

LEGAL NOTICES



January 25 - Jerry and Nancy Farmer, Louis and Lucy Alexander, William and Angie Clark

January 30 - Mr. and Mrs. Don McBride

To add your birthdays and anniversaries to our list, please send your information by mail to P.O. Box 60, Lexington, MS 39095; fax 662-834-1074; email hcherald@gmail.com; or stop by our office at 308 Court Square in Lexington. No phone calls, please.

LEGALS

IN THE CHANCERY COURT OF HOLMES COUNTY, MISSISSIPPI TRUSTMARK NATIONAL BANK

PLAINTIFF VS. CAUSE NO. 17-0134 RGC MICHAEL K. HERRINGTON DEFENDANTS

AND THE UNKNOWN HEIRS OF T. R. BARRETT, DECEASED
COMMISSIONER'S NOTICE OF SALE
WHEREAS On October 15, 2004, Michael K. Herrington executed a Deed of Trust for the benefit of Advantage Mortgage Corporation, Inc., lender / beneficiary, which Deed of Trust is of record in the office of the Chancery Clerk of Holmes County, Mississippi in Deed of Trust Book 2004 at Page 3683. Said Deed of Trust was thereafter assigned to Trustmark National Bank in Book 2004 at Page 515; and

WHEREAS by Judgment entered in the above styled civil action on November 30, 2017, Trustmark National Bank was adjudged to have a valid lien on the subject property; and

WHEREAS, default having been made in the terms and conditions of the Deed of Trust and the entire debt secured thereby having been declared due and payable in accordance with the terms thereof; and

WHEREAS, by Judgment entered in the above styled action on November 30, 2017, the undersigned Jennifer Blaine was authorized to conduct a Commissioner's sale of the property described in the aforementioned Deed of Trust.

NOW THEREFORE, I, Jennifer Blaine, Commissioner pursuant to the authority granted to me by the Chancery Court of Holmes County, Mississippi by Judgment entered on November 30, 2017, in the above styled civil action, do hereby give notice that on February 16, 2018, I as Commissioner, by virtue of authority conferred upon me in the aforementioned judgment, will offer for sale and will sell at public sale and outcry to the highest and best bidder for cash, between the hours of 11:00 a.m. and 4:00 p.m. o'clock in front of the main door of the Holmes County Courthouse in Lexington, Mississippi, the following described land and property being the same land and property described in said judgment, situated in Holmes County, State of Mississippi, to-wit:

Begin at the southeast corner of Lot 301 in the City of Lexington, thence north along the west line of Jordan Street for 118 feet to the south line of the Hollingsworth lot; thence west along the south line of the Hollingsworth lot and along the south line of the Fincher lot for 189 feet to the west line of Lot 301, thence south for 118 feet, thence east along the south line of Lot 301 to the POINT OF BEGINNING and close, and being 118 feet off of the south side of said Lot 301 in the City of Lexington, and being the same real property conveyed to T. R. Barrett and wife, Cargill H. Barrett by deed from Charles W. Bailey and wife, Verna E. Bailey, dated May 28, 1959, and recorded in Deed Book 89 at Page 580 of the Holmes County records.

Together with all improvements of said property situated and all appurtenances thereunto belonging.

Title to said property is believed to be good, but I will convey only title as is vested in me as Commissioner.

WITNESS MY SIGNATURE, this the 5th day of January, 2018.

Jennifer Blaine
Special Commissioner

Prepared by:
James Eldred Renfro, MSB#10096, 648 Lakeland East Drive Suite A Flowood MS 39232

1-25;2-1,8,15b

Holmes County, Mississippi.

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

WITNESS MY SIGNATURE, this the 8th day of January, 2018.

/s/ T. Frank Collins
Simpson Law Firm, P.A.,
Substituted Trustee

SIMPSON LAW FIRM, P.A.

Attorneys at Law
P.O. Box 1410
Ridgeland, Mississippi 39158-1410
(601) 957-6600

1-18,25;2-1,8b

INDEXING INSTRUCTIONS:

Part of Block 24, Gwinton Subdivision, E/RR, Town of Tchula, Holmes County, Mississippi.

SUBSTITUTE TRUSTEE'S NOTICE OF SALE

WHEREAS, on July 15, 2011, Cedric Jerome Branch, executed a Deed of Trust to Marshall Holt Smith, Jr., Trustee for the use and benefit of Holmes County Bank & Trust Company, which Deed of Trust is on file and of record in the office of the Chancery Clerk of Holmes County, Mississippi, in Deed of Trust Book 2011 at Page 2962 thereof; and

WHEREAS, the legal holder of the said Deed of Trust and the note secured thereby, substituted John M. Gilmore, as Trustee therein, as authorized by the terms thereof, by instrument recorded in the office of the aforesaid Chancery Clerk in Deed of Trust Book 2017 at Page 318 thereof; and

WHEREAS, default having been made in the performance of the conditions and stipulations as set forth by said Deed of Trust, and having been requested by the legal holder of the indebtedness secured and described by said Deed of Trust so to do, notice is hereby given that I, John M. Gilmore, Substitute Trustee, by virtue of the authority conferred upon me in said Deed of Trust, will offer for sale and will sell at public sale and outcry to the highest and best bidder for cash, during the legal hours (between the hours of 11 o'clock a.m. and 4 o'clock p.m.) at the North door of the Holmes County Courthouse, Lexington, Mississippi, on the 9th day of February, 2018 at 11:05 A.M., the following described land and property being the same land and property described in said Deed of Trust, situated in the Town of Tchula, Holmes County, State of Mississippi, to-wit:

From the Easternmost corner of Block 24 of the Gwinton Subdivision, East of the Railroad, said corner being the intersection of the Southern boundary line of Spruce Avenue with the Western boundary line of Peachtree Street, run South 43 degrees 15 minutes West along Peachtree Street for 90 feet to the POINT OF BEGINNING of this description; thence continue South 43 degrees 15 minutes West along Peachtree Street for 75 feet; thence run North 46 minutes 45 minutes West for 150 feet; thence run North 43 degrees 15 minutes East for 75 feet; thence run South 46 degrees 45 minutes East for 150 feet to the POINT OF BEGINNING and close, and being part of Block 24 of the Gwinton Subdivision, East of the Railroad, Town of Tchula, Holmes County, Mississippi. Identified as Parcel Number 053-11-061.00.

Title to the above described property is believed to be good, but I will convey only such title as is vested in me as Substitute Trustee.

WITNESS MY SIGNATURE, on this the 12th day of January 2018.

/s/ John M. Gilmore
JOHN M. GILMORE,
Substituted Trustee
1-18,25;2-1,8b

SUBSTITUTED TRUSTEE'S NOTICE OF SALE

WHEREAS, on the 9th day of July, 2009, Cedric Jerome Branch executed a certain Deed of Trust to Thomas Hudson, Trustee for the benefit of BankPlus, which Deed of Trust was recorded in the office of the Chancery Clerk of Holmes County, Mississippi, and recorded in Deed of Trust Book 2009 at Page 2672 of the land records; and,

WHEREAS, on the 10th day of March, 2010, Cedric Branch executed a certain Deed of Trust dated February 18, 2016 to Thomas R. Hudson, Trustee for the benefit of BankPlus, which Deed of Trust was recorded in the office of the Chancery Clerk of Holmes County, Mississippi, and recorded in Deed of Trust Book 2010 at Page 938 of the land records; and,

WHEREAS, on the 19th day of February, 2016, Cedric Branch executed a certain Deed of Trust dated February 18, 2016 to Thomas R. Hudson, Trustee for the benefit of BankPlus, which Deed of Trust was recorded in the office of the Chancery Clerk of Holmes County, Mississippi, and recorded in Deed of Trust Book 2016 at Page 953 of the land records; and,

WHEREAS, Simpson Law Firm, P.A. has been substituted in the place and stead of Thomas Hudson or Thomas R. Hudson, Trustee for BankPlus, said Appointment of Substitute Trustee being recorded in Book 2017 at Page 2534 of the records of the Chancery Clerk of said County; and,

WHEREAS, fee simple title is vested in Cedric Branch; and,

WHEREAS, default having been made in the terms and conditions of said Deeds of Trust and the entire debt secured thereby having been declared to be due and payable in accordance with the terms of said Deeds of Trust, the legal holder of said indebtedness, BankPlus, having requested the undersigned Substituted Trustee to execute the trust and sell said land and property in accordance with the terms of said Deeds 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, Simpson Law Firm, P.A., Substituted Trustee in said Deeds of Trust, will on the 12th day of February, 2018, 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 North Front Door of the Holmes County Courthouse, 2 Court Square, Lexington, Mississippi, to the highest and best bidder for cash the following described property situated in Holmes County, State of Mississippi, to-wit:

Lot 5 of Block 3 of the Casey Subdivision in the City of Lexington, according to a plat now of record in Plat Book 4 at page 11 thereof, of the records in the Chancery Clerk's office of Holmes County, Mississippi and being the same real property conveyed to the grantors by Peter Fryar on December 31, 1938, by deed recorded in Deed Book 54 of Page 338 thereof of the records of

HOLMES COUNTY CONSOLIDATED SCHOOL DISTRICT 313 Olive Street Lexington, MS 39095 (662) 834-2175

Notice is hereby given that the Holmes County Consolidated School District Board of Education will receive proposals up to 2:00 p.m. on Friday, February 2, 2018 for School District Legal Services.

Envelopes must be marked, School District Legal Services.

Specifications may be downloaded from the district website at www.holmes.k12.ms.us or picked up from Dr. Angel Meeks, Superintendent of Education for Holmes County School District at 313 Olive Street Lexington, MS 39095.

All proposals shall be F.O.B. Lexington, Mississippi. The right is reserved to accept or reject proposals on each item separately or as a whole.

/s/ A. L. Meeks
Angel Meeks, Superintendent
HOLMES COUNTY SCHOOL DISTRICT
1-11,18,25b

NOTICE OF SALE

CDE Storage, 109 E. Cedar Street, Durant, MS, will sell the contents of Unit #65 leased to Lee Wade, Sr., 1978 Church St., Goodman, MS, on Saturday, February 10, 2018 at 10:00 a.m.

1-25;2-1b

INDEXING INSTRUCTIONS:

Part of Lot 367, City of Lexington, Holmes County, Mississippi.

SUBSTITUTE TRUSTEE'S

NOTICE OF SALE

WHEREAS, on July 15, 2011, Cedric Jerome Branch, executed a Deed of Trust to Marshall Holt Smith, Jr., Trustee for the use and benefit of Holmes County Bank & Trust Company, which Deed of Trust is on file and of record in the office of the Chancery Clerk of Holmes County, Mississippi, in Deed of Trust Book 2011 at Page 2923 thereof; and

WHEREAS, the legal holder of the said Deed of Trust and the note secured thereby, substituted John M. Gilmore, as Trustee therein, as authorized by the terms thereof, by instrument recorded in the office of the aforesaid Chancery Clerk in Deed of Trust Book 2017 at Page 315 thereof; and

WHEREAS, default having been made in the performance of the conditions and stipulations as set forth by said Deed of Trust, and having been requested by the legal holder of the indebtedness secured and described by said Deed of Trust so to do, notice is hereby given that I, John M. Gilmore, Substitute Trustee, by virtue of the authority conferred upon me in said Deed of Trust, will offer for sale and will sell at public sale and outcry to the highest and best bidder for cash, during the legal hours (between the hours of 11 o'clock a.m. and 4 o'clock p.m.) at the North door of the Holmes County Courthouse, Lexington, Mississippi, on the 9th day of February, 2018 at 11:05 A.M., the following described land and property being the same land and property described in said Deed of Trust, situated in the City of Lexington, Holmes County, State of Mississippi, to-wit:

From the point where the Western boundary line of Lot 365 of the City of Lexington, as shown on the M. W. Mercer Map of said City, is intersected by the Northern boundary line of the right-of-way of the Lexington-Durant Highway, designated as Mississippi Highway No. 12, run South 76 degrees 20 minutes East along the Northern boundary line of the right-of-way of said Highway for a distance of 936.5 feet; thence run North 33 degrees 45 minutes East for 556.6 feet to a point on the Southern boundary line of the Old Lexington-Bowling Green Road, said point being the Northeast corner of that certain land leased by the City of Lexington to the State of Mississippi by lease of record in Deed Book 80, page 269, in the office of the Chancery Clerk of Holmes County, Mississippi, and thence run North 26 degrees 42 minutes West 63.5 feet to a stake on the Northern boundary of the Old Lexington-Bowling Green Road, said stake being the point of beginning; and from said POINT OF BEGINNING run thence North 38 degrees 35 minutes East 220 feet to a stake; thence South 48 degrees 5 minutes East 200 feet; thence South 38 degrees 18 minutes West 220 feet to a stake; thence North 47 degrees 35 minutes West 200 feet along the Northern boundary of the said Old Lexington-Bowling Green Road to the POINT OF BEGINNING and close; and being a part of Lot 367 in the City of Lexington, Mississippi, and by which description it is intended to describe the same property conveyed to Leslie I. Farmer and wife, Hattie Maude Farmer, by John E. Massey, Jr. (same as John Massey) and wife, Jewel Farmer Massey, by deed dated September 10, 1958, and recorded in Book 88 at page 284 of the land deed records of Holmes County, Mississippi, whether correctly described above or not, and together with all rights, privileges and appurtenances thereunto appertaining.

Identified as Parce1 No. 050-16-046.00

Title to the above described property is believed to be good, but I will convey only such title as is vested in me as Substitute Trustee.

WITNESS MY SIGNATURE, on this the 12th day of January, 2018.

/s/ John M. Gilmore
JOHN M. GILMORE,
Substituted Trustee
1-18,25;2-1,8b

SIMPSON LAW FIRM, P.A.

Attorneys at Law
P.O. Box 1410
Ridgeland, Mississippi 39158-1410
(601) 957-6600

1-18,25;2-1,8b

IN THE CHANCERY COURT OF HOLMES COUNTY, MISSISSIPPI IN THE MATTER OF THE ESTATE OF BESSIE BREWER-ELAM, DECEASED CAUSE NO:17-0166 RGC BY: REJENIA BREWER, ADMINISTRATRIX

SUMMONS

THE STATE OF MISSISSIPPI
TO: All Unknown Persons Claiming to be the Heirs at Law and Wrongful Death Beneficiaries of Bessie Brewer-Elam, Deceased

You have been made a Defendant in the Petition filed in the Chancery Court of Holmes County, Mississippi by Rejenia Brewer, Administratrix of the Estate of Bessie Brewer-Elam, Deceased, seeking a determination by the Court of the heirs at law and wrongful death beneficiaries of Bessie Brewer-Elam, deceased. Defendants other than you in this action are: UNKNOWN.

You are summoned to appear and defend against the petition filed against you in this action at 9:00 o'clock A.M. on the 26th day of February, 2018, in the courtroom of the Yazoo County Chancery Courthouse at Yazoo City, Mississippi, and in case of your failure to appear and defend a judgment will be entered against you for the money or other things demanded in the petition.

You are not required to file an answer or other pleading, but you may do so if you desire.

Issued under my hand and the seal of this Court, this the 19 day of December, 2017.

HENRY LUCKETT,
HOLMES COUNTY
CHANCERY CLERK
By: /s/ Charlie Luckett, D.C.
1-11,18,25b

SUBSTITUTED TRUSTEE'S NOTICE OF SALE

WHEREAS, on the 11th day of September, 2006, James C. King, Jr. executed a certain Deed of Trust to Pat Barrett, Jr., Trustee for the benefit of BankPlus, which Deed of Trust was recorded in the office of the Chancery Clerk of Holmes County, Mississippi, and recorded in Deed of Trust Book 2006 at Page 4901 of the land records; and,

WHEREAS, on the 9th day of April, 2012, James C. King, Jr. executed a certain Deed of Trust dated April 2, 2012 to Thomas R. Hudson, Trustee for the benefit of BankPlus, which Deed of Trust was recorded in the office of the Chancery Clerk of Holmes County, Mississippi, and recorded in Deed of Trust Book 2012 at Page 1318 of the land records; and,

WHEREAS, Simpson Law Firm, P.A. has been substituted in the place and stead of Pat Barrett, Jr. and/or Thomas R. Hudson, Trustee for BankPlus, said Appointment of Substitute Trustee being recorded in Book 2017 at Page 994 of the records of the Chancery Clerk of said County; and,

WHEREAS, fee simple title is vested in James C. King, Jr.; and,

WHEREAS, default having been made in the terms and conditions of said Deeds of Trust and the entire debt secured thereby having been declared to be due and payable in accordance with the terms of said Deeds of Trust, the legal holder of said indebtedness, BankPlus, having requested the undersigned Substituted Trustee to execute the trust and sell said land and property in accordance with the terms of said Deeds 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, Simpson Law Firm, P.A., Substituted Trustee in said Deeds of Trust, will on the 12th day of February, 2018, 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 North Front Door of the Holmes County Courthouse, 2 Court Square, Lexington, Mississippi, to the highest and best bidder for cash the following described property situated in Holmes County, State of Mississippi, to-wit:

TRACT I:

A lot or parcel of land in Smith's Addition subdivision in the City of Durant, and being more particularly described as beginning at a point that is 497.7 feet North 9 degrees 55 minutes East along the East margin of Lockhart Street from its intersection with the North R.O.W. line of the I.C.R.R., this said point of beginning being 5 feet South of the Northwest corner of Lot 24, and from said Point of Beginning run thence North 9 degrees 55 minutes East for 65 feet along said street, thence South 79 degrees 40 minutes East for 162.5 feet to the East line of Lot 25, thence South 9 degrees 55 minutes West parallel with said Lockhart Street for 65 feet, thence North 79 degrees 40 minutes West for 162.5 feet to the Point of Beginning, and all being a part of Lots 24 and 25, all in Smith's Addition subdivision in the City of Durant, Holmes County, Mississippi.

TRACT II:

A lot or parcel of land in Smith's Addition subdivision in the City of Durant, and being more particularly described as: beginning at a point that is 497.7 feet North 9 degrees 55 minutes East along the East margin of Lockhart Street from its intersection with the North right of way line of the I.C. Railroad, this said Point of Beginning being 5 feet South of the Northwest corner of Lot 24, and from said Point of Beginning run thence South 79 degrees 40 minutes East for 162.5 feet to the East line of Lot 25, thence South 9 degrees 55 minutes West for 28.7 feet to the South line of the Cox property, thence North 70 degrees 05 minutes West for 165 feet to the Point of Beginning; all being a part of Lots 24 and 25, in Smith's Addition subdivision in the City of Durant, Holmes County, Mississippi.

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

WITNESS MY SIGNATURE, this the 8th day of January, 2018.

/s/ T. Frank Collins
Simpson Law Firm, P.A.,
Substituted Trustee

SUMMONS BY PUBLICATION IN THE CHANCERY COURT OF HOLMES COUNTY, MISSISSIPPI IN THE MATTER OF THE ESTATE OF PHILIP EDMUND SWAYZE, DECEASED CIVIL ACTION FILE NO. 17-0146 AMY WARD, ADMINISTRATRIX OF THE ESTATE OF PHILIP EDMUND SWAYZE, DECEASED, ANN SWAYZE GRANHOLM AND MARY BARHAM SWAYZE PLAINTIFFS VS. HEIRS AT LAW OF PHILIP EDMUND SWAYZE, DECEASED DEFENDANTS

SUMMONS

THE STATE OF MISSISSIPPI
TO: HEIRS AT LAW OF PHILIP EDMUND SWAYZE, DECEASED

NOTICE TO DEFENDANT

You have been made a Defendant/Respondent in the suit filed in this Court by Amy Ward, Administratrix of the Estate of Philip Edmund Swayze, Deceased, Ann Swayze Granholm and Mary Barnham Swayze, Petitioner(s) seeking to determine the heirship of said Philip Edmund Swayze, Deceased. Defendants/Respondents other than you in this action are None:

You are summoned to appear at 9:00 O'Clock A. M. on the 8th day of March, 2018 in the Courtroom of the Yazoo County Chancery Court, at the Yazoo County Courthouse, 211 E. Broadway St., Yazoo City, Mississippi 39194; in case of your failure to appear and defend against said action a judgment may be entered against you for the money or other things demanded in the petition.

You are not required to file an answer or other pleading but you may do so if you desire, by mailing or hand delivering a copy of a written response to the Complaint filed against you in this action to Wiley J. Barbour, Attorney for the Plaintiff(s), whose post office address is P. O. Box 1569, Yazoo City, MS 39194, and whose street address is 117 E. Jefferson St., Yazoo City, MS 39194.

You must also file the original of your response with the Clerk of this Court within a reasonable time afterward.

Issued under my hand and the seal of said Court, this 4th day of January, 2018.

HENRY LUCKETT, CLERK
OF THE CHANCERY
COURT OF HOLMES
COUNTY MISSISSIPPI
P. O. Box 1211
LEXINGTON, Mississippi
39095
By CHARLIE LUCKETT
1-11,18,25b

INDEXING INSTRUCTIONS:

SE ¼ of NE ¼ of Section 20; and SW ¼ of NW ¼ of Section 21, all in Township 16 North, Range 2 East, Holmes County, Mississippi.

SUBSTITUTE TRUSTEE'S NOTICE OF SALE

WHEREAS, on July 15, 2011, Cedric Jerome Branch, executed a Deed of Trust to Marshall Holt Smith, Jr., Trustee for the use and benefit of Holmes County Bank & Trust Company, which Deed of Trust is on file and of record in the office of the Chancery Clerk of Holmes County, Mississippi, in Deed of Trust Book 2011 at Page 2936 thereof; and

WHEREAS, the legal holder of the said Deed of Trust and the note secured thereby, substituted John M. Gilmore, as Trustee therein, as authorized by the terms thereof, by instrument recorded in the office of the aforesaid Chancery Clerk in Deed of Trust Book 2017 at Page 316 thereof; and

WHEREAS, default having been made in the performance of the conditions and stipulations as set forth by said Deed of Trust, and having been requested by the legal holder of the indebtedness secured and described by said Deed of Trust so to do, notice is hereby given that I, John M. Gilmore, Substitute Trustee, by virtue of the authority conferred upon me in said Deed of Trust, will offer for sale and will sell at public sale and outcry to the highest and best bidder for cash, during the legal hours (between the hours of 11 o'clock a.m. and 4 o'clock p.m.) at the North door of the Holmes County Courthouse, Lexington, Mississippi, on the 9th day of February, 2018 at 11:05 A.M., the following described land and property being the same land and property described in said Deed of Trust, situated in Holmes County, State of Mississippi, to-wit:

Begin at a point on the South side of the Tchula-Acona Public Road which is 2 chains and 65 links East of the NW Corner of the S ½ of S ½ of NW ¼ of Section 21, Township 16 North, Range 2 East, and run South 55 degrees West for 7 chains and 14 links along the South side of said road to a stake; thence run South 35 degrees East 7 chains to a stake; thence run North 55 degrees East 7 chains and 14 links to a stake; thence run North 35 degrees West 7 chains to Close and containing 1.5 acres situated in the SE Corner of E ½ of SE ¼ of NE ¼ of Section 20, and 3.5 acres in the SW Corner of SW ¼ of NW ¼ of Section 21, all in Township 16 North, Range 2 East, by which description it is intended to describe and there is hereby conveyed that certain real property heretofore conveyed to Raymond V. Smith by Sam and Pinkie Anderson by deed dated September 23, 1946, recorded in Land Deed Book 64, at Page 508 of the Holmes County Records, whether correctly described or not; and being the same property conveyed to Mrs. Allie Jackson by Deed from Raymond V. Smith, et ux dated August 14, 1948 and recorded in Deed Book 68 at Page 595 of the land records of Holmes County, Mississippi.

Title to the above described property is believed to be good, but I will convey only such title as is vested in me as Substitute Trustee.

WITNESS MY SIGNATURE, on this the 12th day of January 2018.

/s/ John M. Gilmore
JOHN M. GILMORE,
Substituted Trustee
1-18,25;2-1,8b

SIMPSON LAW FIRM, P.A.

Attorneys at Law
P.O. Box 1410
Ridgeland, Mississippi 39158-1410
(601) 957-6600

1-18,25;2-1,8b

INDEXING INSTRUCTIONS:

Part of E ½ SW ¼, Section 7, Township 16 North, Range 3 East, Holmes County, Mississippi.

SUBSTITUTE TRUSTEE'S NOTICE OF SALE

WHEREAS, on July 15, 2011, Cedric Jerome Branch, executed a Deed of Trust to Marshall Holt Smith, Jr., Trustee for the use and benefit of Holmes County Bank & Trust Company, which Deed of Trust is on file and of record in the office of the Chancery Clerk of Holmes County, Mississippi, in Deed of Trust Book 2011 at Page 2949 thereof; and

WHEREAS, the legal holder of the said Deed of Trust and the note secured thereby, substituted John M. Gilmore, as Trustee therein, as authorized by the terms thereof, by instrument recorded in the office of the aforesaid Chancery Clerk in Deed of Trust Book 2017 at Page 317 thereof; and

WHEREAS, default having been made in the performance of the conditions and stipulations as set forth by said Deed of Trust, and having been requested by the legal holder of the indebtedness secured and described by said Deed of Trust so to do, notice is hereby given that I, John M. Gilmore, Substitute Trustee, by virtue of the authority conferred upon me in said Deed of Trust, will offer for sale and will sell at public sale and outcry to the highest and best bidder for cash, during the legal hours (between the hours of 11 o'clock a.m. and 4 o'clock p.m.) at the North door of the Holmes County Courthouse, Lexington, Mississippi, on the 9th day of February, 2018 at 11:05 A.M., the following described land and property being the same land and property described in said Deed of Trust, situated in Holmes County, State of Mississippi, to-wit:

TRACT 2: Commence at a fence corner marking the Northwest corner of the E ½ of the SW ¼ of Section 7, Township 16 North, Range 3 East, Holmes County, Mississippi, and proceed South 00 degrees 25 minutes 16 seconds West along the West boundary of the E ½ of SW ¼ of Section 7 for 30.00 feet to a ½ inch galvanized iron pipe marking the Point of Beginning of the tract herein described; from said POINT OF BEGINNING proceed South 00 degrees 25 minutes 16 seconds West along the West boundary of the E ½ of SW ¼ of Section 7 for 30.00 feet to a ½ inch galvanized iron pipe marking the Point of Beginning of the tract herein described; from said POINT OF BEGINNING proceed South 00 degrees 25 minutes 16 seconds West along the West boundary of the E ½ of SW ¼ for 257.39 feet to a ¾ inch galvanized iron pipe; thence South 73 degrees 21 minutes 53 seconds East for 318.86 feet to a ½ inch iron pipe on the West right-of-way boundary of Mississippi Highway No. 17; thence North 16 degrees 34 minutes 57 seconds East along said right-of-way boundary 354.45 feet to a ½ inch iron pipe; thence North 88 degrees 43 minutes 55 seconds West 404.88 feet to the POINT OF BEGINNING and close; containing 2.49 acres located in the E ½ of SW ¼ of Section 7, Township 16 North, Range 3 East, Holmes County, Mississippi. Bearings in this description are by solar observation.

TRACT 4: Commence at a fence corner marking the Northwest corner of the E ½ of the SW ¼ of Section 7, Township 16 North, Range 3 East, Holmes County, Mississippi, and proceed South 00 degrees 25 minutes 16 seconds West along the West boundary of the E ½ of SW ¼ of Section 7 for 439.44 feet to a ¾ inch iron pipe marking the Point of Beginning of the tract herein described; from said POINT OF BEGINNING proceed South 00 degrees 25 minutes 16 seconds West along the West boundary of the E ½ of SW ¼ of Section 7 for 439.44 feet to a ¾ inch iron pipe marking the Point of Beginning of the tract herein described; from said POINT OF BEGINNING proceed South 00 degrees 25 minutes 16 seconds West along the West boundary of the E ½ of SW ¼ for 605.54 feet to a ½ inch galvanized iron pipe; thence South 77 degrees 52 minutes 26 seconds East for 92.49 feet to a ¾ inch galvanized iron pipe on the West right-of-way boundary of Mississippi Highway No. 17; thence proceed along said right-of-way boundary and along a curve to the left with a delta angle of 05 degrees 14 minutes 27 seconds having a radius of 3773.73 feet and an arc length of 345.19 feet, with a chord bearing and distance of North 19 degrees 12 minutes 11 seconds East for 345.06 feet to a point; thence North 16 degrees 34 minutes 57 seconds East along said right-of-way boundary 229.46 feet to a ½ inch iron pipe; thence North 73 degrees 21 minutes 53 seconds West for 276.54 feet to the POINT OF BEGINNING and close; containing 2