

INDEXING INSTRUCTIONS:  
Lot 87, Section C, Belmor Lakes, Section 16, T2S,  
R6W, DeSoto County, MS

EMC/Bilbry

**SUBSTITUTION OF TRUSTEE**

WHEREAS, on August 19, 2004, Keith Bilbry and Danielle Bilbry, husband and wife, executed a Deed of Trust to Kirk Smith, Trustee for the use and benefit of Mortgage Electronic Registration Systems, Inc., which Deed of Trust is on file and of record in the office of the Chancery Clerk of DeSoto County Mississippi, in Deed of Trust Record Book 2062 at Page 0075 thereof; and

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

WHEREAS, under the terms of said Deed of Trust the lender 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 SECRETARY OF VETERANS AFFAIRS, an Officer of the United States of America, 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 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 LEM ADAMS, III, as Trustee in said Deed of Trust, the said Lem Adams, III, to have all the rights, powers and privileges of the Trustee named in said Deed of Trust.

*Adams*

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IN WITNESS WHEREOF, the undersigned has caused these presents to be signed on this the 10 day of Nov, 2008.

EMC Mortgage Corporation as Attorney In Fact for The Bank of New York as successor Trustee to JPMorgan Chase Bank as Trustee for the Certificateholders of Structured Asset Mortgage Investments II Inc., Bear Stearns ALT-A Trust, Mortgage Pass-Through Certificates, Series 2004-12

BY: Scott Walter  
ITS AVP

STATE OF mn  
COUNTY OF Dakota

PERSONALLY appeared before me, the undersigned authority in and for the jurisdiction aforesaid, Scott Walter, who acknowledged to me that he is AVP of EMC Mortgage Corporation as Attorney In Fact for The Bank of New York as successor Trustee to JPMorgan Chase Bank as Trustee for the Certificateholders of Structured Asset Mortgage Investments II Inc., Bear Stearns ALT-A Trust, Mortgage Pass-Through Certificates, Series 2004-12, and acknowledged to me that he signed and delivered the above and foregoing Substitution of Trustee on behalf of EMC Mortgage Corporation as Attorney In Fact for The Bank of New York as successor Trustee to JPMorgan Chase Bank as Trustee for the Certificateholders of Structured Asset Mortgage Investments II Inc., Bear Stearns ALT-A Trust, Mortgage Pass-Through Certificates, Series 2004-12 after being first duly authorized so to do.

GIVEN UNDER my hand and official seal, this the 10 day of Nov, 2008.

NOTARY PUBLIC

My Commission Expires:  
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PREPARED BY AND RETURN TO:  
ADAMS & EDENS  
Foreclosure Department  
A Professional Association  
POST OFFICE BOX 400  
BRANDON, MISSISSIPPI 39043  
(601) 825-9508  
A&E File #19924

