

Prepared by:  
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Monroe, LA, 71201  
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Emily Kaye Courteau Bar# 100570

*Davey*  
Return To:  
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GRANTOR:  
Emily Kaye Courteau  
2309 Oliver Road  
Monroe LA 71201  
318-330-9020 *NA*

GRANTEE:  
US Bank National Association as Trustee for RASC 2005EMX5  
3476 Stateview Blvd  
Fort Mill, SC 29715  
800-662-3806 *NA*

**Substitute Trustee's Deed  
Indexing Instructions**

SE 1/4 of Sec 29, T2S, R8W, DeSoto County, MS.

**To correct and replace in Book 623 at Page 412 to reflect correct vesting name**

STATE OF MISSISSIPPI  
COUNTY OF DeSoto

WHEREAS, on the 29th day of August, 2005 and acknowledged on the 29th day of August, 2005, Nina J Booth Gordon W. Booth, executed and delivered a certain Deed of Trust unto Mitchell L. Heffernan, Trustee for Mortgage Electronic Registration Systems, Inc., Beneficiary, to secure an indebtedness therein described, which Deed of Trust is recorded in the office of the Chancery Clerk of DeSoto County, Mississippi in Book 2313 at Page 216; and

WHEREAS, on the 14th day of July, 2009, Mortgage Electronic Registration Systems, Inc., assigned said Deed of Trust unto US Bank National Association, by instrument recorded in the office of the aforesaid Chancery Clerk in DK T Book 3084 at Page 796; and

WHEREAS, on the 14th day of July, 2009 the Holder of said Deed of Trust substituted and appointed Emily Kaye Courteau, as Trustee in said Deed of Trust, by instrument recorded in the office of the aforesaid Chancery Clerk in DK T Book 3084 at Page 798; and

WHEREAS, default having been made in the payments of the indebtedness secured by the said Deed of Trust, and the holder of said Deed of Trust, having requested the sale for the purpose of paying said indebtedness or as much thereof as said brings; and

WHEREAS, I, Emily Kaye Courteau, Substitute Trustee advertised the sale of the following described real property by Substitute Trustee's Notice of Sale, dated October 14, 2009 by posting same at the bulletin board on the first floor in the middle of the building between the front and back door of the courthouse in DeSoto County and by publishing said Notice in DeSoto Times-Tribune for three (3) consecutive weeks, proof of publication being attached hereto as Exhibit "A" and incorporated herein by reference, which notice stated that the sale would be held on the 8th day of December, 2009, between the legal hours of 11 o'clock a.m. and 4 o'clock p.m., at public outcry, to the highest bidder for cash at the East front door at Courthouse located at 2535 Hwy. 51 South of the DeSoto County Courthouse at Hernando, Mississippi; and

WHEREAS, I, Emily Kaye Courteau, Substitute Trustee, did on the 8th day of December, 2009, within legal hours, offer for sale and did sell, to the highest bidder for cash at the East front door at Courthouse located at 2535 Hwy. 51 South of the DeSoto County Courthouse at Hernando, Mississippi the following described real property, to-wit:

A 2.35 acre lot in part of the Southeast quarter of Section 29, Township 2 South, Range 8 west, Desoto County, Mississippi. Beginning at the Northwest Corner of the Northeast Quarter of the Southeast Quarter of Section 29, Township 2 South, Range 8 West, thence South 2659.57 feet along the West line of the Gartrell Tract to a point in the centerline of Dean Road; thence East 200 feet along the centerline of said road to the point of beginning of the following lot; thence North 2 degrees 06 minutes West 516.42 feet to a point, said point being 200 feet East of the West line of the Gartrell Tract; thence South 89 degrees 16 minutes East 200.00 feet along the South line of an existing 6.18 acre lot to a point; thence South 2 degrees, 07 minutes East 506.47 feet to a point in Dean Road; thence

F09-1909

South 87 degrees 18 minutes West 200.00 feet to the point of beginning and containing 2.35 acres or more or less. All bearings are magnetic:

Being the same property conveyed to Leonard Whiteaker and wife, Vicki Whiteaker in Instrument 365-659, Register's Office for Desoto County, Mississippi.

WHEREAS, at said sale US Bank National Association was the highest bidder and best bidder, therefore, for the sum of \$85,000.00 and the same was then and there struck off to US Bank National Association and it was declared the purchaser thereof; and

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

WHEREAS, US Bank National Association, has requested transfer and assignment of its bid to US Bank National Association as Trustee for RASC 2005EMX5 and has authorized the undersigned to convey the property described above to US Bank National Association as Trustee for RASC 2005EMX5 and the undersigned, by execution of this instrument, does hereby transfer and assign all right, title, and interest of US Bank National Association, as the highest and best bidder to US Bank National Association as Trustee for RASC 2005EMX5, pursuant to authority granted to the undersigned in the aforementioned Substitution of Trustee.

NOW THEREFORE, in consideration of the full payment of the purchase price, I, the undersigned Substitute Trustee, do hereby sell and convey unto US Bank National Association as Trustee for RASC 2005EMX5 the land and property herein described.

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

slh/F09-1909

WITNESS MY SIGNATURE, this the 27th day of January, 2010.

Emily Kaye Courteau, Substitute Trustee

STATE OF LOUISIANA

PARISH OF OUACHITA

PERSONALLY CAME AND APPEARED BEFORE ME, the undersigned authority in and for the aforesaid jurisdiction, on this, the 27th day of January, 2010, the within named Emily Kaye Courteau, Substitute Trustee, who acknowledged that (s)he executed the above and foregoing instrument of writing, after (s)he having been duly authorized so to do as Substitute Trustee.

Mananne Guillory  
Notary No. 56413  
Notary Public, Ouachita Parish, LA  
My Commission is for Life

AT DEATH  
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 hereto has been made in said paper 3 consecutive times, as follows, to-wit:

Subscribed Trustee's Office of  
State of Mississippi  
COUNTY OF DESOTO

WHEREAS, on the 26th day of August, 2005 and acknowledged on the 28th day of August, 2005, Nina J Booth Gordon W. Booth, executed and delivered a certain Deed of Trust unto Mitchell L. Heffernan, Trustee for Mortgage Electronic Registration Systems, Inc., Beneficiary, to secure an indebtedness therein described, which Deed of Trust is recorded in the office of the Chancery Clerk of DeSoto County, Mississippi in Book 2313 at Page 216; and

WHEREAS, on the 14th day of July, 2009, Mortgage Electronic Registration Systems, Inc., assigned said Deed of Trust unto US Bank National Association, by instrument recorded in the office of the aforesaid Chancery Clerk in DK T Book 3084 at Page 798; and

WHEREAS, on the 14th day of July, 2009, the Holder of said Deed of Trust substituted and appointed Emily Kaye Courtois as Trustee in said Deed of Trust, by instrument recorded in the office of the aforesaid Chancery Clerk in DK T Book 3084 at Page 798; and

WHEREAS, default having been made in the payments of the indebtedness secured by the said Deed of Trust, and the holder of said Deed of Trust, having requested the undersigned to do, on the 6th day of December, 2009, I will during the lawful hours of between 11:00 a.m. and 4:00 p.m., at public outcry, offer for sale and will sell, at the East front door at Courthouse located at 2535 Hwy. 51 South of the DeSoto County Courthouse at Hernando, Mississippi, for cash to the highest bidder, the following described land and property situated in DeSoto County, Mississippi, to-wit:

A 2.35 acre lot in part of the Southeast quarter of Section 28, Township 2 South, Range 6 West, Eastern Chancery Meridian, beginning at the Northwest Corner of the Northwest Quarter of the Southeast Quarter of Section 28, Township 2 South, Range 6 West, thence South 2092.57 feet along the West line of the Gartrell Tracto a

- Volume No. 114 on the 17 day of Nov., 2009
- Volume No. 114 on the 24 day of Nov., 2009
- Volume No. 114 on the 1 day of Dec., 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 1 day of Dec., 2009

BY *Judith Rouffar*

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



A. Single first insertion of 506 words @ .12 \$ 60.72  
 B. 2 subsequent insertions of 1012 words @ .10 \$ 101.20  
 C. Making proof of publication and depositing to same \$ 3.00  
 TOTAL PUBLISHER'S FEE: \$ 164.92

point is the centering of Deed Book; thence East 200 feet along the West line of said tract to the point of beginning of the Gartrell tract; thence North 89 degrees 06 minutes West 618.42 feet to a point, said point being 200 feet East of the West line of the Gartrell Tract; thence South 89 degrees 18 minutes East 200.00 feet along the South line of an existing 6.18 acre lot to a point; thence South 2 degrees, 07 minutes East 506.47 feet to a point in Deed Road; thence South 87 degrees 18 minutes West 200.00 feet to the point of beginning and containing 2.35 acres or more or less. All bearings are magnetic.

Being the same property conveyed to Leonard Whitesaker and wife, Vicki Whitesaker in Instrument 365-659, Register's Office for DeSoto County, Mississippi.

I will only accept such title as is vested in the said Subscribed Trustee

Witness my hand and seal this 1st day of Dec. 2009

Judith Rouffar  
Notary Public  
2509 Oliver Road  
Monroe, LA 71201  
(318) 330-9020  
slv/P09-1909  
PUBLISH: 11-17-09/ 11-24-09/ 12-1-09