

This instrument prepared by and return to:  
Eric L. Sappenfield, PLLC, Attorney at Law  
MS Bar #6468  
6858 Swinnea Road  
#5 Rutland Place  
Southaven, MS 38671  
662-349-3436  
foreclosures/12884std

GRANTOR'S ADDRESS:  
6858 Swinnea Road  
5 Rutland Place  
Southaven, MS 38671

wk: 662-349-3436  
hm: n/a

GRANTEE'S ADDRESS  
6363 Poplar Avenue  
Suite 221  
Memphis, TN 38119

wk: 901-762-7577  
hm: *N/A*

INDEXING INSTRUCTIONS: NE 1/4 and SE 1/4 of Section 17, Township 3 South, Range 9 West,  
DeSoto County, Mississippi.

STATE OF MISSISSIPPI

COUNTY OF DESOTO

**SUBSTITUTED TRUSTEE'S DEED**

WHEREAS, on January 10, 2005, WHITE DEVELOPMENT CORPORATION, executed a  
certain Deed of Trust to J. PATRICK CALDWELL, TRUSTEE for the benefit of BANCORPSOUTH  
BANK, which Deed of Trust is recorded in the Office of the Chancery Clerk of DeSoto County,  
Mississippi in Book 2142, Page 698; and

WHEREAS, BANCORPSOUTH BANK having substituted ERIC L. SAPPENFIELD as Trustee in place and lieu of J. PATRICK CALDWELL, by instrument dated October 1, 2009, and recorded in the Chancery Clerk of DeSoto County, Mississippi, in Book 3087, Page 291; 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, BANCORPSOUTH BANK, 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 due thereunder, together with attorney's fees, trustee's fees and expense of sale.

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 published and generally circulated in DeSoto County, Mississippi, for four consecutive weeks preceding the date of the sale. The first notice publication appeared October 27, 2009 and subsequent notices appeared on November 3, 2009, November 10, 2009, and November 17, 2009. Proof of publication is attached hereto and incorporated herein by reference as Exhibit "A".

WHEREAS, on November 18, 2009, at the East Door of the County Courthouse of DeSoto County, Hernando, Mississippi, commencing at 11:00 A.M., I the undersigned Substituted Trustee did offer for sale and sell said property for cash to the highest bidder the following described property, lying and being situated in DeSoto County, Mississippi, to wit:

TRACT I

68.53 acres (2,985,052 sf) in the NE 1/4 & SE 1/4 of Section 17, Township 3 South, Range 9 West in DeSoto County, Mississippi. Said property being a portion of that property recorded in Deed Book 425, Page 649 in the Office of the Chancery Clerk, DeSoto County, Mississippi. Said property lies North of Mississippi Highway 304 and is described as follows:

Commencing at the locally accepted Northeast corner of Section 17, Township 3 South, Range 9 West in DeSoto County, Mississippi. Said point being a 3/4" steel pipe with a 2 1/2" by 2 1/2" angle iron marker. Thence N 88°29'52"W - 736.89' along the North line of said Section 17 and along a meandering fence line to a 1/2" rebar with a tee post marker, said point being the Northeast corner of said 68.53 acre tract, and said point being the Point of Beginning. Thence N 87°08'59" W -

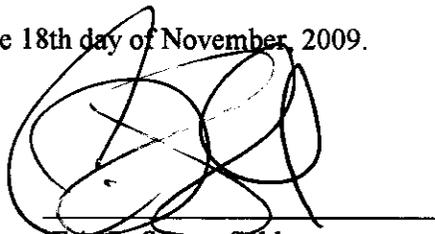
907.94' along the North line of said Section 17 and along a meandering fence line to a 3/4" steel pipe with a tee post marker. Thence S 00°20'00" W - 2542.11' to a 3/8" rebar with a tee post marker on the North Right of Way line of Mississippi Highway 304, said line being 50.00' from the centerline of said highway. Thence proceed along said line for the following calls: N 78°03'32" E - 121.29', N 74°53'29" E - 159.85', N 72°05'56" E - 146.57', N 69°33'36" E - 114.61', N 65°31'25" E - 322.25', N 62°55'02" E - 190.12', N 59°32'21" E - 132.15', N 54°52'32" E - 119.70', N 50°19'17" E - 77.27', N 46°39'30" E - 89.60', N 43°04'32" E - 85.51', N 45°41'23" E - 75.97', and N 33°44'18" E - 92.93' to a concrete right of way marker. Thence N 56°15'42" W - 10.00' to a concrete right of way marker, said point being 60.00 feet from the centerline of Highway 304. Thence proceed along said North Right of Way line for the following calls: N 31°12'00" E - 45.19', N 30°54'17" E - 73.77', N 27°48'39" E - 96.75', N 24°47'12" E - 24.92', S 65°12'48" E - 10.00', and N 24°47'12" E - 138.50' to a 1/2" rebar with a tee post marker. Thence N 00°21'28" W - 599.68' to a 1/2" rebar with a tee post marker at a fence line. Thence N 89°42'31" W - 737.17' along a meandering, partial fence line to a 1/2" rebar with a tee post marker. Thence N 00°16'23" E - 744.85' along a meandering, partial fence line to the Point of Beginning.

The undersigned Substituted Trustee offered said property for sale at public outcry as set forth above and there appeared BANCORPSOUTH BANK, who bid the amount of \$308,000.00, and this being the highest and best bid, said BANCORPSOUTH BANK, was declared the successful bidder and the same was then and there struck off to said BANCORPSOUTH BANK.

NOW THEREFORE, in consideration of the premises and in consideration of the price and sum of \$308,000.00, cash in hand paid, receipt of which is hereby acknowledged, I, the undersigned Substituted Trustee, do hereby sell and convey unto BANCORPSOUTH BANK, the land and property above described, together with all improvements thereon.

Title to this property is believed to be good, but I will convey only such title as is vested in me as Substituted Trustee.

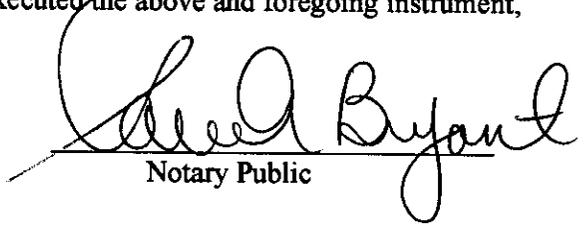
WITNESS MY SIGNATURE this the 18th day of November, 2009.



Eric L. Sappenfield  
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 18th day of November, 2009, within my jurisdiction, the within named ERIC L. SAPPENFIELD, who acknowledged that he is Substituted Trustee of BANCORPSOUTH BANK, and that in said representative capacity he executed the above and foregoing instrument, after first having been duly authorized so to do.

  
Notary Public

My Commission Expires:

06-21-2011



## 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 heretc has been made in said paper 4 consecutive times, as follows, to-wit:

**SUBSTITUTED TRUSTEE'S NOTICE OF SALE**

WHEREAS, on January 10, 2005, WHITE DEVELOPMENT CORPORATION, executed a certain Deed of Trust to J. PATRICK CALDWELL, TRUSTEE for the benefit of BANCORP-SOUTH BANK, which Deed of Trust is of record in the Office of the Chancery Clerk of DeSoto County, Mississippi, in Book 2142, Page 698.

WHEREAS, BANCORP-SOUTH BANK has heretofore substituted ERIC L. SAPPENFIELD as Trustee in place and lieu of J. PATRICK CALDWELL by instrument dated October 1, 2009, and recorded in the Office of the Chancery Clerk of DeSoto County, Mississippi in Book 3087, Page 291; 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, BANCORP-SOUTH BANK, 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 due thereunder, together with attorney's fees, trustee's fees and expenses of sale.

NOW, THEREFORE, I, ERIC L. SAPPENFIELD, SUBSTITUTED TRUSTEE, under the provisions of and by virtue of the authority conferred upon me in the same Deed of Trust, will on the 18th day of November, 2009, sell during the legal hours between 11:00 A.M. and 4:00 P.M., at the East Door of the County Courthouse of DeSoto County in Hernando, Mississippi, offer for sale and sell said property for cash to the highest bidder, the following described property lying and being situated in DeSoto County, Mississippi:

- Volume No. 114 on the 27 day of Oct., 2009
- Volume No. 114 on the 3 day of Nov., 2009
- Volume No. 114 on the 10 day of Nov., 2009
- Volume No. 114 on the 17 day of Nov., 2009
- Volume No. \_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_, 2009
- Volume No. \_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_, 2009

*Diane Smith*

Sworn to and subscribed before me, this 17 day of Nov., 2009

BY *Judy Penegas*

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

A. Single first insertion of 773 words @ .12 \$ 92.76

B. 3 subsequent insertions of 2319 words @ .10 \$ 231.90

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

TOTAL PUBLISHER'S FEE: \$ 327.66

TRACT I  
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The undersigned Substituted Trustee will convey only such title as is vested in him by virtue of the above described Deed of Trust.

WITNESS MY SIGNATURE this 21st day of October, 2009.

/s/ Eric L. Sappenfield  
Eric L. Sappenfield (MS Bar No. 6488)  
Substituted Trustee  
6858 Swinnea Road  
5 Rutland Place  
Southaven, MS 38671  
662-349-3436  
Publication Dates:  
October 27, 2009  
November 3, 2009  
November 10, 2009  
November 17, 2009