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DESOTO COUNTY, MS
W.E. DAVIS, CH CLERK

Prepared By:
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Return To:
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Substituted Trustee's Deed

Grantor:
John C. Underwood, Jr.
340 Edgewood Terrace Drive
Jackson, Mississippi 39206
(601) 981-7773

Grantee:
The Bank of New York Mellon Trust*
101 Barclay Street
New York, New York 10286
800-205-7699

*Company, National Association fka The
Bank of New York Trust Company, N.A. as
successor to JPMorgan Chase Bank N.A. as
Trustee.

INDEXING INSTRUCTIONS AND/OR LEGAL DESCRIPTION:

Lot 53, Final Plat of Section A, The Highlands at North Creek Subdivision in Section 17,
Township 1 South, Range 8 West, DeSoto County, Mississippi, as per plat of record in Plat Book
58, Pages 14-15, in the Chancery Clerk's Office of DeSoto County, Mississippi.

SUBSTITUTED TRUSTEE'S DEED

WHEREAS, on May 23, 2006, John Railey and wife Chaunnah Railey, executed a deed of trust to Thomas F. Veters, Trustee for the benefit of "MERS" Mortgage Electronic Registration Systems, Inc. which deed of trust is recorded in Deed of Trust Book 2482 at Page 647 in the office of the Chancery Clerk of the County of DeSoto, State of Mississippi; and

WHEREAS, the aforesaid, "MERS" Mortgage Electronic Registration Systems, Inc., the holder of said deed of trust and the note secured thereby, substituted John C. Underwood, Jr., as Trustee therein, as authorized by the terms thereof, by instrument dated September 16, 2010, and recorded in the office of the aforesaid Chancery Clerk in Book 3,218 at Page 795; 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, and the legal holder of said indebtedness, "MERS" Mortgage Electronic Registration Systems, Inc., 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 attorney's fees, Substituted Trustee's fees and expense of sale;

WHEREAS, the undersigned Substituted Trustee, after posting and publication of the Notice of Sale as required by the terms of said deed of trust and the laws of the State of Mississippi, within legal hours (being between the hours of 11:00 A.M. and 4:00 P.M.), on the 1st day of December, 2010 at public outcry offered the hereinafter described property for sale at the Main Front door of the County Courthouse at Hernando, County of DeSoto, State of Mississippi;

WHEREAS, at such sale, "MERS" Mortgage Electronic Registration Systems, Inc. bid the sum of \$74,002.31; and

WHEREAS, said bid by "MERS" Mortgage Electronic Registration Systems, Inc., was the highest bid;

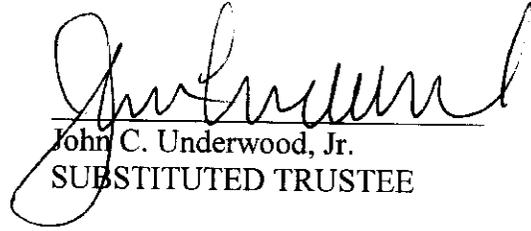
WHEREAS in the of Substitution of Trustee herein before referred to, "MERS" Mortgage Electronic Registration Systems, Inc. authorized John C. Underwood, Jr., Substitute Trustee, to transfer and assign this bid to the whomever the undersigned shall authorize in the event "MERS" Mortgage Electronic Registration Systems, Inc. was the last and highest bidder at the sale, which event has taken place; and whereas, by the execution of this instrument, the said John C. Underwood, Jr., Substitute Trustee, does hereby transfer and assign all of the rights, title and interest of "MERS" Mortgage Electronic Registration Systems, Inc. as last and highest bidder to the The Bank of New York Mellon Trust Company, National Association fka The Bank of New York Trust Compnay, N.A. as successor to JPMorgan Chase Bank N.A. as Trustee.

NOW, THEREFORE, I, John C. Underwood, Jr., Substituted Trustee, in consideration of the sum of **\$74,002.31**, do hereby sell and convey unto **The Bank of New York Mellon Trust Company, National Association fka The Bank of New York Trust Company, N.A. as successor to JPMorgan Chase Bank N.A. as Trustee** the following described property located and situated in the County of DeSoto, State of Mississippi, to-wit:

Lot 53, Final Plat of Section A, The Highlands at North Creek Subdivision in Section 17, Township 1 South, Range 8 West, DeSoto County, Mississippi, as per plat of record in Plat Book 58, Pages 14-15, in the Chancery Clerk's Office of DeSoto County, Mississippi, to which plat reference is made for a more particular description of said property.

Parcel ID: 1.08.4.17.02.0.00053.00

WITNESS MY SIGNATURE, this, the 1st day of December, 2010.


John C. Underwood, Jr.
SUBSTITUTED TRUSTEE

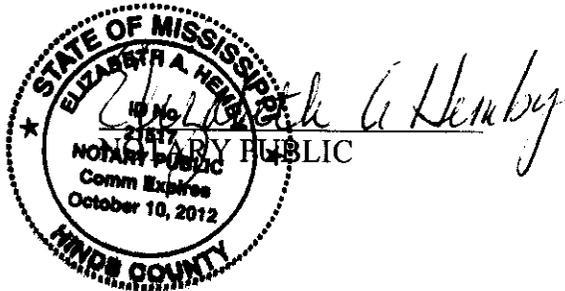
STATE OF MISSISSIPPI

COUNTY OF HINDS

PERSONALLY came and appeared before me, the undersigned authority in and for the county and state aforesaid, John C. Underwood, Jr. Substituted Trustee, who acknowledged to and before me that he executed the foregoing Substituted Trustee's Deed on the day and year therein mentioned, and for the purposes therein expressed.

GIVEN UNDER MY HAND AND OFFICIAL SEAL OF OFFICE, this, the 1st day of December, 2010.

My Commission Expires: October 10, 2012



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 May 23, 2006, John C. Railey and wife, Chaunnah Railey, executed a deed of trust to Thomas F. Veters, trustee for the benefit of "MERS" Mortgage Electronic Registration Systems, Inc., which deed of trust is recorded in Deed of Trust Book 2482 at Page 647 in the office of the Chancery Clerk of the County of DeSoto, State of Mississippi; and

WHEREAS, the aforesaid, "MERS" Mortgage Electronic Registration Systems, Inc., the holder of said deed of trust and the note secured thereby, substituted John C. Underwood, Jr., as Trustee therein, as authorized by the terms thereof, by instrument dated September 16, 2010 and recorded in the office of the aforesaid Chancery Clerk in Book 3,218 at Page 795; 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, and the legal holder of said indebtedness, "MERS" Mortgage Electronic Registration Systems, Inc., 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 attorney's fees, Substituted Trustee's fees and expense of sale;

NOW, THEREFORE, I, John C. Underwood, Jr., Substituted Trustee, in said deed of trust, will on the 1st day of December, 2010, offer for sale at public outcry for cash to the highest bidder, and sell within legal hours (being between the hours of 11:00 A.M. and 4:00 P.M.) at the Main front door of the County Courthouse at Hernando, County of DeSoto, State of Mississippi, the following described property situated in the County of DeSoto, State of Mississippi, to-wit:

- Volume No. 115 on the 9 day of Nov., 2010
- Volume No. 115 on the 16 day of Nov., 2010
- Volume No. 115 on the 23 day of Nov., 2010
- Volume No. 115 on the 30 day of Nov., 2010
- Volume No. _____ on the _____ day of _____, 2010
- Volume No. _____ on the _____ day of _____, 2010

Lot 53, Final Plat of Section A, The Highlands at North Creek Subdivision in Section 17, Township 1 South, Range 8 West, DeSoto County, Mississippi, as per plat of record in Plat Book 58, Pages 14-15, in the Chancery Clerk's Office of DeSoto County, Mississippi, to which plat reference is made for a more particular description of said property.

Parcel ID: 1.08.4.17.02.0.00053.00

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

WITNESS MY SIGNATURE, this the 28th day of October, 2010.

John C. Underwood, Jr.
SUBSTITUTED TRUSTEE
Control #10090500

PUBLISH: 11/09/2010, 11/16/2010, 11/23/2010, 11/30/2010

Diane Smith

Sworn to and subscribed before me, this 30 day of Nov., 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 402 words @ .12 \$ 48.24
- B. 3 subsequent insertions of 1206 words @ .10 \$ 120.60
- C. Making proof of publication and depositing to same \$ 3.00

TOTAL PUBLISHER'S FEE: \$ 171.84