

THIS INSTRUMENT PREPARED BY: David A. Kirkscey, Attorney at Law
UNDER THE SUPERVISION OF: Joe McIlvain, Attorney at Law (MSB #100294)

*

PLEASE RETURN TO: David A. Kirkscey, Attorney at Law
90 Harbor Town Square, Suite 106
Memphis, TN 38103

SUBSTITUTE TRUSTEE'S DEED

WHEREAS, under date of the 28th day of December, 2009, Ivy Trails, LLC, a Mississippi Limited Liability Company, executed a certain Deed of Trust to L. Hunt Campbell, Trustee, for the purpose of securing the debt and obligations therein described, which Trust Deed is recorded in Book 3120 at Page 741, in the office of the Chancery Clerk of DeSoto County, Mississippi; and

WHEREAS, First Alliance Bank, the holder and the owner of the debt secured by said Deed of Trust, having for reasons satisfactory to itself, under the provisions of said Trust Deed, by instrument recorded in said Chancery Clerk's Office in Book 3242, at Page 333, named and appointed the undersigned as Substitute Trustee in the place of the said L. Hunt Campbell; and

WHEREAS, default was made in the payment of the debt and the obligation secured by said Trust Deed and the undersigned, as Substitute Trustee, was requested to advertise and sell the property conveyed by said Trust Deed in compliance with provisions thereof; and

WHEREAS, the undersigned, as Substitute Trustee, did, in compliance with the provisions of said Trust Deed, advertise for sale the property conveyed by same, the advertisement of sale having been published in *The DeSoto Times Today*, a newspaper published in Hernando, DeSoto County, Mississippi, in the issues of November 23, 2010, November 30, 2010, December 7, 2010, and December 14, 2010, of said newspaper, said sale having been advertised for December 16, 2010, between the hours of 11:00 a.m. and 4:00 p.m., at the East Door of the DeSoto County courthouse in Hernando, Mississippi, at which time and place the property was offered for sale and sold; and

WHEREAS, the highest and best bid of said property was then and there made by **First Alliance Bank**, to wit: a bid of One Hundred Twenty-One Thousand and No/100 Dollars (\$121,000.00) for said property, which bid was then and there accepted by the undersigned as Substitute Trustee.

NOW, THEREFORE, for the consideration named, and for and in consideration of the compliance with the terms of said bid, the undersigned, David A. Kirkscey, as Substitute Trustee, has bargained and sold, and does by these presence bargain, sell and convey unto the said **First Alliance Bank**, the property advertised and sold as hereinabove recited, situated, lying and being in the County of DeSoto, State of Mississippi, and more particularly described as follows:

Lots 238, 252, 255, 261, 264, 265, 272, 273, 281 and 282, Asbury Place Subdivision, Section D, First Revision of Berrydale Subdivision, located in Section 19, Township 1 South, Range 6 West, as shown on plat of record in Plat Book 99, Page 33, in the Chancery Clerk's Office of DeSoto County, Mississippi, to which plat reference is hereby made for a more particular description of said property.

This being the same property conveyed to Ivy Trails, LLC, from Venture Builders Corp., a Mississippi corporation, by Deed of record in Book 0481, at Page 0001, re-recorded in Book 0543, Page 699; and Deed of record in Book 0481, at Page 004, re-recorded in Book 0543, at Page 696, in the office of the Chancery Clerk of Desoto County, Mississippi.

Parcel Nos. 1-06-4-19-31-0-00238-00, 1-06-4-19-31-0-00252-00, 1-06-4-19-31-0-0025-00, 1-06-4-19-31-0-00261-00, 1-06-4-19-31-0-00264-00, 1-06-4-19-31-0-00265-00, 1-06-4-19-31-0-00272-00, 1-06-4-19-31-0-00273-00, 1-06-4-19-31-0-00281-00, and 1-06-4-19-31-0-00282-00

Property Address: Lots 238, 252, 255, 261, 264, 265, 272, 273, 281 and 282, Asbury Place Subdivision, Section D, First Revision of Berrydale Subdivision, in DeSoto County, Mississippi.

TO HAVE AND TO HOLD, unto the said **First Alliance Bank**, its heirs and assigns, in fee simple forever.

The undersigned Substitute Trustee believes the title hereby conveyed to be good, but warrants same against the lawful claims of all persons claiming by, through and under a conveyance from the undersigned as Substitute Trustee, under the provisions of the above-described Trust Deed, and not further or otherwise.

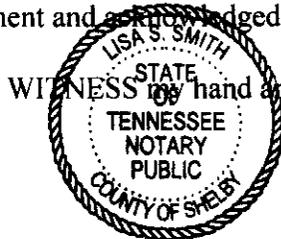
This sale is made subject to any and all restrictive covenants and easements of record, outstanding and unpaid taxes, prior liens and/or encumbrances of record including any liens for real estate taxes. Sale is further subject to tenant(s) rights in possession, if applicable.

WITNESS the signature of the undersigned, David A. Kirkscey, Substitute Trustee, this the 29 day of December, 2010.

David A. Kirkscey
SUBSTITUTE TRUSTEE

STATE OF TENNESSEE
COUNTY OF SHELBY

On this 29th day of December, 2010, before me, a Notary Public in and for said State and County, duly commissioned and qualified, personally appeared David A. Kirkscey, Substitute Trustee, to me known to be the person described in and who executed the foregoing instrument and acknowledged that he executed the same as his free act and deed.



My Comm. Exp. 10-24-2012

WITNESS my hand and Notarial Seal at office the day and year above written.

Lisa S. Smith
NOTARY PUBLIC

PROPERTY ADDRESS: Lots 238, 252, 255, 261, 264, 265, 272, 273, 281 and 282, Asbury Place Subdivision, Section D, First Revision of Berrydale Subdivision, in DeSoto County, Mississippi.

GRANTEE: First Alliance Bank
51 Germantown Court, Suite 100
Cordova, TN 38018
(901) 753-8339

GRANTOR: David A. Kirkscey, Substitute Trustee
90 Harbor Town Square, Suite 106
Memphis, TN 38103
(901) 523-1930

SEND TAX BILLS TO: First Alliance Bank
51 Germantown Court, Suite 100
Cordova, TN 38018

STATE OF TENNESSEE
COUNTY OF SHELBY

I, or we, hereby swear or affirm that, to the best of affiant's knowledge, information and belief, the actual consideration for this transfer or value of the property transferred, whichever is greater, is \$121,000.00, which amount is equal to or greater than the amount which the property transferred would command at a fair and voluntary sale.

David A. Korbay
AFFIANT

SUBSCRIBED AND SWORN TO before me this 29th day of December,
2010.

Lisa S. Smith
NOTARY PUBLIC



My Comm. Exp. 10-24-2012

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 C State and states on oath that she is the **CLERK** of the DeSoto Times-Tribune, published in the town of Hernando, State and County aforesaid, and having a g tion in said county, and that the publication of the notice, a copy of which is her has been made in said paper 4 consecutive times, as follows, to-wit:

SUBSTITUTE TRUSTEE'S NOTICE OF SALE

WHEREAS, on December 28, 2009, Ivy Trails, LLC, a Mississippi Limited Liability Company, executed a Deed of Trust to L. Hunt Campbell, Trustee, for the benefit of First Alliance Bank, which Deed of Trust is filed for record in Book 3120, Page 741, in the land records in the office of the Chancery Clerk of DeSoto County at Hernando, Mississippi; and WHEREAS, said Deed of Trust authorized the appointment and substitution of another Trustee in the place of the Trustee named in said Deed of Trust or subsequently substituted therein, and First Alliance Bank, appointed and substituted David A. Kirkscey or Joe McIlvain, Jr. as Substitute Trustee therein, by Substitution of Trustee dated November 18, 2010, and duly filed for record in the office of the aforesaid Chancery Clerk in Book 3242 Page 333; and

WHEREAS, default having been made in the terms and conditions of said Deed of Trust, and the entire indebtedness secured thereby having been declared to be due and payable pursuant to the terms of said Deed of Trust, and First Alliance Bank, the holder of the note and Deed of Trust, having requested the undersigned Substituted Trustee so to do, I will, on December 16, 2010, offer for sale at public outcry between the hours of 11:00 a.m. and 4:00 p.m., at the East Door of the DeSoto County courthouse at Hernando, DeSoto County, Mississippi, for cash to the highest and best bidder, the following described land and property lying and being situated in DeSoto County, Mississippi, and being more particularly described as follows, to-wit:

Lots 238, 252, 255, 261, 264, 265, 272, 273, 281 and 282, Asbury Place Subdivision, Section D, First Revision of Berrydale Subdivision, located in Section 19, Township 3 South, Range 8 West, as shown on plat of record in Plat Book 99, Page 33, in the Chancery Clerk's Office of DeSoto County, Mississippi, to which plat reference is hereby made for a more particular description of said property.

- Volume No. 115 on the 23 day of Nov., 2010
- Volume No. 115 on the 30 day of Nov., 2010
- Volume No. 115 on the 7 day of Dec., 2010
- Volume No. 115 on the 14 day of Dec., 2010
- Volume No. _____ on the _____ day of _____, 2010
- Volume No. _____ on the _____ day of _____, 2010

Diane Smith

Sworn to and subscribed before me, this 14 day of Dec., 2010

BY *Judy 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 590 words @ .12 \$ 70.80
 B. 3 subsequent insertions of 1770 words @ .10 \$ 177.00
 C. Making proof of publication and depositing to same \$ 3.00
 TOTAL PUBLISHER'S FEE: \$ 250.80

This being the same property conveyed to Ivy Trails, LLC, from Venture Builders Corp., a Mississippi corporation, by Deed of record in Book 0481, at Page 0001, re-recorded in Book 0543, Page 699; and Deed of record in Book 0481, at Page 004, re-recorded in Book 0543, at Page 696, in the office of the Chancery Clerk of DeSoto County, Mississippi.

Parcel Nos. 1-06-4-19-31-0-00238-00, 1-06-4-19-31-0-00252-00, 1-06-4-19-31-0-025-00, 1-06-4-19-31-0-00261-00, 1-06-4-19-31-0-00264-00, 1-06-4-19-31-0-00285-00, 1-06-4-19-31-0-00272-00, 1-06-4-19-31-0-00273-00, 1-06-4-19-31-0-00281-00, and 1-06-4-19-31-0-00282-00.

Property Address: Lots 238, 252, 255, 261, 264, 265, 272, 273, 281 and 282, Asbury Place Subdivision, Section D, First Revision of Berrydale Subdivision, in DeSoto County, Mississippi. This property address is presumed to be correct; however, the sale will be transacted by legal description only.

If the highest bidder cannot pay the bid within twenty-four (24) hours of the sale, the next highest bidder will be deemed the successful bidder, at Trustee's option.

Title is believed to be good, but I will convey only such title as is vested in me as Substituted Trustee. Sale is subject to any and all restrictive covenants and easements of record, outstanding and unpaid taxes, prior liens and/or encumbrances of record including any liens for real estate taxes. Sale is subject to tenant(s) rights in possession, if applicable.

This is an attempt to collect a debt and any information obtained will be used for that purpose.

/s/ David A. Kirkscey
DAVID A. KIRKSCEY, SUBSTITUTE TRUSTEE

/s/ Joe McIlvain, Jr.
JOE McILVAIN, JR., SUBSTITUTE TRUSTEE

Publication dates: November 23, 2010; November 30, 2010; December 7, 2010, and December 14, 2010.

