

Current Borrower: Kevin K. McCormick  
B&H File Number: 244595  
Loan Type: FHA  
Property Address: 5550 Crestwood Drive, Walls, MS 38680 n/k/a 5550 Crestwood Drive, Horn Lake, MS 38637

Indexing Instructions: LOT 654, TWIN LAKES SUBDIVISION, SECTION D IN SECTION 6, TOWNSHIP 2 SOUTH, RANGE 8 WEST IN DESOTO COUNTY, MISSISSIPPI

**SUBSTITUTE TRUSTEE'S DEED**

Grantor: James L. DeLoach, Substitute Trustee  
Grantee: WELLS FARGO BANK MINNESOTA NA, AS TRUSTEE FOR THE CERTIFICATEHOLDERS OF THE REPERFORMING LOAN REMIC TRUST CERTIFICATES SERIES 2003-R1

WHEREAS, on May 1, 1998, Kevin K. McCormick, an unmarried man, executed a deed of trust to James P. Gueno, Trustee for the benefit of Countrywide Home Loans, Inc., which deed of trust is recorded in Deed of Trust Book 998 at Page 718 in the office of the Chancery Clerk of Desoto, State of Mississippi; and

WHEREAS, the aforesaid deed of trust was assigned to WELLS FARGO BANK MINNESOTA NA, AS TRUSTEE FOR THE CERTIFICATEHOLDERS OF THE REPERFORMING LOAN REMIC TRUST CERTIFICATES SERIES 2003-R1, by instrument dated January 30, 2004, and recorded in Book 1924 at Page 439, re-recorded August 24, 2004 in Book 2055 at Page 97 of the records of the aforesaid Chancery Clerk; and

WHEREAS, the aforesaid, WELLS FARGO BANK MINNESOTA NA, AS TRUSTEE FOR THE CERTIFICATEHOLDERS OF THE REPERFORMING LOAN REMIC TRUST CERTIFICATES SERIES 2003-R1, 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 March 12, 2007, and recorded in the office of the aforesaid Chancery Clerk in Book 2681 at Page 23; 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, WELLS FARGO BANK MINNESOTA NA, AS TRUSTEE FOR THE CERTIFICATEHOLDERS OF THE REPERFORMING LOAN REMIC TRUST CERTIFICATES SERIES 2003-R1, 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;

BH # 244595/457

*K. R. DeLoach  
W.B.*

7

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 between the hours of 11:00 A.M. and 4:00 P.M.), on May 28, 2009, at public outcry offered the hereinafter described property for sale at the East front door of the County Courthouse, in Hernando, County of Desoto, 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 \$73,422.95 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 WELLS FARGO BANK MINNESOTA NA, AS TRUSTEE FOR THE CERTIFICATEHOLDERS OF THE REPERFORMING LOAN REMIC TRUST CERTIFICATES SERIES 2003-R1 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 654, TWIN LAKES SUBDIVISION, SECTION D IN SECTION 6, TOWNSHIP 2 SOUTH, RANGE 8 WEST IN DESOTO COUNTY, MISSISSIPPI AS SHOWN ON PLAT OF RECORD IN PLAT BOOK 10, PAGES 32 AND 33, IN THE CHANCERY COURT CLERK'S OFFICE OF DESOTO COUNTY, MISSISSIPPI, TO WHICH PLAT REFERENCE IS MADE FOR A MORE PARTICULAR DESCRIPTION OF SAID PROPERTY.

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

WITNESS MY SIGNATURE, this, the 28<sup>th</sup> day of May, 2009.

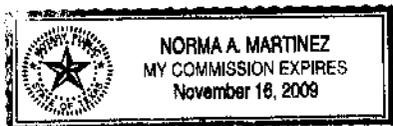


James L. DeLoach  
SUBSTITUTE TRUSTEE  
Butler & Hosch, P.A.  
13800 Montfort Drive, Suite 300  
Dallas, Texas 75240  
Telephone No.:(972) 233-2500

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 28<sup>th</sup> day of May, 2009



*Norma A. Martinez*  
Notary Public  
My Commission Expires: 11-16-09

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):

WELLS FARGO BANK MINNESOTA NA, AS TRUSTEE FOR THE CERTIFICATEHOLDERS OF  
THE REPERFORMING LOAN REMIC TRUST CERTIFICATES SERIES 2003-R1  
BAC Home Loans Servicing F/K/A Countrywide Home Loans Servicing, L.P.  
7105 Corporate Drive  
Plano, Tx 75024  
1-800-669-6607

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: KEVIN K. MCCORMICK  
B&H File Number: 244595  
Loan Type: FHA  
Property Address: 5550 Crestwood Drive, Walls, MS 38680 n/k/a 5550 Crestwood Drive, Horn Lake, MS 38637

**Affidavit of Mortgagee**

STATE OF TEXAS §  
COUNTY OF DALLAS §

BEFORE ME, the undersigned authority on this day personally appeared Khrystina Sparks, who after being duly sworn, deposed as follows:

- "1. I am an employee of Butler & Hosch, P.A., attorney for Countrywide Home Loans Servicing, L.P., as servicing agent for WELLS FARGO BANK MINNESOTA NA, AS TRUSTEE FOR THE CERTIFICATEHOLDERS OF THE REPERFORMING LOAN REMIC TRUST CERTIFICATES SERIES 2003-R1 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 May 1, 1998, recorded in Volume 998, Page 718, Real Property Records, Desoto County, Mississippi, executed by Kevin K. McCormick, an unmarried man, to James P. Gueno, Trustee, to secure payment of a Note to Countrywide Home Loans, Inc.
- 3. WELLS FARGO BANK MINNESOTA NA, AS TRUSTEE FOR THE CERTIFICATEHOLDERS OF THE REPERFORMING LOAN REMIC TRUST CERTIFICATES SERIES 2003-R1 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."

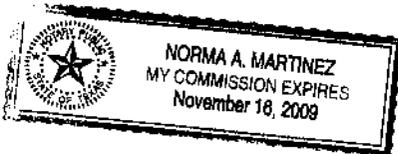
FURTHER AFFIANT SAYETH NAUGHT.

*[Handwritten Signature]*  
AFFIANT

STATE OF TEXAS §  
COUNTY OF DALLAS §

Sworn to and subscribed before me, the undersigned Notary Public, on this day personally appeared Khrystina Sparks, 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 28th day of May, 2009



*[Handwritten Signature]*  
Notary Public for the State of Texas  
NORMA A. MARTINEZ  
Printed Name of Notary Public  
My Commission Expires: 11-16-09

Current Borrower: Kevin K. McCormick  
 B&H File Number: 244595  
 Loan Type: FHA

Indexing Instructions: LOT 654, TWIN LAKES SUBDIVISION, SECTION D IN SECTION 6, TOWNSHIP 2 SOUTH, RANGE 8 WEST IN DESOTO COUNTY, MISSISSIPPI

**MEMORANDUM OF SALE**

The undersigned Substitute Trustee (hereinafter "Trustee") hereby appoints \_\_\_\_\_  
*John McAdams*  
 \_\_\_\_\_, 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 28<sup>th</sup> day of May, 2009

*James L. DeLoach*

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 998 PAGE 718  
DATE & TIME OF SALE: May 28, 2009, AT 11:55 (A.M.) P.M.  
AMOUNT OF HIGHEST BID: \$ 73,422.95  
CONVEY TO: Wells Fargo Bank  
  
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 28<sup>th</sup> day of May, 2009.

*Josh Marklar*  
AUCTIONEER  
Printed Name: Josh Marklar

*Shane Cotto*  
WITNESS  
Printed Name: Shane Cotto

\_\_\_\_\_  
HIGHEST BIDDER  
Printed Name: \_\_\_\_\_

\_\_\_\_\_  
WITNESS  
Printed Name: \_\_\_\_\_

# 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 Cou State and states on oath that she is the **CLERK** of the DeSoto Times-Tribune, a n published in the town of Hernando, State and County aforesaid, and having a gen tion in said county, and that the publication of the notice, a copy of which is hereto has been made in said paper 3 consecutive times, as follows, to-wit:

**SUBSTITUTE TRUSTEE'S NOTICE OF SALE**

WHEREAS, on May 1, 1998, Kevin K. McCormick, an unmarried man executed a deed of trust to James P. Gueno, Trustee for the benefit of Countrywide Home Loans, Inc., which deed of trust is recorded in Deed of Trust Book 936 at Page 718 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 WELLS FARGO BANK MINNESOTA NA, AS TRUSTEE FOR THE CERTIFICATEHOLDERS OF THE REPERFORMING LOAN REMIC TRUST CERTIFICATES SERIES 2003-R1, by instrument dated January 30, 2004, and recorded in Book 1924 at Page 489, re-recorded August 24, 2004 in Book 2065 at Page 97 of the records of the aforesaid Chancery Clerk; and

WHEREAS, the aforesaid, WELLS FARGO BANK MINNESOTA NA, AS TRUSTEE FOR THE CERTIFICATEHOLDERS OF THE REPERFORMING LOAN REMIC TRUST CERTIFICATES SERIES 2003-R1, 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 March 12, 2007 and recorded in the office of the aforesaid Chancery Clerk in Book 2681 at Page 23; 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, WELLS FARGO BANK MINNESOTA NA, AS TRUSTEE FOR THE CERTIFICATEHOLDERS OF THE REPERFORMING LOAN REMIC TRUST CERTIFICATES SERIES 2003-R1, having requested the undersigned Substitute Trustee to execute the trust and sell said land and property in compliance with the terms of said deed of trust and the note secured thereby, the undersigned Substitute Trustee, James L. DeLoach, has accepted the same and hereby, with attorney's fees, costs and charges, has caused the publication of this notice of sale in said paper.

- Volume No. 114 on the 7 day of May, 2009
- Volume No. 114 on the 14 day of May, 2009
- Volume No. 114 on the 21 day of May, 2009
- Volume No. \_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_, 2009
- Volume No. \_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_, 2009
- Volume No. \_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_, 2009

Diane Smith

Sworn to and subscribed before me, this 21 day of May, 2009

BY Judith H. Davage

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



A. Single first insertion of 496 words @ .12 \$ 59.52

B. 2 subsequent insertions of 992 words @ .10 \$ 99.20

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

TOTAL PUBLISHER'S FEE: \$ 161.72

NOW, THEREFORE, I, James L. DeLoach, Substitute Trustee in said deed of trust, will on May 29, 2009, 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 4:00 P.M.) at the East front door of the County Courthouse, in Hernando, at Desoto County, State of Mississippi, the following described property situated in the County of Desoto, State of Mississippi, to-wit:

LOT 954, TWIN LAKES SUBDIVISION, SECTION D IN SECTION 6, TOWNSHIP 2 SOUTH, RANGE 8 WEST IN DESOTO COUNTY, MISSISSIPPI AS SHOWN ON PLAT OF RECORD IN PLAT BOOK 10, PAGES 32 AND 33, IN THE CHANCERY COURT CLERK'S OFFICE OF DESOTO COUNTY, MISSISSIPPI, TO WHICH PLAT REFERENCE IS MADE FOR A MORE DETAILED DESCRIPTION OF SAID PROPERTY.

I WILL CONVEY only such title as is vested in me as Substitute Trustee.

WITNESS MY SIGNATURE, this the 30th day of April, 2009

James L. DeLoach  
Substitute Trustee  
6000 N. Beach, P.O.  
13800 Montfort Drive, Suite 300  
Dallas, Texas 75240

Telephone No. (972) 288-2500  
FAX No. (972) 288-2500  
May 21, 2009