

BK 1447 PG 0679

Bk 1454 Pg 365

Prepared By and Return To:

JAMES M. SMITH  
4917 WILLIAM ARNOLD RD.  
MEMPHIS, TN 38117  
4917-683-0223

WAIVER OF PRIORITY

PLEASE RE-RECORD THIS INSTRUMENT FOR THE PURPOSE OF CORRECTING THE PAGE NUMBER OF THE RECORDED DEED OF TRUST.

This indenture made and entered into as of this 20<sup>th</sup> day of December, 2001  
WITNESSETH:

WHEREAS, a trust deed, hereinafter referred to as the first mentioned trust deed, was executed to Donald Minter, Mgr., Trustee, securing a certain indebtedness therein described, which trust deed is recorded under Book 1396, Page 366, rerecorded at Book 1401, Page 0792 in the Register's Office of DeSoto County, Mississippi; and

WHEREAS, a trust deed has now been executed by John C. Erwin and wife, Cindy F. Erwin which is hereafter referred to as the second mentioned trust deed, dated of even date herewith to Robert Crump, Trustee, to secure a principal indebtedness of Two Hundred Sixty One Thousand Seven Hundred Fifty and No/100 Dollars (\$261,750) therein described, and interest; and

WHEREAS, it is intended by this instrument to waive the priority of the lien of the first mentioned trust deed in favor of that of the second mentioned trust deed;

NOW, THEREFORE, in consideration of the premises and of the sum of One Dollar in hand paid to the owners of the indebtedness secured by the first mentioned trust deed the receipt of which is hereby acknowledged, the, said owner just mentioned, jointly and severally, waives the priority of the lien of that trust deed and agree that the same shall be subject and subordinate to the lien of the second mentioned trust deed; and

AMERICAN GENERAL FINANCE, INC., joins herein for the purpose of declaring that it is the holder of all the indebtedness secured by said first mentioned trust deed; and that none of it is pledged or hypothecated in any way whatsoever, and that no one else has any ownership of or interest in said indebtedness, and of making manifest the fact that it has, for the consideration herein expressed, executed this instrument.

EXECUTED as of the day and year first mentioned.

AMERICAN GENERAL FINANCE, INC.

By: Bradford Borchers

Title: VICE-PRESIDENT

STATE MS. - DE SOTO CO.

FEB 1 1 07 PM '02

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W.E. DAVIS CH. CLK.

STATE OF  
COUNTY OF

Before me, a Notary Public of the state and county aforesaid, personally appeared Bradford Borchers with whom I am personally acquainted, and who, upon oath, acknowledged himself to be VICE - PRESIDENT of AMERICAN GENERAL FINANCE, INC, the within named bargainer, a Tennessee corporation, and that he as such VICE - PRESIDENT, being authorized so to do, executed the forgoing instrument for the purpose therein contained, by signing the name of the corporation by himself as such.

Witness my hand and seal, at office, this <sup>2nd</sup> January 2002 day of December, 2001.

Dondra Deagan  
NOTARY PUBLIC

My commission expires:  
1/3/04



STATE MS. - DE SOTO CO.  
FILED

JAN 22 11 26 AM '02

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W.E. DAVIS CH. CLK.