

D. O. Cobb, et als By Tip Ray,
Substituted Trustee.
To/ Special Warranty Deed
F. H. Ray, Jr.

Filed for record on the 13th day of
Dec. 1921 at 5 o'clock P.M.
Recorded on the 16th day of Dec. 1921.

WHEREAS, D. O. COBB, M. S. COBB, B. COBB, H. G. COBB, MRS. LUCY A. HELM, MRS. S. C. VINSON, MRS. S. L. MANSELL, I. L. WALKER, MRS. B. J. GRAHAM, MRS. J. D. POWERS, MRS. W. G. LUCKETT, MRS. R. E. HOLLIDAY, MRS. MARY MOAK, MRS. ALLIE VITZTHUN, E. J. ROSS AND MRS. IDDIE SMITH, did on the 30th day of June, 1916, execute to A. K. Foot as Trustee, a deed of trust, which deed of trust is of Record in the Chancery Clerk's Office of Madison County, Mississippi, in Record Book BE, on pages 81-82 thereof, to secure A. & R. Gargarino, Executors, which indebtedness was, on the 9th day of November, 1921, and for a long time prior thereto, past due and unpaid;

AND WHEREAS, the said A. K. FOOT, Trustee therein, did, in writing, refuse to act as Trustee in said deed of trust, which refusal to act is duly of Record in said County in Record Book BM on page 560 thereof;

AND WHEREAS, the owner of said indebtedness, did, on the 7th day of November, 1921, appoint me, Tip Ray, as Substituted Trustee, in the place and stead of the original trustee, said appointment being of Record in Book BM on page 560 thereof, which appointment was duly spread upon the Records before the sale herein referred to was first advertised.

AND WHEREAS, I was requested by the owner of said indebtedness to execute and enforce said trust by a sale of the property therein described, and hereinafter described, and whereas, as Substituted Trustee, I did post a written notice of the sale of said property at the South Door of the Court House in the City of Canton, Madison, County, Mississippi, on the 9th day of November, 1921, which said notice remained so posted until removed by me on the day and hour of said sale;

AND WHEREAS, I did also have published in the Madison County Herald, - a news paper published in said County, a copy of said notice of said sale, for four consecutive weeks preceeding said sale, showing the time and place thereof, - the same being published in said paper in the following Issues thereof, to-wit:

Nov. 18th., 1921; Nov. 25th., 1921;
Dec. 2nd., 1921 and Dec. 9th., 1921;

the same being next preceeding the date of said sale, and had advertised said sale as required by law in such cases, and as required by the terms of said deed of trust; copies of said notice being herewith attached as Exhibits "A" & "B" to this deed.

AND WHEREAS, I did further make diligent efforts to have bidders on hand on the day of said sale, and did see in person many prospective bidders, including: F. C. McAllister, Charles Trolie, I. Gross and others, and did notify them in person of the date of said sale, and did request them to inspect said lands and be prepared to bid upon same;

AND WHEREAS, on the 10th day of Dec. 1921, in pursuance of said notices of sale and the provisions of said deed of trust, before the South door of the Court house in Canton, Mississippi, at the hour of 12 o'clock noon, I did offer the property hereinafter described for sale at public outcry to the highest bidder, for cash, in the manner and form provided by law and said deed of trust and notices,

And I did first offer said lands in said subdivisions of 160 acres of land, receiving the following bids:

N $\frac{1}{2}$ W $\frac{1}{2}$ E $\frac{1}{2}$ NW $\frac{1}{4}$ Sec. 14, T. 10, R. 3, E., bid \$1.00 an acre for this by F. H. Ray Jr

13 acres out of SE corner of Sec. 10, T. 10, R. 3, E., bid \$1.00 an acre for this by F. H. Ray, Jr.

53 acres off S. end W $\frac{1}{2}$ SW $\frac{1}{4}$ Sec. 10, T. 10, R. 3, E., and 24 acres off W. side S $\frac{1}{2}$ E $\frac{1}{2}$ SW $\frac{1}{4}$ Sec. 10, T. 10, R. 3, E., bid \$1.00 an acre for this by F. H. Ray, Jr.

N $\frac{1}{2}$ NE $\frac{1}{4}$ Sec. 16, T. 10, R. 3, E., bid \$1.50 an acre by I. Gross and \$2.00 an acre by F. H. Ray, Jr.

S $\frac{1}{2}$ SE $\frac{1}{4}$ Sec. 9, T. 10, R. 3, E., bid \$2.00 an acre by F. H. Ray, Jr.

N $\frac{1}{2}$ NE $\frac{1}{4}$ Sec. 9, T. 10, R. 3, E., bid \$2.00 an acre by F. H. Ray, Jr.

AND WHEREAS, I offered the remaining lands, included in said deed of trust in subdivisions of 160 acres or less, and received no bids whatever for same; I then offered said lands for sale as a whole when F. H. Ray, Jr., bid the sum of \$2100.00 cash, which was the highest and best bid offered, and which was more than the total of the bids offered for the separate tracts or parcels offered. I did, therefore, knock the same off and sell the same to the said F. H. Ray, Jr.

AND WHEREAS, the said F. H. Ray, Jr., his bid being for the entire tract of land, and all of the interests of all parties signing said deed of trust, I having first offered the life estate interest of D. O. Cobb and received no bids whatever for same,

has paid the said sum to me of \$2100.00, amount of said bid, the receipt of which is hereby acknowledged by me, and whereas I have fully complied with the law and said deed of trust, both precedent and subsequent to said sale, and have credited the notes secured by said deed of trust with the amount due therein, and have paid the costs and expense of said sale, and have paid to Tip Ray, Attorney and substituted trustee, the balance of said proceeds as his fees, - the balance being insufficient to pay the full amount to which he was entitled, according to law and said notes and deed of trust.