

BK 0972 PG 0389

FEB 23 1 37 PM '98

SUBSTITUTION OF TRUSTEE

BK 972 PG 389  
W.F. DAVIS, CL. CLK.

WHEREAS, on June 23, 1995, Durwood Merrill, executed a deed of trust to Samuel Bucelli, Trustee for the benefit of The Duco Company, which deed of trust is recorded in Deed of Trust Book 784 at Page 129 in the office of the Chancery Clerk of the County of DeSoto, State of Mississippi, pertaining to the following described property situated in said County and State, to wit:

Lot 137, Section "D", First Addition to Magnolia Gardens (P.U.D.) Subdivision, situated in the Northeast Quarter of Section 34, Township 1 South, Range 6 West, City of Olive Branch, DeSoto County, Mississippi, as per plat recorded in Plat Book 43, Page 7, in the Office of the Chancery Clerk of DeSoto County, Mississippi.

WHEREAS, the aforesaid deed of trust was assigned to First Suburban Investment, Inc., by instrument dated June 29, 1995, and recorded in the office of the aforesaid Chancery Clerk in Book 808 at Page 649 and re-recorded in Book 823, Page 21; and

WHEREAS, under the terms of said deed of trust, the beneficiary or any subsequent holder of the note secured by said deed of trust is authorized and empowered to appoint and substitute another trustee in the place and stead of the trustee named therein, at any time by writing duly signed and acknowledged and recorded in the County in which the premises are located; and

WHEREAS, said TMS Mortgage, Inc., d/b/a The Money Store successor by merger to First Suburban Investment, Inc. is the holder

of the note secured by the aforesaid deed of trust and now desires to substitute John C. Underwood, Jr., of Jackson, Mississippi, in the place and stead of the said trustee named in the original deed of trust or any subsequently appointed substitute trustee and;

NOW THEREFORE, TMS Mortgage, Inc., d/b/a The Money Store successor by merger to First Suburban Investment, Inc. does hereby appoint and substitute John C. Underwood, Jr., as Trustee in said deed of trust in the place and stead of the original trustee or any subsequently appointed substitute trustee.

WITNESS THE SIGNATURE of TMS Mortgage, Inc., d/b/a The Money Store successor by merger to First Suburban Investment, Inc. acting by and through its duly authorized officer, this the 23RD day of JANUARY, 1998.

TMS Mortgage, Inc., d/b/a  
The Money Store successor by merger  
to First Suburban Investment Inc.

BY: *Sandra Austin*  
SANDRA AUSTIN, VICE PRESIDENT  
DEFAULT MANAGEMENT HILLS DIVISION

ATTEST: *[Signature]*  
BRYAN BECKLER

STATE OF \_\_\_\_\_

COUNTY OF \_\_\_\_\_

Personally appeared before me, the undersigned authority in  
and for the County and State aforesaid, the within named  
\_\_\_\_\_ and \_\_\_\_\_,  
known to me to be the \_\_\_\_\_ and \_\_\_\_\_

*see attached  
notary acknowledgment*

of the said TMS Mortgage, Inc., d/b/a The Money Store successor by merger to First Suburban Investment, who acknowledged to and before me that he/she executed the foregoing instrument in writing on the day and year therein mentioned, for and on behalf of the said corporation, after having been first duly authorized so to do.

GIVEN UNDER MY HAND AND OFFICIAL SEAL OF OFFICE, this, the \_\_\_\_ day of \_\_\_\_\_, 1998.

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NOTARY PUBLIC

My commission expires:

Prepared by:  
Underwood Law Firm  
Post Office Box 16852  
Jackson, Mississippi 39236  
(601) 981-7773

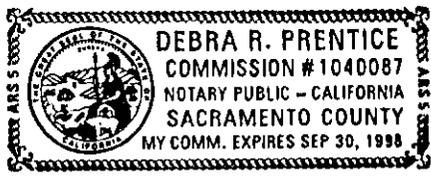
State of California

County of Sacramento

On 02-04-98 before me, Debra R. Prentice, Notary Public, personally

appeared SANDRA AUSTIN

personally known to me - or -  proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.



WITNESS my hand and official seal.

Debra R. Prentice

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Description of Attached Document (Optional)

Title or Type of Document: Substitution of Trustee

Document Date: 1/23/98 Number of Pages: 2

Signer(s) Other Than Named Above: \_\_\_\_\_

Capacity(ies) Claimed by Signer(s)

Signer's Name: \_\_\_\_\_

- Individual
- Corporate Officer  
Title(s): Vice-President
- Partner --  Limited  General
- Attorney in Fact
- Trustee
- Guardian or Conservator
- Other: \_\_\_\_\_

Signer's Name: \_\_\_\_\_

- Individual
- Corporate Officer  
Title(s): \_\_\_\_\_
- Partner --  Limited  General
- Attorney in Fact
- Trustee
- Guardian or Conservator
- Other: \_\_\_\_\_