

This instrument prepared by  
Floyd Healy  
1405 N. Pierce, Suite 306  
Little Rock, Arkansas 72207  
(501) 663-6200

1/06/09 9:37:00  
BK 2,979 PG 733  
DESOTO COUNTY, MS  
W.E. DAVIS, CH CLERK

### SUBSTITUTION OF TRUSTEE

WHEREAS, James E. Collins, Jr. and Carolyn D. Collins executed a Deed of Trust dated April 4, 2005, in favor of Kevin O Brien Law Firm, Trustee(s), and Mortgage Electronic Registration Systems, Inc., solely as Nominee for Novastar Mortgage, Inc., Lender, for the benefit of the owner and holder of a certain indebtedness, Novastar Mortgage, Inc.; and

WHEREAS, said Deed of Trust is of record in Book 2199 at Page 102 in the office of the Clerk of the Chancery Court of DeSoto County, Mississippi; and

WHEREAS, Mortgage Electronic Registration Systems, Inc., as Nominee for Novastar Mortgage, Inc., the legal holder of said Deed of Trust and the said indebtedness, has requested foreclosure proceedings to be instituted; and

WHEREAS, Mortgage Electronic Registration Systems, Inc., as Nominee for 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 Kevin O Brien Law Firm or any subsequently appointed Substitute Trustee as appointed under said Deed of Trust.

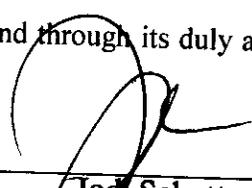
THEREFORE, the undersigned does hereby in accordance with the terms of said Deed of Trust appoint, nominate, and constitute the said Floyd Healy as Substitute Trustee in the place and stead of the said Kevin O Brien Law Firm or any subsequently appointed Substitute Trustee.

Default having been made in the payment of said indebtedness, Mortgage Electronic Registration Systems, Inc., as Nominee for 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 Mortgage Electronic Registration Systems, Inc., as Nominee for 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.

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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 31<sup>st</sup> day of Dec., 2008



Name: Jodi Sobotta  
Title: VP  
Mortgage Electronic Registration Systems, Inc.

STATE OF MINNESOTA )  
  )  
COUNTY OF DAKOTA )

Before me, the undersigned Notary Public in and for the State and County aforesaid, personally appeared Jodi Sobotta, with whom I am personally acquainted and who upon oath acknowledged him/herself to be the VP of Mortgage Electronic Registration Systems, Inc., the within named bargainer, a Corporation, the and that he/she as such VP, being authorized so to do, executed the foregoing instrument for the purpose therein contained by signing the name of the Corporation by the said Jodi Sobotta, VP.

Witness my hand and official seal this the 31<sup>st</sup> day of Dec., 2008



Notary Public

My Commission Expires:  
1-31-13

sub/ms/mers

