

Prepared by: Shapiro & Massey, L.L.C. J. Gary Massey, MSB No. 1920 1910 Lakeland Drive, Suite B Jackson, MS 39216 (601)981-9299 S&M No. 12-004760	 Return to: Shapiro & Massey, L.L.C. 1910 Lakeland Drive, Suite B Jackson, MS 39216 (601)981-9299 Loan No. XXXXXX8955
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GRANTOR	GRANTEE
J. Gary Massey Shapiro & Massey, L.L.C. 1910 Lakeland Drive, Suite B Jackson, MS 39216 (601) 981-9299	EverBank 301 West Bay Street Jacksonville, Florida 32202 800-669-7724

SUBSTITUTED TRUSTEES DEED

INDEX: Lot 4, Hernando Pointe Subdivision, Section 12, T-3-S, R-8-W, DeSoto Co., MS
 PB 90 PG 33-34

WHEREAS, on May 28, 2010, John W. Dawson, married and Mary Dawson, executed a Deed of Trust to Kent Wunderlich, Trustee for the benefit of Financial Federal Savings Bank, which Deed of Trust is filed for record in Book 3173 at Page 123 and re-recorded in Book 3179 at Page 712 in the office of the Chancery Clerk of DeSoto County at Hernando, Mississippi; and

WHEREAS, said Deed of Trust was subsequently assigned to EverBank by instrument dated March 28, 2012 and recorded in Book 3422 at Page 490 of the aforesaid Chancery Clerk's office; and

WHEREAS, as authorized by the aforesaid Deed of Trust and in strict accordance therewith, EverBank, 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 May 14, 2012, and duly filed for record in the office of the aforesaid Chancery Clerk in Book 3444 at Page 74 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 so to do under the terms of said Deed of Trust, and default having been made in payment of said amount and the Substituted Trustee having been requested and directed by EverBank to foreclose under the terms of said Deed of Trust, I did on July 19, 2012, 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:

Lot 4, Hernando Pointe Subdivision, located in Section 12, Township 3 South, Range 8 West, DeSoto County, Mississippi as recorded in Plat Book 90, Pages 33-34, in the office of the Chancery Clerk of DeSoto County, Mississippi.

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 DESOTO TIMES-TRIBUNE, a newspaper published in DeSoto County, Mississippi for three consecutive weeks preceding the date of sale. The notices were published on June 28, July 5 and July 12, 2012, (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, EverBank bid for said property in the amount of \$180,321.32, which being the highest and best bid, the same was then and there struck off to EverBank 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 EverBank the land and property herein described. I convey only such title as is vested in me as Substituted Trustee.

WITNESS MY SIGNATURE, on July 19, 2012.



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 Nineteenth day of July, 2012, 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:



12-004760BE/Dawson

Affidavit of Publication

DESOTO TIMES-TRIBUNE

STATE OF MISSISSIPPI } SS
COUNTY OF DESOTO }

DIANE SMITH, being duly sworn, says:

That she is a Clerk of the DESOTO TIMES-TRIBUNE, a newspaper of general circulation in said county, published in Hernando, DeSoto County, Mississippi; that the publication, a copy of which is printed hereon, was published in the said newspaper on the following dates:

June 28, 2012, July 05, 2012, July 12, 2012

That said newspaper was regularly issued and circulated on those dates.

SIGNED:

Diane Smith
Clerk

Subscribed to and sworn to me this 12th day of July 2012.

Judy Douglas
JUDY DOUGLAS, Notary, DeSoto County, Mississippi

My commission expires: January 16, 2013

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Delores
Shapiro & Massey
1910 Lakeland Drive
Suite B
Jackon, MS 39216

SUBSTITUTED TRUSTEE'S NOTICE OF SALE

WHEREAS, on May 28, 2010, John W. Dawson, married and Mary Dawson executed a certain deed of trust to Kent Wunderlich, Trustee for the benefit of Financial Federal Savings Bank which deed of trust is of record in the office of the Chancery Clerk of DeSoto County, State of Mississippi in Book 3173 at Page 123 and re-recorded in Book 3179 at Page 712; and

WHEREAS, said Deed of Trust was subsequently assigned to EverBank by instrument dated March 28, 2012 and recorded in Book 3422 at Page 490 of the aforesaid Chancery Clerk's office; and

WHEREAS, EverBank has heretofore substituted J. Gary Massey as Trustee by instrument dated May 14, 2012 and recorded in the aforesaid Chancery Clerk's Office in Book 3444 at Page 74; 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, EverBank, 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 July 19, 2012 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:

Lot 4, Hernando Pointe Subdivision, located in Section 12, Township 3 South, Range 8 West, DeSoto County, Mississippi as recorded in Plat Book 90, Pages 33-34, in 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 22nd day of June, 2012.

J. Gary Massey

SUBSTITUTED TRUSTEE

Shapiro & Massey, L.L.C.

1910 Lakeland Drive

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12-004760BE

Publication Dates:

June 28, July 5 and July 12, 2012

