

SUBSTITUTED TRUSTEE'S DEED

WHEREAS, on April 2, 2004, Jadrien Brittenum and Rashun Brittenum executed a Deed of Trust to FNF Title Services, Inc., mistakenly referred to as First Natl Fincl Title Svcs, Trustee, for the benefit of New Century Mortgage Corporation, which Deed of Trust is recorded in Book 1964, at Page 0147, in the office of the Clerk of the Chancery Court of DeSoto County, Mississippi; and

WHEREAS, said Deed of Trust was assigned to Deutsche Bank National Trust Company as Trustee under Pooling and Servicing Agreement dated as of July 1, 2004 Morgan Stanley ABS Capital I INC. Trust 2004-HE5 Mortgage Pass-Through Certificates, Series 2004-HE5 by an Assignment filed of record on October 17, 2008, and recorded in Book 2947, at Page 285, in the office of the Clerk of the Chancery Court of DeSoto County, Mississippi; and

WHEREAS, the aforesaid Deutsche Bank National Trust Company as Trustee under Pooling and Servicing Agreement dated as of July 1, 2004 Morgan Stanley ABS Capital I INC. Trust 2004-HE5 Mortgage Pass-Through Certificates, Series 2004-HE5 the holder of said Deed of Trust and the Note secured thereby, substituted Floyd Healy as Trustee therein, as authorized by the terms thereof, by instrument recorded in the office of the aforesaid Chancery Clerk in Book 2951, at Page 110; 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, Deutsche Bank National Trust Company as Trustee under Pooling and Servicing Agreement dated as of July 1, 2004 Morgan Stanley ABS Capital I INC. Trust 2004-HE5 Mortgage Pass-Through Certificates, Series 2004-HE5 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 for the purpose of raising the sums due thereunder, together with the attorney's fees, Substituted Trustee's fees and expense of sale;

WHEREAS, the undersigned Substituted Trustee, after posting and publication of the Notice of Sale and required by the terms of said Deed of Trust and the laws of the State of Mississippi, within legal hours (being between the hours of 11:00 a.m. and 4:00 p.m.), on the 31st day of October, 2008, at public outcry offered the hereinafter described property for sale at the front door of the DeSoto County Courthouse in Hernando, Mississippi;

WHEREAS, at such sale, Deutsche Bank National Trust Company as Trustee under Pooling and Servicing Agreement dated as of July 1, 2004 Morgan Stanley ABS Capital I INC. Trust 2004-HE5 Mortgage Pass-Through Certificates, Series 2004-HE5 bid the sum of \$168,036.49; and

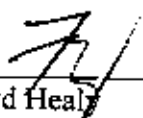
WHEREAS, said bid by Deutsche Bank National Trust Company as Trustee under Pooling and Servicing Agreement dated as of July 1, 2004 Morgan Stanley ABS Capital I INC. Trust 2004-HE5 Mortgage Pass-Through Certificates, Series 2004-HE5 was the highest bid;

NOW, THEREFORE, I, Floyd Healy, Substituted Trustee, in consideration of the sum of \$168,036.49, do hereby sell and convey unto Deutsche Bank National Trust Company as Trustee under Pooling and Servicing Agreement dated as of July 1, 2004 Morgan Stanley ABS Capital I INC. Trust 2004-HE5 Mortgage Pass-Through Certificates, Series 2004-HE5 the following described property located and situated in the County of DeSoto, State of Mississippi, to wit:

Lot 37, Golden Oaks Community, situated in Section 29, Township 1 South, Range 7 West, as shown by plat of record in Plat Book 67, at Page 18, Chancery Clerk's Office for DeSoto County, Mississippi, to which plat reference is hereby made for a more complete legal description.

More commonly known as: 7115 Pipedream Cove, Southaven, Mississippi 38671

WITNESS MY SIGNATURE, this, the 12th day of June 2008.


Floyd Healy
SUBSTITUTED TRUSTEE

STATE OF ARKANSAS)
COUNTY OF PULASKI)

Before me the undersigned, a Notary Public in and for said County and State, personally appeared FLOYD HEALY, SUBSTITUTED TRUSTEE, with whom I am personally acquainted and who executed the foregoing instrument for the purpose therein contained.

Witness my hand this 12th day of December, 2008.

My Commission Expires:

9/9/18

Sarah Alt
Notary Public



Grantor's Address:

Floyd Healy
1405 N. Pierce, Suite 306
Little Rock, Arkansas 72207
(501) 663-6200

This instrument prepared by:

Floyd Healy
1405 N. Pierce, Suite 306
Little Rock, Arkansas 72207
(501) 663-6200

Grantee's Address:

Deutsche Bank
C/o Fidelity National Foreclosure and Bankruptcy
Solutions
1270 Northland Drive, Suite 200
Mendota Heights, MN 55120
(651) 234-3500

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 SUBSTITUTED TRUSTEE'S SALE
STATE OF MISSISSIPPI
COUNTY OF DESOTO

WHEREAS, on April 2, 2004, Jadrien Brittenum and Rashun Brittenum executed a promissory note payable to the order of New Century Mortgage Corporation; and

WHEREAS, the aforesaid promissory note was secured by a Deed of Trust dated April 2, 2004, executed by Jadrien Brittenum and Rashun Brittenum and being recorded in Book 1964, at Page 0147, of the records of the Chancery Clerk of DeSoto County, Mississippi; and which aforesaid instrument conveys to FNF Title Services, Inc., mistakenly referred to as First Natl Fincl Title Svcs, Trustee, the hereinafter described property; and

WHEREAS, said Deed of Trust was assigned to Deutsche Bank National Trust Company as Trustee under Pooling and Servicing Agreement dated as of July 1, 2004 Morgan Stanley ABS Capital I INC. Trust 2004-HE5 Mortgage Pass-Through Certificates, Series 2004-HE5 by an Assignment filed of record on October 17, 2008, and recorded in Book 2947, at Page 285, in the office of the Clerk of the Chancery Court of DeSoto County, Mississippi; and

WHEREAS, Deutsche Bank National Trust Company as Trustee under Pooling and Servicing Agreement dated as of July 1, 2004 Morgan Stanley ABS Capital I INC. Trust 2004-HE5 Mortgage Pass-Through Certificates, Series 2004-HE5 having executed a Substitution of Trustee to substitute Floyd Healy as trustee in the place and stead of FNF Title Services, Inc., mistakenly referred to as First Natl Fincl Title Svcs, the same having been recorded in Book 2951, at Page 110, of the records of the Chancery Clerk of DeSoto County, Mississippi; and

WHEREAS, default having occurred under the terms and conditions of said promissory note and Deed of Trust and the holder having declared the entire balance due and payable; and

WHEREAS, Floyd Healy, Substituted Trustee in said Deed of Trust, on the 9th day of October, 2008, between the hours of 11:00 a.m. and 4:00 p.m., offer for sale and will sell at public outcry to the highest bidder for cash at the East front door of the DeSoto County Courthouse in Hernando, Mississippi, the following described property located and situated in DeSoto County, Mississippi, to-wit:

Volume No. 113 on the 9 day of Oct., 2008

Volume No. 113 on the 16 day of Oct., 2008

Volume No. 113 on the 23 day of Oct., 2008

Volume No. 113 on the 30 day of Oct., 2008

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

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

Diane Smith

Sworn to and subscribed before me, this 30 day of Oct., 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 517 words @ .12 \$ 62.04

B. 3 subsequent insertions of 1551 words @ .10 \$ 155.10

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

TOTAL PUBLISHER'S FEE: \$ 220.14

Lot 37, Golden Oaks Community, situated in Section 25, Township 1 South, Range 7 West, as shown by plat of record in Plat Book 67, at Page 18, of the records of the Chancery Clerk's Office for DeSoto County, Mississippi, to which plat reference is hereby made for a more complete legal description.

Mortgage known as: 7115 Pinedale Court, Southaven, Mississippi 38671.

Subject to the rights of way and easement for public roads and public utilities and any prior conveyance or reservation of mineral of every kind and character, including but not limited to oil, gas, sand and gravel in or under subject property.

As the undersigned Substituted Trustee, I will convey only such title as is vested in me under said Deed of Trust.

This 6th day of October, 2008.

Prepared by: Floyd Healy
Floyd Healy Substituted Trustee
1405 N. Pierce, Suite 305
Little Rock, Arkansas 72207

Insertion Dates:
October 9, 2008, October 16, 2008, October 23, 2008, October 30, 2008

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