

**Prepared by:**  
Benjamin Murphy, MSB #102496  
P.O. Box 127  
Hernando, MS 38632  
(662) 429-7088

**Return to:**  
✶ Benjamin Murphy  
P.O. Box 127  
Hernando, MS 38632  
(662) 429-7088

**SUBSTITUTE TRUSTEE'S DEED**

**Indexing Instructions:**

Lot 4 in Block 6 of the City of Olive Branch in Section 27, T 1 S, R 9 W, DeSoto County, MS.

**GRANTOR:**  
BENJAMIN MURPHY  
SUBSTITUTED TRUSTEE  
HENRY A. MCLEMORE  
P.O. BOX 127  
HERNANDO, MS 38632  
662-429-7088

**GRANTEE:**  
HENRY A. MCLEMORE  
6256 Shelby Drive  
Memphis, TN 38141  
901-795-1249

This indenture entered into on this, the 21<sup>st</sup> day of July, 2009, by and between Benjamin Murphy, as Trustee of the First Part, and Henry A. McLemore, as Grantee of the Second Part.

WHEREAS, on September 26, 2008, DAVID L. KELLY executed a certain deed of trust to COLMON MITCHELL, Trustee for the benefit of FIRST SECURITY BANK, which deed of trust is of record in the office of the Chancery Clerk of DeSoto County, State of Mississippi, in Book 2,952 at Page 347; and

WHEREAS, the aforesaid deed of trust was assigned to HENRY A. MCLEMORE by instrument dated May 26, 2009 and recorded in Book 3,039 at Page 17 of the records of the aforesaid Chancery Clerk; and

WHEREAS, Henry A. McLemore has heretofore substituted Benjamin Murphy as Trustee by instrument dated June 19, 2009 and recorded in the aforesaid Chancery Clerk's Office in Book 3,047 at Page 493; 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, Henry A. McLemore, the legal holder of said indebtedness, 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 and for the purpose of raising the sums thereunder, together with attorney's fees, trustee's fees and expense of sale.

WHEREAS, that in default of the payment of certain indebtedness due by David L. Kelly to Henry A. McLemore and secured by said deed of trust conveying the property hereinafter described, the undersigned as trustee aforesaid, in pursuance of the provisions of said Deed of Trust did, on the 269<sup>th</sup> day of June, 2009, proceed to advertise said property for sale as directed in said Deed of Trust by publishing notice of sale for three consecutive weeks preceding such sale, in *The DeSoto Times-Tribune*, a newspaper published in Hernando, Mississippi, such publications being on June 30, July 7, and July 14, 2009, proof of publication being attached hereto and marked Exhibit "A", and by posting notice of sale at the DeSoto County Courthouse in Hernando, Mississippi, and fixing the 21<sup>st</sup> day of July, 2009 for the time at the DeSoto County Courthouse, Hernando, Mississippi, for the place of making said sale, and thereupon on the 21<sup>st</sup> day of July, 2009, at the place aforesaid, within the legal hours, I, as Trustee aforesaid, did offer for sale for cash the following described real property embraced in said Deed of Trust, to wit:

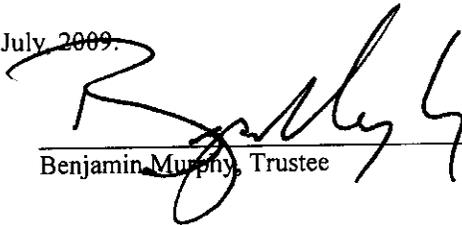
LOT 4 IN BLOCK 6 OF THE CITY OF OLIVE BRANCH, SITUATED IN SECTION 27, TOWNSHIP 1 SOUTH, RANGE 6 WEST, DESOTO COUNTY, MISSISSIPPI, AS SHOWN ON OFFICIAL MAP OF SAID TOWN, DATED OCTOBER 1937, PREPARED BY ST. GEORGE RICHARDSON, ON FILE IN THE CHANCERY CLERK'S OFFICE, DESOTO COUNTY, MISSISSIPPI, AND BEING THE SAME PROPERTY DESCRIBED OF RECORD IN DEED BOOK 168, AT PAGE 197, IN THE OFFICE OF THE CHANCERY CLERK OF DESOTO COUNTY, MISSISSIPPI, AND LYING IN THE SOUTHWEST ¼ OF SAID SECTION 27.

And thereupon Henry A. McLemore bid for the same the sum of One Hundred Twenty-five Thousand Dollars and 00/100 (\$125,000.00), which being the highest and last bid therefore the same was struck off to Henry A. McLemore who was declared the purchaser thereof.

Therefore, in consideration of premises and the payment of the sum of \$125,000.00, the receipt of which is hereby acknowledged, I hereby sell and convey to Henry A. McLemore said real property so sold as aforesaid.

**This sale is made by me as Trustee only and without warranty of any kind whatsoever.**

WITNESS MY SIGNATURE this, the 21<sup>st</sup> day of July, 2009.

  
Benjamin Murphy, Trustee

STATE OF MISSISSIPPI  
COUNTY OF DESOTO

This day personally appeared before me, the undersigned authority in and for the county and state aforesaid, Benjamin Murphy, who acknowledged that he signed and delivered the above and foregoing Substitute Trustee's Deed on the day and year therein mentioned as his own act and deed.

Given under my hand and seal this, the 21<sup>st</sup> day of July, 2009

  
Notary Public

My Commission Expires:

\_\_\_\_\_



# 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 here'to attached has been made in said paper 3 consecutive times, as follows, to-wit:

**SUBSTITUTED TRUSTEE'S NOTICE OF SALE**

WHEREAS, on September 28, 2008, DAVID L. KELLY executed a certain deed of trust to COLLEEN MITCHELL, Trustee for the benefit of FIRST SECURITY BANK, which deed of trust is of record in the office of the Chancery Clerk of DeSoto County, State of Mississippi, in Book 2,952 at Page 347; and

WHEREAS, the aforesaid deed of trust was assigned to HENRY A. MCLEMORE by instrument dated May 29, 2009 and recorded in Book 3,039 at Page 17 of the records of the aforesaid Chancery Clerk; and

WHEREAS, Henry A. McLamore has heretofore substituted Benjamin Murphy as Trustee by instrument dated June 19, 2009 and recorded in the aforesaid Chancery Clerk's Office in Book 3,047 at Page 493; 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, Henry A. McLamore, the legal holder of said indebtedness, 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 and for the purpose of raising the sums thereunder, together with attorney's fees, trustee's fees and expense of sale.

NOW, THEREFORE, I, Benjamin Murphy, Substituted Trustee in said deed of trust, will on July 21, 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 County Courthouse of DeSoto County, located at Hernando, Mississippi, to the highest and best bidder for cash the following described property situated in DeSoto County, State of Mississippi, to-wit:

- Volume No. 114 on the 30 day of June, 2009
- Volume No. 114 on the 7 day of July, 2009
- Volume No. 114 on the 14 day of July, 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 14 day of July, 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 427 words @ .12 \$ 51.24  
 B. 2 subsequent insertions of 854 words @ .10 \$ 85.40  
 C. Making proof of publication and depositing to same \$ 3.00  
 TOTAL PUBLISHER'S FEE: \$ 139.64

LOT 4 IN BLOCK 6 OF THE CITY OF OLIVE BRANCH, SITUATED IN SECTION 27, TOWNSHIP 1 SOUTH, RANGE 8 WEST, DESOTO COUNTY, MISSISSIPPI, AS SHOWN ON OFFICIAL MAP OF SAID TOWN, DATED OCTOBER 1937, PREPARED BY ST. GEORGE RICHARDSON, ON FILE IN THE CHANCERY CLERK'S OFFICE, DESOTO COUNTY, MISSISSIPPI, AND BEING THE SAME PROPERTY DESCRIBED OF RECORD IN DEED BOOK 168, AT PAGE 197, IN THE OFFICE OF THE CHANCERY CLERK OF DESOTO COUNTY, MISSISSIPPI, AND LYING IN THE SOUTHWEST 1/4 OF SAID SECTION 27.

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

WITNESS MY SIGNATURE on this, the 25th day of June, 2009.

/s/ Benjamin Murphy  
Benjamin Murphy  
Substituted Trustee  
Benjamin Murphy  
P.O. Box 127  
Hernando, MS 38632  
(662) 429-7088  
Publication Dates:  
June 30, July 7 & 14 2009