

Prepared by:

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STATE OF MISSISSIPPI

COUNTY OF DESOTO

SUBSTITUTED TRUSTEE'S DEED

GRANTOR:

Marc K. McKay,
Substituted Trustee
Post Office Box 2488
Ridgeland, Mississippi 39158-2488
(601) 572-8778

GRANTEE:

Regions Bank,
an Alabama Banking Corporation
1900 5th Avenue North, 26th Floor
Birmingham, Alabama 35203
(205) 264-4565

INDEXING INSTRUCTIONS: Tract 5A, Containing 4.80 acres in NW 1/4 of NW 1/4 of Section 17, Township 2 S, Range 5 W, Desoto Co., MS

WHEREAS, on February 10, 1999, Billy J. Gatewood and wife, Barbara Gatewood, executed a Deed of Trust to Bill R. McLaughlin and Annie B. Davenport, Co-Trustees for the benefit of Union Planters Bank, N. A., as recorded in the office of the Chancery Clerk of Desoto County, Mississippi, in Book 1258 at Page 0057, reference to which is hereby made; and,

WHEREAS, Union Planters Bank, NA, merged with and into Regions Bank, and Regions Bank succeeded to all rights and interest of Union Planters Bank, NA in the subject Deed of Trust; and,

WHEREAS, said Regions Bank, under the power granted to it in said Deed of Trust, by instrument dated April 30, 2009, duly spread upon the record and recorded in Book 3032 at Page 578, in the office of the Chancery Clerk aforesaid, did substitute the undersigned Marc K. McKay in the place and stead of the original Trustee and of any other Substituted Trustee;

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, Regions Bank, 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 for the purpose of raising the sums due thereunder, together with attorneys' fees, Substituted Trustee's fees and expenses of sale; and,

WHEREAS, I did advertise the hereafter described property for sale in the *DeSoto Times-Tribune* on March 11, 2010, March 18, 2010, March 25, 2010, and April 1, 2010; and,

WHEREAS, the Substituted Trustee's Notice of Sale, in accordance with the hereinbefore mentioned Deed of Trust, provided that said property would be sold between the legal hours of 11:00 a.m. and 4:00 p.m., at the DeSoto County Courthouse at Hernando, State of Mississippi; and,

WHEREAS, the undersigned Substituted Trustee, after posting and publication of Notice

of Sale as required by the terms of the Deed of Trust and the laws of the State of Mississippi within the legal hours (being between the hours of 11:00 a.m. and 4:00 p.m.) on the 7th day of April, 2010, at public outcry, offered the hereinafter described property for sale at the East Front Door of the DeSoto County Courthouse at Hernando, Mississippi; and,

WHEREAS, everything necessary to be done was done to make and effect a good and lawful sale; and,

WHEREAS, at such sale Regions Bank bid the sum of \$81,893.00; and,

WHEREAS, said bid by Regions Bank was the highest and best bid; and,

WHEREAS, the within described property was there and then struck off to Regions Bank and it was declared the purchaser thereof; and,

NOW, THEREFORE, I,

Marc K. McKay,
Substituted Trustee
Post Office Box 2488
Ridgeland, Mississippi 39158-2488
(601) 572-8778

in consideration of the full payment of the sum of \$81,893.00 do hereby sell and convey to

Regions Bank,
an Alabama Banking Corporation
1900 5th Avenue North, 26th Floor
Birmingham, Alabama 35203
(205) 264-4565

the following described property located and situated in DeSoto County, Mississippi, to-wit:

INDEXING INSTRUCTIONS: Tract 5A Containing 4.80 acres in NW 1/4 of NW 1/4 of Section 17, Township 2 S, Range 5 W, Desoto Co., MS

LEGAL DESCRIPTION: Description of Tract 5A Containing 4.80 acres in part of the Northwest Quarter of Section 17; Township 2 South; Range 5 West; Desoto County, Mississippi.

Beginning at the southeast corner of the Northwest Quarter of the Northwest Quarter

of Section 17, Township 2 South, Range 5 West, thence West 1065.0 feet along an existing fence line to the Southwest corner of Tract 6B and the point of beginning of the following lot: thence North 3° 15' East 956.48 feet along the west line of said Tract 6B to a point in the center line of Center Hill Road; thence North 85° 42' West 220.0 feet along said centerline to the northwest corner of the original Tract 5 parcel; thence South 2° 57' West 966.97 feet to the southwest corner of said original Tract 5; thence South 88° 28' East 215.0 feet to a point of beginning and containing 4.80 acres more or less, including a 40 foot right of way for said road. All bearings are magnetic.

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

WITNESS MY SIGNATURE, this the 7th day of April, 2010.



Marc K. McKay, Substituted Trustee

STATE OF MISSISSIPPI:

COUNTY OF MADISON:

PERSONALLY CAME AND APPEARED BEFORE ME, the undersigned authority, in and for the aforesaid county and state, on this the 7th day of April, 2010, within my jurisdiction, the within named Marc K. McKay, Substituted Trustee, who acknowledged to me that he executed the above and foregoing Substituted Trustee's Deed on the year and date therein mentioned.

GIVEN UNDER MY HAND AND OFFICIAL SEAL OF OFFICE.

MY COMMISSION EXPIRES





NOTARY PUBLIC

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:

SUBSTITUTED TRUSTEE'S NOTICE OF SALE

WHEREAS, on February 10, 1999, Billy J. Gatewood and wife, Barbara Gatewood, executed a Deed of Trust to Bill R. McLaughlin and Annie B. Davenport, Co-Trustees for the benefit of Union Planters Bank, N.A., as recorded in the office of the Chancery Clerk of Desoto County, Mississippi, in Book 1258 at Page 0057, reference to which is hereby made; and,

WHEREAS, Union Planters Bank, NA, merged with and into Regions Bank, and Regions Bank succeeded to all rights and interest of Union Planters Bank, NA in the subject Deed of Trust; and,

WHEREAS, said Regions Bank, under the power granted to it in said Deed of Trust, by instrument dated April 30, 2009, duly spread upon the record and recorded in Book 3032 at Page 578, in the office of the Chancery Clerk aforesaid, did substitute the undersigned Marc K. McKay in the place and stead of the original Trustee and of any other Substituted Trustee;

WHEREAS, default having been made by said Billy J. Gatewood and wife, Barbara Gatewood in the payment of the above mentioned indebtedness as it fell due, and payment having been requested by Regions Bank, the legal holder of the indebtedness secured by and described in the above mentioned Deed of Trust;

WHEREAS, the undersigned was called upon to execute the Trust therein contained, the owner of the indebtedness secured by said Deed of Trust having declared it due and payable, and to sell said property under the provisions of said Deed of Trust for the purpose of raising said sum so secured and unpaid, together with the expenses of selling same, including Trustee's and attorneys fees;

NOW, THEREFORE, I, the undersigned Marc K. McKay being the Substituted Trustee, do hereby give notice that on April 7, 2010, between 11:00 o'clock a.m. and 4:00 o'clock p.m., being the legal hours of sale, I will

proceed to sell at public outcry to the highest bidder for cash, at the East Front Door of the DeSoto County Courthouse in Hernando, State of Mississippi, the following real property described and conveyed in said Deed of Trust, lying and being situated in DeSoto County, Mississippi, and being more particularly described as follows, to-wit:

Description of Tract 5A Containing 4.80 acres in part of the Northwest Quarter of Section 17; Township 2 South; Range 5 West; DeSoto County, Mississippi.

Beginning at the southeast corner of the Northwest Quarter of Section 17, Township 2 South, Range 5 West, thence West 1065.0 feet along an existing fence line to the Southwest corner of Tract 6B and the point of beginning of the following lot: thence North 3° 15' East 956.48 feet along the west line of said Tract 6B to a point in the center line of Center Hill Road; thence North 85° 42' West 220.0 feet along said centerline to the northwest corner of the original Tract 5 parcel; thence South 2° 57' West 906.97 feet to the southwest corner of said original Tract 5; thence South 89° 28' East 215.0 feet to a point of beginning and containing 4.80 acres more or less, including a 40 foot right of way for said road. All bearings are magnetic.

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

WITNESS MY SIGNATURE, this the 4th day of March, 2010.

/s/Marc K. McKay
MARC K. MCKAY
SUBSTITUTED TRUSTEE
Marc K. McKay
MCKAY LAWLER FRANKLIN & FOREMAN, PLLC
Attorneys at Law
Post Office Box 2488
Ridgeland, Mississippi 39158-2488
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POSTED THIS March 5, 2010
PUBLISHED: March 11, 2010, March 18, 2010, March 25, 2010, and April 1, 2010

- Volume No. 115 on the 11 day of Mar., 2010
- Volume No. 115 on the 18 day of Mar., 2010
- Volume No. 115 on the 25 day of Mar., 2010
- Volume No. 115 on the 1 day of April, 2010
- Volume No. _____ on the _____ day of _____, 2010
- Volume No. _____ on the _____ day of _____, 2010

Diane Smith

Sworn to and subscribed before me, this 1 day of April, 2010.
BY Judith 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 609 words @ .12 \$ 73.08
 B. 3 subsequent insertions of 1827 words @ .10 \$ 182.70
 C. Making proof of publication and depositing to same \$ 3.00
 TOTAL PUBLISHER'S FEE: \$ 258.78

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