

This instrument prepared by  
Floyd Healy  
1405 N. Pierce, Suite 306  
Little Rock, Arkansas 72207  
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1/25/06 9:14:09  
BK 2,398 PG 137  
DESOTO COUNTY, MS  
W.E. DAVIS, CH CLERK

### SUBSTITUTION OF TRUSTEE

WHEREAS, Christopher V. Jones executed a Deed of Trust dated September 1, 2004, in favor of Jerry Baker, Trustee(s) and First Horizon Home Loan Corporation, Lender, for the benefit of the owner and holder of a certain indebtedness First Horizon Home Loan Corporation.

WHEREAS, said Deed of Trust was filed of record on September 7, 2004 and recorded in Book 2063, at Page 0718 in the office of the Clerk of the Chancery Court of DeSoto County, Mississippi; and

WHEREAS, said Deed of Trust was assigned to Novastar Mortgage, Inc. by instrument of record in the Clerk of the Chancery Court of DeSoto County, Mississippi in Book 2021, at Page 214; and

WHEREAS, Novastar Mortgage, Inc., the legal holder of said Deed of Trust and the said indebtedness has requested foreclosure proceedings to be instituted; and

WHEREAS, Novastar Mortgage, Inc., the owner and legal holder of said indebtedness does hereby desire Floyd Healy to act as trustee in the place and stead of Jerry Baker or any subsequently appointed Substitute Trustee, as appointed under said Deed of Trust.

THEREFORE, the undersigned does hereby in accordance with the terms of said Deed of Trust, appoint, nominate and constitute the said Floyd Healy as Substitute Trustee in the place and stead of the said Jerry Baker or any subsequently appointed Substitute Trustee.

Default having been made in the payment of said indebtedness, Novastar Mortgage, Inc., the owner and legal holder has further requested that said Floyd Healy, Substitute Trustee under said Deed of Trust, proceed with foreclosure and to do any and all things necessary and in accordance with the terms of said Deed of Trust as though the said Floyd Healy had been originally appointed as Trustee hereunder.

Should Novastar Mortgage, Inc. become the last and highest bidder at the foreclosure sale, the Substitute Trustee is hereby authorized to transfer and assign said bid and to convey title to said foreclosure property to the Administrator of Veterans Affairs or the Secretary of Housing and Urban Development, or whomsoever the undersigned shall authorize. The statement in the Substitute Trustee's Deed that the undersigned has requested 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 thereto, that the Substitute Trustee was duly authorized and empowered to execute same.

IN WITNESS WHEREOF, the undersigned, owner and holder of said indebtedness has hereunto caused this instrument to be executed by and through its duly authorized officers, this the 24<sup>th</sup> day of January, 2005.



Name: SCOTT FORST, V.P.  
Title: Vice President  
Novastar Mortgage, Inc.

STATE OF MISSOURI )  
                                  )  
COUNTY OF JACKSON )

Before me, the undersigned Notary Public in and for the State and County aforesaid, personally appeared Scott Forst, with whom I am personally acquainted and who upon oath acknowledged him/herself to be the Vice President of Novastar Mortgage, Inc., the within named bargainor, a Corporation, the and that he/she as such Vice President, being authorized so to do, executed the foregoing instrument for the purpose therein contained by signing the name of the Corporation by the said V.P., Scott Forst.

Witness my hand and official seal this the 24<sup>th</sup> day of January, 2005.



Notary Public

My Commission Expires: 8/26/2007

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sub/ms/nova

