

<sup>pa</sup> FEB 9 10 24 AM '04 <sup>LL</sup>  
<sup>LL</sup>

INDEXING INSTRUCTIONS: Section 25 Township 1 South Range 9 West

**CORRECTED**  
**SUBSTITUTION OF TRUSTEE**

BK 1923 PG 129  
W.E. DAVIS CH. CLK.

WHEREAS, on April 24, 2003, James W Milam, executed a Deed of Trust to Kirk Smith, Trustee for the use and benefit of MERS, Mortgage Electronic Registration Systems, Inc. which Deed of Trust is on file and of record in the office of the Chancery Clerk of De Soto County, Mississippi, in Deed of Trust Record Book 1713 at page 1 thereof; describing the following property:

Lot 428, Section "C", Lake Forest Subdivision, as shown on plat of record in Plat Book 12, Page 5, in the Chancery Clerk's Office of DeSoto County, Mississippi, in Section 25, Township 1, South, Range 9 West.

WHEREAS, the undersigned is the present holder and beneficiary of the deed of trust; and

WHEREAS, under the terms of said Deed of Trust the beneficiary or any assignee is authorized to appoint a Trustee in the place and stead of the original Trustee or any successor Trustee in said Deed of Trust; and

Should the undersigned become the last and highest bidder at the foreclosure sale, the Substitute Trustee is hereby authorized to transfer and assign said bid to convey title to said foreclosed property to the ~~DEUTSCHE BANK AG NEW YORK BRANCH - OR - DOWEN FEDERAL BANK~~ AS A NUMBER OF FIXED RATE AND ADJUSTABLE RATE MORTGAGE LOANS TO DEPOSITORS OF THE BANK. ~~THE STATE OF MISSISSIPPI HAS A POLICY OF ENCOURAGING THE DEVELOPMENT OF SUCH INSTITUTIONS AND THE RIGHTS THEREOF.~~ its successors and assigns. The statement in the Substitute Trustee's Deed that the undersigned has requested the transfer of its bid to Grantee(s) in the Substitute Trustee's Deed shall be binding on the undersigned and conclusive evidence in favor of the assignee or other parties thereby, and that the Substitute Trustee is duly authorized and empowered to execute same.

NOW THEREFORE, the undersigned does hereby appoint and substitute Priority Trustee Services of Mississippi, L.L.C., as Trustee in said Deed of Trust, the said Priority Trustee Services of Mississippi, L.L.C., to have all the rights, powers and privileges of the Trustee named in said Deed of Trust.

STATE MS.-DESOTO CO.  
FILED

MAR 1 10 33 AM '04

BK 1934 PG 249  
W.E. DAVIS CH. CLK.

*\*re-recorded to correct foreclosure entity xx*

IN WITNESS WHEREOF, the undersigned has caused these presents to be signed on this the 12<sup>th</sup> day of January 2004.

DEUTSCHE BANK AG NEW YORK BRANCH - OR - OCWEN FEDERAL BANK FSB, AS SERVICER OF FIXED RATE AND ADJUSTABLE RATE MORTGAGE LOANS FOR DEUTSCHE BANK AG NEW YORK BRANCH PURSUANT TO THE INTERIM SERVICING AND SERVICING RIGHTS PURCHASE AGREEMENT DATED MAY 1, 2002

*Ann Garbis*

By: Ann Garbis  
Its Default Servicing Manager

STATE OF FLORIDA  
COUNTY OF ORANGE

PERSONALLY appeared before me, the undersigned authority in and for the jurisdiction aforesaid, Ann Garbis, known personally to be the Default Servicing Manager of the within named, ~~DEUTSCHE BANK AG NEW YORK BRANCH - OR - OCWEN FEDERAL BANK FSB, AS SERVICER OF FIXED RATE AND ADJUSTABLE RATE MORTGAGE LOANS FOR DEUTSCHE BANK AG NEW YORK BRANCH PURSUANT TO THE INTERIM SERVICING AND SERVICING RIGHTS PURCHASE AGREEMENT DATED MAY 1, 2002,~~ and acknowledged to me that (s)he signed and delivered the above and foregoing Substitution of Trustee on behalf of said corporation, after being first duly authorized to do so.

GIVEN UNDER my hand and official seal, this the 12<sup>th</sup> day of January 2004.



Heather A. Snider  
My Commission DD229481  
Expires July 06, 2007

*Heather A. Snider*

NOTARY PUBLIC  
My Commission Expires:

Prepared by and Return To:

PRIORITY TRUSTEE SERVICES OF MISSISSIPPI, L.L.C.  
3300 N.E. Expressway, Building 8  
Atlanta, GA 30341  
(770) 234-9181  
0319609MS

RECEIVED

FEB 02 2004

MSP, ATLANTA, GA.  
MAIL DEPARTMENT  
VIA TOP

RECEIVED

FEB 02 2004

MSP, ATLANTA, GA.  
MAIL DEPARTMENT  
VIA TOP

SCANNED  
MSP, ATLANTA, GA

(enc)

Morris Schneider  
3300 northeast Exp.  
Bldg 8  
Atlanta GA 303413939  
24