

Prepared by: Shapiro & Massey, L.L.P. J. Gary Massey, MSB No. 1920 1910 Lakeland Drive, Suite B Jackson, MS 39216 (601)981-9299 S&M No. 10-000894	Return to: Shapiro & Massey, L.L.P. 1910 Lakeland Drive, Suite B Jackson, MS 39216 (601)981-9299 Loan No. XXX0070
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<b>GRANTOR</b>	<b>GRANTEE</b>
J. Gary Massey Shapiro & Massey, LLP 1910 Lakeland Drive, Suite B Jackson, MS 39216 (601) 981-9299	Federal National Mortgage Association (FNMA) 14523 SW Millikan Way Suite 200 Beaverton, Oregon 97005 866-570-5277

**SUBSTITUTED TRUSTEES DEED**

INDEX: Lot 79, 2nd Add., Fox Hunt S/D, Sec. 26, T-1-S, R-6-W, DeSoto Co/MS  
 PB 57 P 32

WHEREAS, on December 16, 2004, Diana Burkhead, and Michael Barnette, executed a Deed of Trust to Jerry Baker, Trustee for the benefit of Mortgage Electronic Registration Systems, Inc., which Deed of Trust is filed for record in Book 2,143 at Page 265 in the office of the Chancery Clerk of DeSoto County at Hernando, Mississippi; and

WHEREAS, said Deed of Trust was subsequently assigned to Federal National Mortgage Association, by instrument dated July 29, 2010 and recorded in Book 3,197 at Page 346 of the aforesaid Chancery Clerk's office; and

WHEREAS, as authorized by the aforesaid Deed of Trust and in strict accordance therewith, Federal National Mortgage Association (FNMA), substituted J. Gary Massey as Trustee therein in the place and stead of the trustee named in said Deed of Trust or subsequently substituted therein by Substitution of Trustee dated August 6, 2010, and duly filed for record in the office of the aforesaid Chancery Clerk in Book 3,198 at Page 739 prior to the first publication and posting of the notice of sale; and

WHEREAS, default having been made in the terms and conditions of said Deed of Trust, which default continued for a period of time necessary for the holder thereof to declare the entire indebtedness, together with attorney's fees, expenses and costs, immediately due and payable, as was its option to do under the terms of said Deed of Trust, and default having been made in payment of said amount and the

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Substituted Trustee having been requested and directed by Federal National Mortgage Association (FNMA) to foreclose under the terms of said Deed of Trust, I did on September 23, 2010, during 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, in accordance with the terms of the Deed of Trust and the laws of the State of Mississippi, offer for sale at public auction and sell to the highest and best bidder for cash the following described land and property lying and being situated in DeSoto County, Mississippi, being more particularly described as follows, to wit:

(See Exhibit A)

Said property was sold after strictly complying with all the terms and conditions of said Deed of Trust and the statutes made and provided in such cases. A notice of time, place and terms of said sale, together with a description of the property to be sold, was given by publication in THE DESOTO TIMES-TRIBUNE, a newspaper published in DeSoto County, Mississippi for three consecutive weeks preceding the date of sale. The notices were published on September 2, 9, and 16, 2010, (a certified copy of which is attached hereto,) and a notice identical to the published notice was posted on the bulletin board at the East Front Door of the County Courthouse of DeSoto County, Hernando, Mississippi for said period of three consecutive weeks. Everything necessary to be done was done to make and effect a good and lawful sale.

At said Sale, Federal National Mortgage Association, bid for said property in the amount of \$124,480.36, which being the highest and best bid, the same was then and there struck off to Federal National Mortgage Association and it was declared the purchaser thereof.

NOW THEREFORE, in consideration of the full payment of the purchase price, I, the undersigned Substituted Trustee, do hereby sell and convey unto Federal National Mortgage Association the land and property herein described. I convey only such title as is vested in me as Substituted Trustee.

WITNESS MY SIGNATURE, on September 23, 2010.

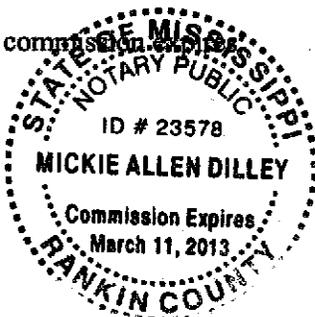
J. Gary Massey, Substituted Trustee

STATE OF MISSISSIPPI  
COUNTY OF HINDS

Personally appeared before me, the undersigned authority in and for said county and state, on this the Twenty-Third day of September, 2010, the within named J. Gary Massey, Substituted Trustee, duly identified before me, who acknowledged that in said representative capacity he executed the above and foregoing instrument, after having first been duly authorized to do so.

Notary Public

My commission expires



**(Exhibit A)**

**Lot 79 of Second Addition, Fox Hunt Subdivision, Section 26, Township 1 South, Range 6 West, according to the Plat thereof as recorded in Plat Book 57, Page 32, of the Office of the Chancery Clerk of DeSoto County, Mississippi**

# 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 3 consecutive times, as follows, to-wit:

**SUBSTITUTED TRUSTEE'S NOTICE OF SALE**

WHEREAS, on December 16, 2004, Diana Burkhead, and Michael Barnette executed a certain deed of trust to Jerry Baker, Trustee for the benefit of Mortgage Electronic Registration Systems, Inc., which deed of trust is of record in the office of the Chancery Clerk of DeSoto County, State of Mississippi in Book 2,143 at Page 265; and

WHEREAS, said Deed of Trust was subsequently assigned to Federal National Mortgage Association, by instrument dated July 29, 2010 and recorded in Book 3,197 at Page 346 of the aforesaid Chancery Clerk's office; and

WHEREAS, Federal National Mortgage Association (FNMA), has heretofore substituted J. Gary Massey as Trustee by instrument dated August 6, 2010 and recorded in the aforesaid Chancery Clerk's Office in Book 3,198 at Page 739; 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, Federal National Mortgage Association (FNMA), 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.

NOW, THEREFORE, I, J. Gary Massey, Substituted Trustee in said deed of trust, will on September 23, 2010 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. 115 on the 2 day of Sept., 2010
- Volume No. 115 on the 9 day of Sept., 2010
- Volume No. 115 on the 16 day of Sept., 2010
- Volume No. \_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_, 2010
- Volume No. \_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_, 2010
- Volume No. \_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_, 2010

*Diane Smith*

Lot 79 of Second Addition, Fox Hunt, Subdivision, Section 28, Township 1 South, Range 6 West, according to the Plat thereof as recorded in Plat Book 57, Page 32, of the Office of the Chancery Clerk of DeSoto County, Mississippi

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

WITNESS MY SIGNATURE on this 24th day of August, 2010:

J. Gary Massey  
SUBSTITUTED TRUSTEE  
Shapiro & Massey, L.L.P.  
1910 Lakeland Drive  
Suite B  
Jackson, MS 39216  
(601)981-8299  
7870 Richmond Cove  
Olive Branch, MS 38654  
10-000894LB  
Publication Dates:  
September 2, 9, and 16, 2010

Sworn to and subscribed before me, this 16 day of Sept., 2010.

BY *Juan P. Massey*

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



- A. Single first insertion of 398 words @ .02 \$ 47.76
  - B. 2 subsequent insertions of 796 words @ .02 \$ 79.60
  - C. Making proof of publication and depositing to same \$ 3.00
- TOTAL PUBLISHER'S FEE: \$ 130.36