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09/28/09 10:34:18  
PK T BK 3,084 PG 251  
DESOTO COUNTY, MS  
M.E. DAVIS, CH CLERK

**GRANTOR:**

Robert Creech and Tonya Creech

Loan# 70000107

**LENDER:**

Southern Bancorp Bank, N.A. *formerly known as First Bank of the Delta, N.A.*

**EXTENSION AND MODIFICATION AGREEMENT**

**KNOW ALL MEN BY THESE PRESENTS:**

**THIS AGREEMENT** made and entered into by and between **SOUTHERN BANCORP BANK, N. A., *formerly known as First Bank of the Delta, N.A.***, an hereinafter referred to as "**Lender**" "**Bank**" and **Robert Creech and Tonya Creech.** hereinafter referred to as "**Grantor**", whether one or more.

**BACKGROUND OF LOAN.** On the 5th day of September, 2007, **Grantor** executed a promissory note (hereinafter referred to as "**note**") in favor of **Lender**, evidence of an indebtedness owed to Lender in the original sum of \$92,000 the repayment of which is secured by a Deed of Trust/Mortgage from **Grantor** in favor of **Lender**, dated the 5th day of September, 2007 and filed for record the 7th day of September, 2007 in the office of the Recorder of Desoto County, Mississippi, in Mortgagee Record Book 2,785 at Page 523, and covering the following described real property situated in Desoto County, Mississippi, to wit:

Lot 9, Spring Place Estates Subdivision, situated in Section 11, Township 2 South, Range 7 West, Desoto County, Mississippi, as recorded in Plat Book 87, Pages 36-39, in the office of the Chancery Clerk of Desoto County, Mississippi.

Southern Bancorp, N.A.  
200 Getwell Rd  
St G-3  
Shaven, MS 38672

**EXTENSION AND MODIFICATION.** The parties hereby mutually agree as follows:

The note is hereby modified to provide that the unpaid principal balance of the note of which is now \$85,118.07 is hereby extended to the 5<sup>th</sup> day of September, 2010 and shall be due and payable as follows:

Principal and interest will be due monthly with payments of \$998.44 beginning October 5, 2009, based on a fixed interest rate of 5.50%. All unpaid principal and interest will be due on maturity date of September 5, 2010.

**CONTINUATION OF ALL OTHER TERMS AND CONDITIONS.** The Deed of Trust/Mortgage is hereby extended and modified so that it continues as security for the note in accordance with their respective terms and provisions, as herein extended and modified. All other terms and conditions contained in the said Deed of Trust/Mortgage and note, not specifically referred to and modified herein, continue in full force and effect.

**NO OBLIGATION FOR FURTHER EXTENSIONS.** Grantor acknowledges that Lender is under no obligation to grant any additional or future extensions, renewals, or forbearance upon maturity of this indebtedness.

IN WITNESS WHEREOF, the parties have executed this Agreement this 24 day of Sept., 2009.

(LENDER)  
Southern Bancorp Bank, N. A. formerly known as  
First Bank of the Delta, N.A.

BY: John H. Cunningham  
John H. Cunningham  
Sr. Vice President

(GRANTOR)

Robert D. Creech  
Tonya Creech

BY: Robert D. Creech  
Robert D. Creech

BY: Tonya Creech  
Tonya Creech

Southern Bancorp, NA  
5699 Getwell Rd.  
Ste G-3  
S'Haven, MS 38672

**ACKNOWLEDGEMENT**

STATE OF MISSISSIPPI  
COUNTY OF DESOTO

**BE IT REMEMBERED** that on this day appeared in person before the undersigned, a notary public within and for the county and state aforesaid, duly commissioned, qualified and acting John H. Cunningham to me well known to be the Senior Vice President of Southern Bancorp Bank, N.A. formerly known as First Bank of the Delta, N. A., and stated that he/she as such officer, being authorized to do so by a resolution of the Board of Directors of said corporation, had executed the foregoing instrument for the uses, purposes, considerations and in the capacities therein mentioned and set forth.



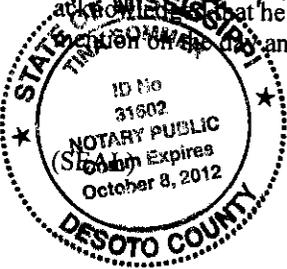
WITNESS WHEREOF, I have hereunto set my hand and official seal as such notary public on this 29th day of September, 2009

*[Handwritten Signature]*  
Notary Public

**ACKNOWLEDGEMENT**

STATE OF MISSISSIPPI  
COUNTY OF DESOTO

Personally appeared before me, the undersigned authority in and for the said county and state, on this the 29th day of September, 2009, the within named ROBERT D. CREECH who acknowledged that he signed, executed and delivered the above and foregoing instrument for the purposes mentioned on the day and year therein mentioned.



*[Handwritten Signature]*  
Notary Public

STATE OF MISSISSIPPI  
COUNTY OF DESOTO

Personally appeared before me, the undersigned authority in and for the said county and state, on this the 29th day of September, 2009, the within named TONYA CREECH who acknowledged that she signed, executed and delivered the above and foregoing instrument for the purposes mentioned on the day and year therein mentioned.



*[Handwritten Signature]*  
Notary Public

This instrument prepared by  
Southern Bancorp Bank, N.A., formerly known as First Bank of the Delta, N. A.  
P. O. Box 2507  
Helena-West Helena, AR 72390