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DK W BK 649 PG 626
DESOTO COUNTY, MS
W.E. DAVIS, CH CLERK

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1/18/11 9:01:08
DK W BK 650 PG 490
DESOTO COUNTY, MS
W.E. DAVIS, CH CLERK

This instrument prepared by and return to:
Eric L. Sappenfield, PLLC, Attorney at Law
MS Bar #6468
6858 Swinnea Road
#5 Rutland Place
Southaven, MS 38671
662-349-3436
foreclosures/13163.5(1a)std

GRANTOR'S ADDRESS:
6858 Swinnea Road
5 Rutland Place
Southaven, MS 38671

GRANTEE'S ADDRESS
6363 Poplar Avenue
Suite 221
Memphis, TN 38119

wk: 662-349-3436
hm: n/a

wk: 901-762-7577
hm: n/a

INDEXING INSTRUCTIONS: ~~Part of the NW 1/4 of Section 14, Township 3 South, Range 6 West~~
Part of the East half of the SE 1/4 of Section 4,
Township 3 South, Range 6 West
STATE OF MISSISSIPPI
COUNTY OF DESOTO

SUBSTITUTED TRUSTEE'S DEED

WHEREAS, on May 12, 2008, DAN A. BROWN LAND COMPANY, LLC, executed a certain Deed of Trust to J. PATRICK CALDWELL, TRUSTEE for the benefit of BANCORPSOUTH BANK, which Deed of Trust is recorded in the Office of the Chancery Clerk of DeSoto County, Mississippi in Book 2901, Page 624; and

WHEREAS, BANCORPSOUTH BANK having substituted ERIC L. SAPPENFIELD as Trustee in place and lieu of J. PATRICK CALDWELL by instrument dated November 16, 2010, and recorded in the Chancery Clerk of DeSoto County, Mississippi, in Book 3242, Page 489; 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, BANCORPSOUTH BANK, 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.

WHEREAS, the undersigned Substituted Trustee in accordance with the terms of the Deed of Trust and the laws of the State of Mississippi did advertise said sale in THE DESOTO TIMES, a newspaper published and generally circulated in DeSoto County, Mississippi, for four consecutive weeks preceding the date of the sale. The first notice publication appeared December 7, 2010 and subsequent notices appeared on December 14, 2010, December 21, 2010 and December 28, 2010. Proof of publication is attached hereto and incorporated herein by reference as Exhibit "A".

WHEREAS, on December 29, 2010, at the East Door of the County Courthouse of DeSoto County, Hernando, Mississippi, commencing at 11:00 A.M., I the undersigned Substituted Trustee did offer for sale and sell said property for cash to the highest bidder the following described property, lying and being situated in DeSoto County, Mississippi, to wit:

Survey of 77.654 acre tract in the East Half of the Southeast 1/4 of Section 4, Township 3 South, Range 6 West, DeSoto County, Mississippi, being part of the William E. Bowen property as recorded in Quit Claim Deed in Book 384, Page 258 in the Chancery Clerk's Office of DeSoto County, being more particularly described as follows:

Beginning at a 3/8 inch rebar (found) at the Southeast corner in the Northwest 1/4 of said Section 4 per plat recorded in Deed Book 394, Page 30; thence South 89 degrees 27 minutes 12 seconds East 1324.51 feet to an old 3/4 inch iron pipe (found) at the Northwest corner of the East 1/2 of the Southeast 1/4 of said Section 4, said point being the true point of beginning of the hereafter described 77.654 acre tract; thence South 89 degrees 41 minutes 27 seconds East along the south line of the Gerald C. Rickard, the John P. Cunningham, and the Tammy Enlow tracts as shown on plat of the Rickard lot as recorded in Plat Book 75, Page 19, a distance of 1296.75 feet to a 3/8 inch rebar with King cap (set) in the west right-of-way of Mississippi Highway #305 (Fed. Aid Proj.# S 146(1)); thence South 0

degrees 05 minutes 19 seconds East along the said right-of-way 2297.01 feet to a 3/8 inch rebar with King cap (set) at a point of curve at Highway Station 446+72.8; thence continuing along said right-of-way along a curve to the left with a delta angle of 15 degrees 24 minutes 56 seconds having a radius of 622.96 feet and an arc length of 167.61 feet, with a chord bearing and distance of South 7 degrees 47 minutes 47 seconds East 167.10 feet to a 3/8 inch rebar with King cap (set) in the east line of said Section 4; thence South 0 degrees 02 minutes 59 seconds East along the west line of said Section 4 a distance of 229.58 feet to a 3/8 inch rebar (set) at the Southeast corner of said Section 4, said point being South 89 degrees 52 minutes 25 seconds West 185.71 feet from the centerline of Mississippi Highway #305 at Station 451+08.7; thence South 89 degrees 52 minutes 25 seconds West along the south line of said Section 4 a distance of 1090.08 feet to a p.k. nail with Tom King washer (set); thence North 0 degrees 31 minutes 14 seconds West along the southward projection of and the east line of the William G. Henderson 2 acre tract as recorded in Warranty Deed Book 394, Page 27, a distance of 448.93 feet to a 3/8 inch rebar (found); thence North 89 degrees 41 minutes 45 seconds West along the north line of said 2 acre tract 208.65 feet to a 3/8 inch rebar (found); thence North 0 degrees 31 minutes 04 seconds West along the west line of the East 1/2 of the Southeast 1/4 as shown on plat in Deed Book 394, Page 30, a distance of 2251.62 feet to the point of beginning, containing 3,382,589.88 sq. ft. or 77.654 acres.

Subject to DeSoto County subdivision and zoning regulations. Subject to right-of-way in Vaiden Road along the South line and Mississippi Highway No. 305 along the east line. Subject to any easement for utilities.

The Southeast part of the property is located in a special flood hazard area (Zone A) as shown hereon according to flood insurance rate map 28033C0150 E revised June 19, 1997.

Less & Except: 60.33 acres, more or less, conveyed to DJ Development, LLC in Warranty Deed Book 571, Page 521.

LESS AND EXCEPT:

That certain property conveyed to Mississippi Transportation Commission by Order Granting Petitioner Right of Immediate Title and Possession thereof filed record in Warranty Deed Book 562, Page 534, in the Office of the Chancery Clerk of DeSoto County, Mississippi.

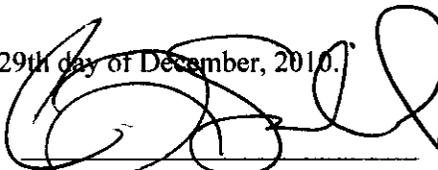
The undersigned Substituted Trustee offered said property for sale at public outcry as set forth above and there appeared BANCORPSOUTH BANK, who bid the amount of \$95,000.00, and this being

the highest and best bid, said BANCORPSOUTH BANK, was declared the successful bidder and the same was then and there struck off to said BANCORPSOUTH BANK.

NOW THEREFORE, in consideration of the premises and in consideration of the price and sum of \$95,000.00, cash in hand paid, receipt of which is hereby acknowledged, I, the undersigned Substituted Trustee, do hereby sell and convey unto BANCORPSOUTH BANK, the land and property above described, together with all improvements thereon.

Title to this property is believed to be good, but I will convey only such title as is vested in me as Substituted Trustee.

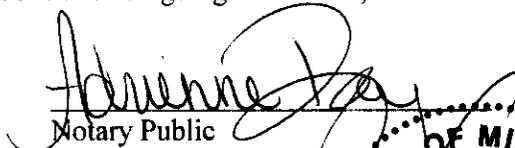
WITNESS MY SIGNATURE this the 29th day of December, 2010.



Eric L. Sappenfield
Substituted Trustee

STATE OF MISSISSIPPI
COUNTY OF DESOTO

PERSONALLY appeared before me the undersigned authority in and for the said county, and state, on this 29th day of December, 2010, within my jurisdiction, the within named ERIC L. SAPPENFIELD, who acknowledged that he is Substituted Trustee of BANCORPSOUTH BANK, and that in said representative capacity he executed the above and foregoing instrument, after first having been duly authorized so to do.


Notary Public

My Commission Expires:

07-15-2012



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 12, 2008, DAN A. BROWN LAND COMPANY, LLC executed a certain Deed of Trust to J. PATRICK CALDWELL, TRUSTEE for the benefit of BANCORPSOUTH BANK, which Deed of Trust is of record in the Office of the Chancery Clerk of DeSoto County, Mississippi, in Book 2901, Page 624.

WHEREAS, Modification of Deeds of Trust and Cross-Collateral Agreement was recorded in the Office of the Chancery Clerk of DeSoto County, Mississippi in Book 3096, Page 638.

WHEREAS, BANCORP-SOUTH BANK has heretofore substituted ERIC L. SAPPENFIELD as Trustee in place and lieu of J. PATRICK CALDWELL by instrument dated November 16, 2010, and recorded in the Office of the Chancery Clerk of DeSoto County, Mississippi in Book 3242, Page 489; 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, BANCORPSOUTH BANK, 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 expenses of sale.

NOW, THEREFORE, I, ERIC L. SAPPENFIELD, SUBSTITUTED TRUSTEE, under the provisions of and by virtue of the authority conferred upon me in the said Deed of Trust, will on the 29th day of December, 2010, sell during the legal hours between 11:00 A.M. and 4:00 P.M., at the East Door of the County Courthouse of DeSoto County in Hernando, Mississippi, offer for sale and sell said property for cash to the highest bidder, the following described property lying and being situated in DeSoto County, Mississippi:

- Volume No. 115 on the 7 day of Dec., 2010
- Volume No. 115 on the 14 day of Dec., 2010
- Volume No. 115 on the 21 day of Dec., 2010
- Volume No. 115 on the 28 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 28 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 1018 words @ .12 \$ 122.16
 - B. 3 subsequent insertions of 3654 words @ .10 \$ 305.40
 - C. Making proof of publication and depositing to same \$ 3.00
- TOTAL PUBLISHER'S FEE: \$ 430.56

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Less & Except: 60.33 acres, more or less, conveyed to DJ Development, LLC in Warranty Deed Book 571, Page 521.

LESS AND EXCEPT:

That certain property conveyed to Mississippi Transportation Commission by Order Granting Petitioner Right of Immediate Title and Possession thereof filed record in Warranty Deed Book 562, Page 534, in the Office of the Chancery Clerk of DeSoto County, Mississippi.

The undersigned Substituted Trustee will convey only such title as is vested in him by virtue of the above described Deed of Trust.

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

/s/ Eric L. Sappenfield

Eric L. Sappenfield (MS Bar No. 6468)

Substituted Trustee

6858 Swinnea Road

5 Rutland Place

Southaven, MS 38671

662-349-3436

Publication Dates:

December 7, 2010

December 14, 2010

December 21, 2010

December 28, 2010