



ARTHUR JOHNSTON
MADISON COUNTY CHANCERY CLERK
P. O. BOX 404
CANTON, MS 39046
JOHNSTON@MADISON-CO.COM

PHONE 601-855-5526

FAX 601-855-5759

August 5, 2013

MEMORANDUM

TO: MADISON COUNTY BOARD OF SUPERVISORS

RE: REQUEST TO CONSIDER DECLARING HOMESTEAD CHARGE BACK INVALID

MESSAGE:

Dana Reiff Davis was notified by this office, of her homestead exemption loss by the Mississippi Department of Revenue, parcel number 083E-15C-060 (see attached).

Bank of America, N.A. foreclosed on the property and was conveyed a Substitute Trustee's Deed, August 6, 2012. (See attached)

Bank of America, N. A. issued a Special Warranty Deed to HUD September 7, 2012. HUD has a potential purchaser of the property and requests that the homestead chargeback be voided.

According to Attorney General Opinion Docket No. 2006-480 (September 29, 2006), the homestead chargeback is a personal liability and would not be applicable to Dana Reiff Davis

It is therefore my recommendation that you declare the homestead chargeback invalid as to regarding parcel number 083E-15C-060; direct me to advise the Tax Collector that this charge does not run with the property but the individual; and to make any necessary marginal notations in the public land records.

Arthur Johnston
Chancery Clerk

Homestead Notice of Adjustment

DEPARTMENT OF REVENUE STATE OF MISSISSIPPI



Date: February 26, 2013
Letter ID: L1538146816
Period: December 31, 2012
Account #: 1027-8683



MADISON COUNTY BOARD OF SUPERVISORS
PO BOX 608
CANTON MS 39046-0608

DAVIS DANA M
152 TWIN LAKES DR
CANTON MS 390460000

BOOK 2956 PAGE 921 DOC 79 TY W
INST # 705102 MADISON COUNTY MS.
This instrument was filed for
record 6/12/13 at 2:18:23 PM
ARTHUR JOHNSTON, C.C. BY: KAA D.C.

Reimbursement Year: 2012
Parcel#: 083E-15C-060/00.00
School District: Canton School District

This is notice that the Department is making an adjustment to the County's Homestead Exemption reimbursement. The above applicant is not qualified for Homestead Exemption.

35. Applicant or applicant's spouse has failed to comply with the income tax laws of Mississippi. §27-33-63 (2)

If the applicant has any questions about the income tax debt, they may review their account information online through the Taxpayer Access Point at www.dor.ms.gov. If the applicant has any questions about residency status or does not have internet access, they may call (601) 923-7700 for assistance.

Please complete the enclosed Notice Certification and forward to the appropriate offices as directed.

You may provide a copy of this notice to the applicant. Please note that the applicant must file any objection to this action with the MADISON Board of Supervisors, not the Department. The applicant has 30 days from the date of this letter to file the objection with the Board. If not filed in the time provided, the decision to disallow the applicant's homestead exemption is final.

Sincerely,
Tax Administrator

Enclosure: Notice Certification

Three horizontal lines

Notice Certification

Date: February 26, 2013
Letter ID: L1538146816
Period: December 31, 2012

This certifies that the Board of Supervisors for MADISON County considered the Notice of the Department of Revenue of its disallowance of the Homestead Exemption for the below applicant. The Board entered into its minutes its determination concerning whether to accept or object to this action.

Applicant Name

DAVIS DANA M
152 TWIN LAKES DR
CANTON MS 390460000

Parcel #

083E-15C-060/00.00
08620/11

School District

Canton School District

BOOK 2956 PAGE 922
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Agree and Accept

The Board has met and entered into its minutes an order directing that the MADISON County Tax Collector re-assess and list the above property as subject to all taxes. The tax is due and payable on or before the next February 1, following the date of this notice.

So certified and confirmed by the Clerk of the MADISON Board of Supervisors,

By ARTHUR JOHNSON,

Clerk

Arthur Johnson
(Board Clerk Signature)



The meeting of the MADISON Board of Supervisors was held _____

(Enter date)

If in agreement, a copy of this completed document must be provided to the MADISON County Tax Collector and the Department of Revenue, Property Bureau.

Disagree and Object

The Board has met and entered into its minutes an order of its intent to file an objection with the Department of Revenue concerning this action.

So certified and confirmed by the Clerk of the MADISON Board of Supervisors,

By ARTHUR JOHNSON,

Clerk

(Board Clerk Signature)

The meeting of the MADISON Board of Supervisors was held _____

(Enter date)

If in disagreement, a copy of this completed document must be provided to the Department of Revenue, Property Bureau. A copy of the order of the Board of Supervisors providing the reason for the objection must be attached along with any documentation necessary to support the objection.

Library MADISON COUNTY TAX 2012

REIFF DANA M
152 TWIN LAKES DR

Parcel 083E-15C-060/00.00 PPIN 24391
Alt Parcel 0831530600000
Exempt Code JD 0 Tax District 5 C
Subdivision 08620

TWIN LK
Neighborhood
St Addr 152 TWIN LAKES DR Map

CANTON	MS 39046	St Addr	152 TWIN LAKES DR	Map					
Sect/Twn/Rng	15 08N 03E Blk	Cls C-Acres	C-Value	U-Acres	U-Value	T-Acres	Improved	True	Assessed
1			10000				48840	58840	5884
2			10000				48840	58840	5884

Homestead Type 4 1=065 2=DAV 3=DIS 4=Regular Regular 240.00 100
 Mtg Group Eligible Cl1 Y (Y/N)
 New Value Added F-Fire O-Override Deed Bk 0450 Pg 613 Ext
 Drainage Code Benefit Price Total Deed Date 9 21 1999 Type D
 Current 2010 Yr Added 11 12 2001
 L 10000 CNV
 B 48840 Chged 5 13 2002
 Levee Benefits X = Use1 1110 Use2 HACS3

F3-NEXT PARCEL F5-LEGAL F6-ADDENDUM F7-DEEDS F8-FLAGS F9-OPTIONS F24-EXIT
 F3 next record, Page-Up prev record, F13 Paperlink

BOOK 2823 PAGE 405 DOC 09 TY W
INST # 679158 MADISON COUNTY MS.
This instrument was filed for
record 8/08/12 at 1:29:37 PM
ARTHUR JOHNSTON, C.C. BY: HRM D.C.

RECORD AND RETURN TO:

BANK OF AMERICA, N.A., SUCCESSOR BY
MERGER TO BAC HOME LOANS SERVICING, LP
FKA COUNTRYWIDE HOME LOANS SERVICING
LP, FOR THE BENEFIT OF WELLS FARGO BANK,
N.A.

4500 Amon Carter Blvd
Fort Worth, TX 76155
TS No.: 12-0038446
PARCEL No.: 083E-15C-060/00.00
DHGW 70317G

401
12.00
@

SPACE ABOVE THIS LINE FOR RECORDER'S

PREPARED BY:

DYKE, HENRY, GOLDSHOLL &
WINZERLING, P.L.C.
415 N. MCKINLEY, STE. 1177
LITTLE ROCK, AR 72205
(501) 661-1000

SUBSTITUTE TRUSTEE'S DEED

GRANTOR:

RECONTRUST COMPANY, N.A., SUBSTITUTE TRUSTEE
4500 Amon Carter Blvd
Fort Worth, TX 76155
Telephone No. (800) 281-8219

GRANTEE:

BANK OF AMERICA, N.A. SUCCESSOR BY MERGER TO BAC HOME LOANS SERVICING, LP FKA
COUNTRYWIDE HOME LOANS SERVICING LP
400 National Way
SIMI VALLEY, CA 93065
Telephone No. (800) 669-6650

THE REAL PROPERTY WHICH IS THE SUBJECT OF THIS CONVEYANCE IS DESCRIBED AS FOLLOWS:

THE FOLLOWING DESCRIBED PROPERTY LYING AND BEING SITUATED IN
MADISON COUNTY, MISSISSIPPI, TO WIT:

LOT 11, OF TWIN LAKES SUBDIVISION, A SUBDIVISION ACCORDING TO A MAP OR
PLAT THEREOF WHICH IS ON FILE AND OF RECORD IN THE OFFICE OF THE
CHANCERY CLERK OF MADISON COUNTY AT CANTON, MISSISSIPPI, IN PLAT BOOK
5, AT PAGE 8, REFERENCE TO WHICH IS HEREBY MADE IN AID OF AND AS A PART
OF THIS DESCRIPTION.

KNOW ALL MEN BY THESE PRESENT:

WHEREAS, on November 8, 2003, DANA M. DAVIS, A MARRIED WOMAN JOINED BY MICHAEL
T. DAVIS executed a Deed of Trust to FIDELITY NATIONAL TITLE COMPANY as Trustee, with MORTGAGE

ELECTRONIC REGISTRATION SYSTEMS, INC., ACTING SOLELY AS A NOMINEE FOR E* TRADE MORTGAGE CORPORATION being shown as Beneficiary therein, under the terms of which the hereinafter described property was conveyed to said Trustee to secure the payment to the said Beneficiary therein, of a certain indebtedness therein mentioned and described, which Deed of Trust was recorded as Instrument No. 425799 in Book 1718 at Page 161 in the Office of the Chancery Clerk of Madison County, Mississippi; and

WHEREAS, MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC., assigned said Deed of Trust to BANK OF AMERICA, N.A. SUCCESSOR BY MERGER TO BAC HOME LOANS SERVICING, LP FKA COUNTRYWIDE HOME LOANS SERVICING LP pursuant to an Assignment of Deed of Trust recorded in as Instrument No. 653919 - and in Book 2702 at Page 646 - in the Office of the Chancery Clerk of Madison County, Mississippi; and

WHEREAS, BANK OF AMERICA, N.A. SUCCESSOR BY MERGER TO BAC HOME LOANS SERVICING, LP FKA COUNTRYWIDE HOME LOANS SERVICING LP, the current Beneficiary of said Deed of Trust, substituted RECONTRUST COMPANY, N.A., as Trustee therein, as authorized by the terms thereof, as evidenced by an instrument recorded as Instrument No. 673976 - and in Book 2793 at Page 141 - in the Office of the Chancery Clerk of Madison County, Mississippi; and

WHEREAS, default having been made in the payment of the indebtedness secured by said Deed of Trust, and the Beneficiary having exercised the option of declaring the entire unpaid balance of said indebtedness immediately due and payable, and invoking the power of sale, and having directed the undersigned as Substitute Trustee in said Deed of Trust, to sell the property therein described in accordance with the terms and conditions of the said Deed of Trust; and,

WHEREAS, after having advertised the said sale in all respects as required by law and the terms of said Deed of Trust, the undersigned did, on JULY 26, 2012 within legal hours (between the hours of 11:00 a.m. - 4:00 p.m.) at the South door of the Madison County Courthouse in Canton, Mississippi, offer the hereinafter described land and property for sale to the highest bidder for cash in the manner required by law and the terms and conditions of said Deed of Trust; and,

WHEREAS, at the time and place aforementioned, the undersigned received from the hereinafter named grantee a bid of EIGHTY THOUSAND FOUR HUNDRED FIFTY-EIGHT AND 80/100 DOLLARS (\$80,458.80), which was the highest bid for cash for said land and property, and said bidder was then and there declared to be the purchaser thereof;

NOW, THEREFORE, in consideration of the aforesaid sum, cash in hand paid, the receipt whereof is hereby acknowledged, the undersigned does hereby sell and convey unto BANK OF AMERICA, N.A. SUCCESSOR BY MERGER TO BAC HOME LOANS SERVICING, LP FKA COUNTRYWIDE HOME LOANS SERVICING LP, the afore-described real estate, together with all the improvements and appurtenances thereunto belonging, situated in Madison County, State of Mississippi.

I hereby convey only such title as is vested in me as Substitute Trustee.

WITNESS MY SIGNATURE, this 6th day of August, 2012

RECONTRUST COMPANY, N.A., SUBSTITUTE TRUSTEE
4500 Amon Carter Blvd
Fort Worth, TX 76155
Telephone No. (800) 281-8219

By: Carolyn Holleman 8/6/12
Title: Carolyn Holleman

AVP

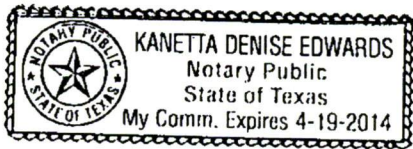
ACKNOWLEDGMENT

STATE OF Texas)
COUNTY OF Tarrant) ss

PERSONALLY appeared before me, the undersigned authority, in and for the said county and state, on this 6 day of August, 2012 within my jurisdiction, the within named Carolyn Holleman, AVP, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed in the above and foregoing instrument and acknowledged that he/she/they executed the same in his/her/their representative capacity(ies), and that by his/her/their signature(s) on the instrument, and as the act and deed of the person(s) or entity (ies) upon behalf of which he/she/they acted, executed the above and foregoing instrument, after first having been duly authorized so to do.

Kanetta Denise Edwards
Notary Public

My Commission Expires:
04-19-14



**PROOF OF PUBLICATION
THE STATE OF MISSISSIPPI
MADISON COUNTY**

BOOK 2623 PAGE 408
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PASTE PROOF HERE

C25028
DYKE, HENRY GOLDSHOLL & WINZER,
0200409101
Dana Davis, 70317G-1MM

PERSONALLY appeared before me, the undersigned notary public in and for Madison County, Mississippi,

ANN MIDDEKE

an authorized clerk of the MADISON COUNTY HERALD, a newspaper as defined and prescribed in Sections 13-3-31 and 13-3-32, of the Mississippi Code of 1972, as amended, who, being duly sworn, states that the notice, a true copy of which is hereto attached, appeared in the issues of said newspaper as follows:

7/5/2012
7/12/2012
7/19/2012

Size: 602 words / 1.00 col. x 153.00 lines
Published: 3 time(s)
Total: \$210.06

Signed *Ann Middleke*
Authorized Clerk of
The Madison County Herald

SWORN to and subscribed before me on 7/19/2012.

Rick Tyler
Notary Public
RICK TYLER

Notary Public State of Mississippi at Large. Bonded thru
Notary Public Underwriters

(SEAL)



SUBSTITUTE TRUSTEE'S NOTICE OF SALE
WHEREAS, on November 8, 2003, DANA M. DAVIS, A MARRIED WOMAN JOINED BY MICHAEL T. DAVIS, executed a Deed of Trust to FIDELITY NATIONAL TITLE COMPANY as Trustee for the benefit of MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC., ACTING SOLELY AS A NOMINEE FOR TRADE MORTGAGE CORPORATION, which Deed of Trust was filed on December 4, 2003 and recorded as Instrument No. 425799 - and in Book 1718 at Page 161 - in the Office of the Chancery Clerk of Madison County, Mississippi; and WHEREAS, BANK OF AMERICA, N.A. SUCCESSOR BY MERGER TO BAC HOME LOANS SERVICING, LP FKA COUNTRYWIDE HOME LOANS SERVICING LP, the current Beneficiary of said Deed of Trust, substituted RECONTRUST COMPANY, N.A. as Trustee therein, as authorized by the terms thereof, as evidenced by an instrument recorded as Instrument No. 873976 - and in Book 2793 at Page 141 in the Office of the Chancery Clerk of Madison County, Mississippi; 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, and the legal holder of said indebtedness, BANK OF AMERICA, N.A. SUCCESSOR BY MERGER TO BAC HOME LOANS SERVICING, LP FKA COUNTRYWIDE HOME LOANS SERVICING LP, having requested the undersigned Substitute Trustee to execute the trust and sell said land and property in accordance with the terms of said Deed of Trust for the purpose of raising the sums due thereunder, together with attorney's fees, Substitute Trustee's fees and expenses of sale. NOW, THEREFORE, RECONTRUST COMPANY, N.A., Substitute Trustee, will on July 26, 2012, offer for sale at public outcry to the highest bidder for cash, within legal hours (between the hours of 11:00 a.m. - 4:00 p.m.) at the South door of the Madison County Courthouse in Canton, Mississippi, the following-described property:

THE FOLLOWING DESCRIBED PROPERTY LYING AND BEING SITUATED IN MADISON COUNTY, MISSISSIPPI, TO WIT:
LOT 11, OF TWIN LAKES SUBDIVISION, A SUBDIVISION ACCORDING TO A MAP OR PLAT THEREOF WHICH IS ON FILE AND OF RECORD IN THE OFFICE OF THE CHANCERY CLERK OF MADISON COUNTY AT CANTON, MISSISSIPPI, IN PLAT BOOK 5, AT PAGE 8, REFERENCE TO WHICH IS HEREBY MADE, IN AID OF AND AS A PART OF THIS DESCRIPTION.
RECONTRUST COMPANY, N.A. will convey only such title as vested in it as Substitute Trustee.
WITNESS my signature on this 31st day of May, 2012.
RECONTRUST COMPANY, N.A., SUBSTITUTE TRUSTEE
2380 Performance Dr.
TX2-984-0407
Richardson, TX 75082
Telephone No. (800) 281-8219
By: /s/ Mahtab Mamar
Title: Assistant Vice President
RECONTRUST COMPANY, N.A., SUBSTITUTE TRUSTEE
2380 Performance Dr.
TX2-984-0407
Richardson, TX 75082
TS No.: 12-0038446
PARCEL No. 083E-15C-080/00.00
DHGW 70317G-1MM
PUBLISH ON THESE DATES:
FIRST PUBLICATION: July 5, 2012
SECOND PUBLICATION: July 12, 2012
THIRD PUBLICATION: July 19, 2012
C200409101-01

RECORD AND RETURN TO:
Secretary of Housing and Urban Development
c/o Michaelson, Conner & Boul
4400 Will Rogers Pkwy, Ste 300
Oklahoma City, OK 73108
TS No.: 12-0038446
PARCEL No.: 083E-15C-060/00.00

SPACE ABOVE THIS LINE FOR RECORDER'S

PREPARED BY:
RECONTRUST COMPANY, N.A. AND
DYKE, HENRY, GOLDSHOLL &
WINZERLING, P.L.C.
415 N. MCKINLEY, STE. 1177
LITTLE ROCK, AR 72205
(501) 661-1000

Bank of America
400 National Way
Mail Stop CA6-919-01-09
Simi Valley, CA 93065

1200
#604
FED EX

SPECIAL WARRANTY DEED

GRANTOR:

BANK OF AMERICA, N.A., SUCCESSOR BY MERGER TO BAC HOME LOANS SERVICING, LP FKA
COUNTRYWIDE HOME LOANS SERVICING LP, FOR THE BENEFIT OF WELLS FARGO BANK, N.A.
4500 Amon Carter Blvd.
Fort Worth, Texas 76155
Telephone No. (800) 281-8219

TO

GRANTEE:

Secretary of Housing and Urban Development
c/o Michaelson, Conner & Boul
4400 Will Rogers Pkwy, Ste 300
Oklahoma City, OK 73108
Telephone No. 800-669-6650

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COUNTY, MISSISSIPPI, TO WIT:

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5, AT PAGE 8, REFERENCE TO WHICH IS HEREBY MADE IN AID OF AND AS A PART
OF THIS DESCRIPTION.

KNOW ALL MEN BY THESE PRESENTS:

That BANK OF AMERICA, N.A., SUCCESSOR BY MERGER TO BAC HOME LOANS SERVICING,
LP FKA COUNTRYWIDE HOME LOANS SERVICING LP, FOR THE BENEFIT OF WELLS FARGO BANK,
N.A., acting herein by and through its duly authorized Officers, hereinafter called GRANTOR, for and in

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