

BK 2056 PG 0391

STATE MS. - DESOTO CO.

Aug 26 8 52 AM '04

BK 2056 PG 391  
E. DAVIS OH. CLK.

This document was prepared by: 1ST TRUST BANK FOR SAVINGS  
6525 QUAIL HOLLOW, SUITE 107  
MEMPHIS, TN. 38120  
(901) 259-5440

(name, address, phone number)

State of Mississippi Space Above This Line For Recording Data

### MODIFICATION OF DEED OF TRUST

DATE AND PARTIES. The date of this Real Estate Modification (Modification) is 08-15-2004  
The parties and their addresses are:

**GRANTOR:** BETTY J. COLEY, A MARRIED PERSON \*  
855 S. QUEBRADA ST.  
CLEWISTON, FL 33440  
\*AKA Betty Coley

**TRUSTEE:** ANNE B. DAVENPORT  
6525 QUAIL HOLLOW RD. SUITE 513  
MEMPHIS, TN 38120

**LENDER:** 1ST TRUST BANK FOR SAVINGS  
ORGANIZED AND EXISTING UNDER THE LAWS OF THE UNITED STATES OF AMERICA  
6525 QUAIL HOLLOW, SUITE 513  
MEMPHIS, TN 38120

**BACKGROUND.** Grantor and Lender entered into a Security Instrument dated 08-15-2003 and recorded on 09-02-2003. The Security Instrument was recorded in the records of DESOTO County, Mississippi at BOOK 1813, PAGES 0376, THRU 0380. The property is located in DESOTO County at 6275 HIGHWAY 51 NORTH, HORN LAKE, MS 38637.

Described as:  
SEE ATTACHED PROPERTY DESCRIPTION

B.J.U.  
R.E.C.

**MODIFICATION.** For value received, Grantor and Lender agree to modify the original Security Instrument. Grantor and Lender agree that this Modification continues the effectiveness of the original Security Instrument. The Security Instrument was given to secure the original debts and obligations (whether identified as Secured Debts, Sums Secured, or otherwise) that now have been modified. Together with this Modification, the Security Instrument now secures the following debts and all extensions, renewals, refinancings, modifications and replacements. *(Include items such as borrower's name, note or contract amounts, interest rates (whether variable), maturity dates, etc.)*

**MAXIMUM OBLIGATION LIMIT.** The total principal amount secured by the Security Instrument at any one time will not exceed \$ 113,609.21  which is a \$ N/A  increase  decrease in the total principal amount secured. This limitation of amount does not include interest and other fees and charges validly made pursuant to the Security Instrument. Also, this limitation does not apply to advances made under the terms of the Security Instrument to protect Lender's security and to perform any of the covenants contained in the Security Instrument.

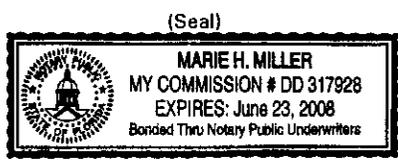
**WARRANTY OF TITLE.** Grantor warrants that Grantor is or will be lawfully seized of the estate conveyed by the Security Instrument and has the right to grant, bargain, convey, sell, and mortgage the property. Grantor also warrants that such same property is unencumbered, except for encumbrances of record.

**CONTINUATION OF TERMS.** Except as specifically amended in this Modification, all terms of the Security Instrument remain in effect.

**SIGNATURES:** By signing below, Grantor agrees to the terms and covenants contained in this Modification. Grantor also acknowledges receipt of a copy of the Modification.

<u>Betty J. Coley</u> (Signature) BETTY J. COLEY	<u>8/15/04</u> (Date)	<u>Robert E. Coley</u> (Signature) ROBERT E. COLEY	<u>8-15-04</u> (Date)
_____	(Date)	_____	(Date)
_____	(Date)	_____	(Date)

**ACKNOWLEDGMENT:**  
 STATE OF Florida, COUNTY OF Blender ) ss.  
 (Individual) Personally appeared before me, the undersigned authority in and for the said county and state, on this 15th day of August, within my jurisdiction, the within named BETTY J. COLEY, ROBERT E. COLEY, MARRIED, who acknowledged that he/she/they executed the above and foregoing instrument.  
 My commission expires:



Marie H. Miller  
 (Notary Public)

## PROPERTY DESCRIPTION

## 8.26 Acre Tract

8.26 acres, more or less, situate in the Southwest Quarter of Section 35, Township 1 South, Range 8 West, and being more particularly described as BEGINNING at the southwest corner of Section 35, Township 1 South, Range 8 West, DeSoto County, Mississippi, running thence north 5 degrees 30 minutes west a distance of 1443.15 feet to the true point of beginning; thence run north 5 degrees 30 minutes west a distance of 225.66 feet to a point; thence run north 84 degrees 24 minutes east a distance of 1588.61 feet, more or less, to the northwest corner of a 5.0-acre, more or less, tract herefore conveyed to the Grantees herein by deed dated September 6, 1966, of record in Deed Book 67, Page 132, in the office of the Chancery Clerk of DeSoto County, Mississippi; thence run 5 degrees 30 minutes west a distance of 209.48 feet, more or less, to the southwest corner of the 5.0-acre tract described in Deed Book 67, Page 132, as aforesaid; thence north 5 degrees 30 minutes west a distance of 16.18 feet to a point; thence run south 84 degrees 24 minutes west a distance of 1588.60 feet to the true point of beginning, and containing 8.26 acres, more or less.

## 5 Acre Tract

5 acres, more or less, being a part of Section 35, Township 1, Range 8 West, and being more particularly described as beginning at an iron stake in the northeast Quarter of a 60-acre tract described in deed of record in Deed Book 36, Page 1, and also in deed of record in Deed Book 36, Page 107, of the records of DeSoto County, Mississippi, said point being the west line of U. S. Highway No. 51, thence southwardly along the west line of said Highway a distance of 208.7 feet to an iron stake, thence south 84 degrees 24 minutes west a distance of 1044 feet to an iron stake; thence north 5 degrees 30 minutes west a distance of 208.7 feet to an iron stake; thence north 84 degrees 24 minutes east along a fence line a distance of 1044 feet to the point of beginning, and containing 5 acres, more or less.

R. E. C.  
B. J. C.