

9/21/09 8:50:45  
DK T BK 3,081 PG 319  
DE SOTO COUNTY, MS  
W.E. DAVIS, CH CLERK

Prepared by: Shapiro & Massey, L.L.P. J. Gary Massey, MSB No. 1920 1910 Lakeland Drive, Suite B Jackson, MS 39216 (601)981-9299 S&M No. 09-103218	Return to: Shapiro & Massey, L.L.P. 1910 Lakeland Drive, Suite B Jackson, MS 39216 (601)981-9299 Loan No. XXXXXX4407
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Index: Lot 7, Sec. A, Weatherby Place S/D, Sec. 14, T-3-S, R-8-W, Hernando, DeSoto Co/MS

### SUBSTITUTION OF TRUSTEE

WHEREAS, on June 22, 2007, Daniel K. Witt and Rachel P. Witt, Husband and Wife, executed a certain deed of trust to Jeanine B. Saylor, Trustee for the benefit of Magna Bank F/K/A 1st Trust Bank for Savings, FSB which deed of trust is of record in the office of the Chancery Clerk of DeSoto County, State of Mississippi in Book 2744 at Page 429, and recorded in the aforesaid Chancery Clerk's Office and being secured by real property being more particularly described as follows:

(See Exhibit A)

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

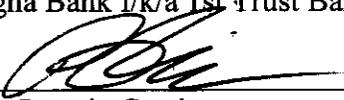
WHEREAS, Magna Bank f/k/a 1st Trust Bank for Savings, FSB pursuant to the provisions of the aforesaid Deed of Trust and for reasons satisfactory to itself, has elected to substitute J. Gary Massey as Trustee in and for the above described deed of trust and the indebtedness secured thereby; and

NOW THEREFORE, Magna Bank f/k/a 1st Trust Bank for Savings, FSB, the present owner and holder of the above described deed of trust, acting by and through its duly authorized officers, does hereby substitute J. Gary Massey as Trustee in the place and stead of the current trustee and does hereby confer upon the said J. Gary Massey full and complete power to execute said trust as Trustee as provided by the terms of the aforesaid deed of trust.

Should the undersigned become the last and highest bidder at the foreclosure sale, the Trustee is hereby authorized to transfer and assign said bid and to convey title to said foreclosed property to the Secretary of Housing and Urban Development or the Secretary of Veterans Affairs, 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 thereby, and that the Substitute Trustee is duly authorized and empowered to execute same.

WITNESS THE EXECUTION HEREOF by the aforesaid corporation acting by and through its duly authorized officers, this the 16 day of September, 2009.

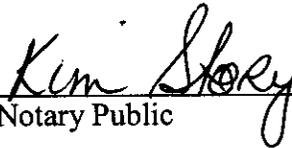
Magna Bank f/k/a 1st Trust Bank for Savings, FSB

  
By: Bonnie Garrison  
Its: Vice President

STATE OF TENNESSEE  
COUNTY OF SHELBY

Personally appeared before me, the undersigned authority for the jurisdiction aforesaid, on this the 16 day of September, 2009, the within named Bonnie Garrison who acknowledged that she is Vice President of Magna Bank f/k/a 1st Trust Bank for Savings, FSB, and that for and on behalf of the said corporation, and as its act and deed, (s)he executed the above and foregoing instrument, after having been first duly authorized so to do.

(SEAL)

  
Notary Public

My commission expires:



Exhibit "A"

Lot 7, Section A, Weatherby Place Subdivision, situated in Section 14, Township 3 South, Range 8 West, as shown on plat of record in Plat Book 94, Page 20 in the Chancery Clerk's Office of DeSoto County, Mississippi.