTITUTED TRUSTEE'S NOTICE OF SALE
 WHEREAS, Paragon National Bank, a corporation organized under the laws of the State of Mississippi, as Successor, Assignee and Assignor of the Deed of Trust, executed by James W. Taylor, Trustee, for the benefit of Paragon National Bank, as Beneficiary, bearing the date of October 30, 2008, which Deed of Trust is recorded in Deed of Trust Book 2908, at Page 98, et seq., on November 20, 2008, in the land records in the Office of the Chancery Clerk of DeSoto County, located in Hernando, Mississippi ("Deed of Trust"); and WHEREAS, Paragon National Bank has heretofore appointed the undersigned, Kelly E. McCarthy, as Substituted Trustee by instrument recorded in said office at Book 2980, Page 813 on January 8, 2009; 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 due and payable in accordance with the terms of said Deed of Trust, and the legal holder of said Deed of Trust and the individual named therein, Paragon National Bank, having requested the undersigned Substituted Trustee to execute the terms of said Deed of Trust;

NOW, THEREFORE, I, Kelly E. McCarthy, Substituted Trustee under said Deed of Trust, will, on Thursday, February 12, 2009, offer for sale at public outcry and sell within legal hours (being between the hours of 11:00 a.m. and 4:00 p.m.) at the court house of the County of Desoto, Mississippi, the property described as follows: Lot 313, Section A, DeSoto Village, Horn Lake, MS Parcel No. 1599-3404.0-00244.00 Other Interested Parties: None known. Sale is made subject to prior liens, encumbrances or trust deeds.

- Volume No. 114 on the 20 day of Jan., 2009
- Volume No. 114 on the 27 day of Jan., 2009
- Volume No. 114 on the 3 day of Feb., 2009
- Volume No. 114 on the 10 day of Feb., 2009
- Volume No. _____ on the _____ day of _____, 2009
- Volume No. _____ on the _____ day of _____, 2009

Diane Smith

Sworn to and subscribed before me, this 10 day of Feb., 2009

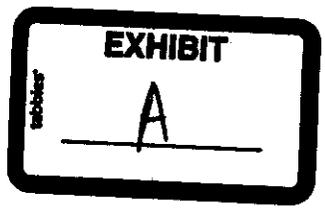
BY Judy H. Douglas



NOTARY PUBLIC STATE OF MISSISSIPPI AT LARGE
 MY COMMISSION EXPIRES: JANUARY 16, 2013
 BONDED THRU DIXIE NOTARY SERVICE, INCORPORATED

A. Single first insertion of 484 words @ .12 \$ 58.08
 B. 3 subsequent insertions of 1452 words @ .10 \$ 145.20
 C. Making proof of publication and depositing to same \$ 3.00
 TOTAL PUBLISHER'S FEE: \$ 206.28

Hwy. 51 South, Hernando, MS 38632 • 662.429.6397 • Fax: 662.429.5229



SUBSTITUTED TRUSTEE'S NOTICE OF SALE

BK 603 PG 288

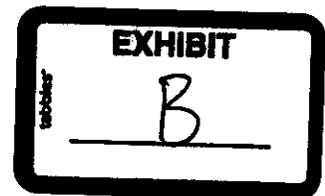
WHEREAS, Mark Froelich Construction, Inc., a Tennessee corporation, as Grantor, executed that certain Deed of Trust, Andrew H. Taylor, Trustee, for the benefit of Paragon National Bank, as Beneficiary, bearing the date of October 30, 2006, which Deed of Trust is recorded in Deed of Trust Book 2609, at Page 98, et seq., on November 20, 2006, in the land records in the Office of the Chancery Clerk of DeSoto County, located in Hernando, Mississippi ("Deed of Trust"); and

WHEREAS, Paragon National Bank has heretofore appointed the undersigned Kelly E. McCarthy as Substituted Trustee by instrument recorded in said office at Book 2980, Page 613 on January 8, 2009; 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 due and payable in accordance with the terms of said Deed of Trust, and the legal holder of said Deed of Trust and the indebtedness secured thereby, Paragon National Bank having requested the undersigned Substituted Trustee to execute the trust and to 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 expenses of sale;

NOW, THEREFORE, I, Kelly E. McCarthy, Substituted Trustee under said Deed of Trust will, on Thursday, February 12, 2009, offer for sale at public outcry and sell within legal hours (being between the hours of 11:00 a.m. and 4:00 p.m.), at the east front door of the DeSoto County Courthouse Building located at 2535 Hwy. 51 S. Hernando, Mississippi, to the highest and best bidder for cash the following described land and property situated in DeSoto County, State of Mississippi, to-wit:

2-12-09



Lot 313, Section A, DeSoto Village Subdivision in Section 34, Township 1 South, Range 8 West, DeSoto County, Mississippi as per plat thereof recorded in Plat Book 7, Pages 9-14 in the office of the Chancery Clerk of DeSoto County, Mississippi.

Property Address: Lot 313, Section A, DeSoto Village, Horn Lake, MS

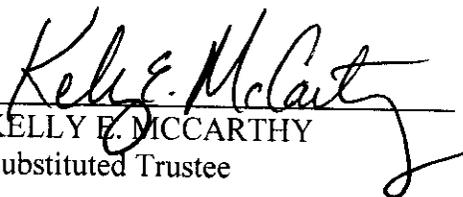
Parcel No. 1088-3401.0-00244.00

Other Interested Parties: None known.

Sale is made subject to prior liens, encumbrances or trust deeds, if any, now of record in the office of the Chancery Clerk, DeSoto County, Mississippi and any lien for any unpaid City or County property taxes. Sale is further subject to all easements and restrictive covenants of record and will be made further subject to final confirmation by the Chancery Court in the above captioned matter.

I will convey only such title as is vested in me as Substituted Trustee.

WITNESS MY SIGNATURE on this 16th day of January, 2009.


KELLY E. MCCARTHY
Substituted Trustee

MORTON & GERMANY, PLLC
45 North Third Street, Suite 201
Memphis, TN 38103
Telephone: (901) 522-0050
08-628G

PUBLISH: January 20, 27, February 3 and 10, 2009