

Prepared by and Return to:  
Baskin, McCarroll, McCaskill, Aldridge & Campbell, P.A.  
P.O. Box 190  
Southaven, MS 38671  
662-349-0664  
909016

## SUBSTITUTE TRUSTEE'S DEED

WHEREAS on July 2, 2008, Bryon K. Owens and Wendi K. Owens, executed a Deed of Trust to J. Patrick Caldwell, Trustee for the benefit of BancorpSouth Bank, which Deed of Trust is recorded in Deed of Trust Book 2930, at Page 25, in the office of the Chancery Clerk of DeSoto County, State of Mississippi; and

WHEREAS, on February 25, 2009, the holder of said Deed of Trust substituted and appointed Jeffrey S. McCaskill as Trustee in said Deed of Trust by instrument recorded in Book 2998, at Page 408 in the Office of the Chancery Clerk of DeSoto County, Mississippi; and

WHEREAS, default having been made in the terms and conditions of said Deed of Trust and the separate note dated July 2, 2008, in the principal amount of Two Hundred Forty-Four Thousand Two Hundred Eight-Nine and 96/100 Dollars (\$244,289.96) secured thereby, and the legal holder of said indebtedness, BancorpSouth Bank, having requested the undersigned 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 attorney's fees, Trustee's fees and expenses of sale;

WHEREAS, the undersigned in accordance with the terms of the aforesaid Deed of Trust and the Security Agreement and the laws of the State of Mississippi, did advertise said sale by

publication of a Trustee's Notice of Sale in the "DeSoto Times-Tribune", a newspaper published in DeSoto County, Mississippi, on the following dates, to-wit: April 2, 2009, April 9, 2009, April 16, 2009, and April 23, 2009, a copy of the proof of due publication being attached hereto as Exhibit "A" and made a part hereof as if fully copied herein, and by posting a copy of said notice on the bulletin board of the county courthouse of DeSoto County, Mississippi, for the time required by law and by the terms of the aforesaid Deed of Trust and Security Agreement; and

WHEREAS, the aforesaid notice fixed the 24th day of April, 2009, as the date of sale and the East front door of the county courthouse of DeSoto County, Mississippi, as the place of sale, and between the hours of 11:00 a.m. and 4:00 p.m., being the legal hours of sale, as the time of sale, and at public sale and outcry to the highest and best bidder for cash as the terms of sale; and

WHEREAS, on the date mentioned and at the place mentioned and between the hours of 11:00 a.m. and 4:00 p.m., being within legal hours, the undersigned did offer for sale and sell at public sale and outcry to the highest and best bidder for cash, at which sale the below described property was struck off and sold to Marc W. Montgomery and Melissa S. Keeton, at and for the sum of Two Hundred Seven Thousand and No/100 Dollars (\$ 207,000.00), that being the highest bid offered; and

WHEREAS, everything necessary to be done to have a good and lawful sale was done in accordance with the law and the terms of the Deed of Trust; and

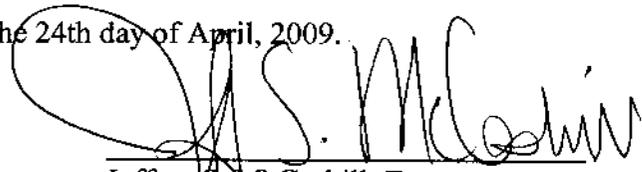
NOW, THEREFORE, in consideration of the premises and the sum of Two Hundred Seven Thousand and No/100 Dollars (\$207,000.00) cash in hand paid, the receipt of which is hereby acknowledged, I, the undersigned Jeffrey S. McCaskill, Substitute Trustee, do hereby sell and convey unto

Marc W. Montgomery and Melissa S. Keeton, as joint tenants with full rights of survivorship and not as tenants in common, the following described property, described in the aforesaid Deed of Trust and the Trustee's Notice of Sale, situated in DeSoto County, Mississippi, to-wit:

Lot 9, Dixie Creek Estates Subdivision, situated in Section 35, Township 3 South, Range 6 West, DeSoto County, Mississippi, as per plat thereof recorded in Plat Book 98, page 28, in the Office of the Chancery Clerk of DeSoto County, Mississippi.

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

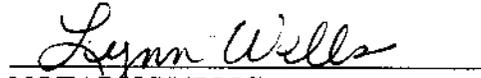
WITNESS MY SIGNATURE, this the 24th day of April, 2009.

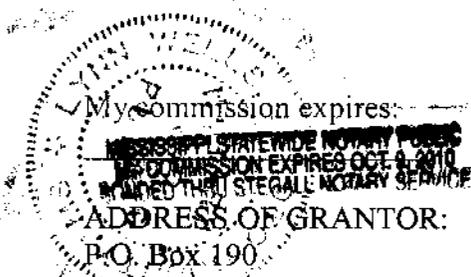
  
Jeffrey S. McCaskill, Trustee

STATE OF MISSISSIPPI  
COUNTY OF DESOTO

THIS DAY personally appeared before me, the undersigned authority within and for the State and County aforesaid, Jeffrey S. McCaskill, who acknowledged that he signed, executed and delivered the above and foregoing Substitute Trustee's Deed on the day and year therein mentioned as and for his voluntary act and deed.

SWORN to and subscribed before me on this the 24th day of April, 2009.

  
NOTARY PUBLIC



ADDRESS OF GRANTOR:  
P.O. Box 190  
Southaven, MS 38671  
Work: 662-349-0664  
Home: N/A

ADDRESS OF GRANTEE:  
5393 Dixie Creek Drive  
Hernando, MS 38632  
W: N/A  
H: N/A

# 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:

**SUBSTITUTE TRUSTEE'S NOTICE OF SALE**

WHEREAS on July 2, 2008, Bryan K. Owens and Wendell H. Owens executed a Deed of Trust to J. Douglas Caldwell, Trustee for the benefit of Bancorobank Bank, which Deed of Trust is recorded in Deed of Trust Book 2820, at Page 25, in the office of the Chancery Clerk of DeSoto County, State of Mississippi; and

WHEREAS on February 25, 2009, the holder of said Deed of Trust substituted and appointed Jeffrey S. McCaskill as trustee in said Deed of Trust by instrument recorded in Book 2820, at Page 408 in the office of the Chancery Clerk of DeSoto County, State of Mississippi; and

WHEREAS default having been made in the terms and conditions of said Deed of Trust and the separate note dated July 2, 2008, in the principal amount of \$644,000.00, secured thereby, certain legal notice of said instrument, then captioned "Notice of Sale of Real Estate", was published in the DeSoto Times-Tribune, a newspaper published in and for the County of DeSoto, State of Mississippi, in accordance with the terms of said Deed of Trust for the purpose of making the purchase of the property, together with attorney's fees, Substitute Trustee's fees and expenses of sale.

NOW, THEREFORE, Jeffrey S. McCaskill, Substitute Trustee in said Deed of Trust, will on the 29th day of April, 2009, offer for sale at public auction to the highest bidder for cash, and will 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 County Courthouse of DeSoto County, Mississippi, at Hernando, Mississippi, the following described real property situated and lying in the County of DeSoto, State of Mississippi, to-wit:

Lot 9, Blainmont Estate Subdivision, situated in Section 35, Township 8 South, Range 8 West, DeSoto County, Mississippi, as plat thereof recorded in Book 28, Page 28, in the Chancery Clerk's Office of DeSoto County, Mississippi.

- Volume No. 114 on the 2 day of April, 2009
- Volume No. 114 on the 9 day of April, 2009
- Volume No. 114 on the 16 day of April, 2009
- Volume No. 114 on the 23 day of April, 2009
- Volume No. \_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_, 2009
- Volume No. \_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_, 2009

I will convey only such title as is vested in me as Trustee.  
WITNESS MY SIGNATURE, this 21st day of March, 2009.  
JEFFREY S. McCASKILL  
Substitute Trustee  
PUBLISHED April 2, 2009  
April 9, 2009  
April 16, 2009  
April 23, 2009  
DeSoto Times Tribune  
Jeffrey S. McCaskill  
Notary Public, Mississippi  
Altrage & Campbell, P.A.  
P.O. Box 190  
Southaven, MS 38671  
662-349-0904  
602246

*Diane Smith*

Sworn to and subscribed before me, this 29 day of April, 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 379 words @ .12 \$ 45.48
  - B. 3 subsequent insertions of 1137 words @ .10 \$ 113.70
  - C. Making proof of publication and deposing to same \$ 3.00
- TOTAL PUBLISHER'S FEE: \$ 162.18

