

8/20/10 1:32:34  
OK T BK 3,202 PG 332  
DESOTO COUNTY, MS  
W.E. DAVIS, CH CLERK

**RECORDATION REQUESTED BY:**

Southern Bancorp Bank, Hernando Office, 2552 Highway 51, Hernando, MS 38632

**WHEN RECORDED MAIL TO:**

Southern Bancorp Bank, Hernando Office, 2552 Highway 51, Hernando, MS 38632

**SEND TAX NOTICES TO:**

Southern Bancorp Bank, Hernando Office, 2552 Highway 51, Hernando, MS 38632

**FOR RECORDER'S USE ONLY**

This Modification of Deed of Trust prepared by:

Alan Sims  
Southern Bancorp Bank  
2552 Highway 51  
Hernando, MS 38632  
(662) 429-9973

INDEXING INSTRUCTIONS: Lot 2, Second Revision, Byhalia Estates, S7,T3S, R7W, DeSoto County, Mississippi, Plat Book 44, Page 6.

**MODIFICATION OF DEED OF TRUST**



\*00000000070005648073508062010\*

**THIS MODIFICATION OF DEED OF TRUST** dated August 6, 2010, is made and executed between John G. ~~/s/~~ Jernigan and Ellen R. Jernigan, whose address is 1610 Mount Pleasant Road, Hernando, MS 38632 ("Grantor") and Southern Bancorp Bank, whose address is Hernando Office, 2552 Highway 51, Hernando, MS 38632 ("Lender").

**DEED OF TRUST.** Lender and Grantor have entered into a Deed of Trust dated August 8, 2008 (the "Deed of Trust") which has been recorded in DeSoto County, State of Mississippi, as follows:

A Deed of Trust showing the Lender name of First Bank of the Delta, National Association, recorded August 8, 2008 in Book 2934 at Page 351, in the land records of DeSoto County, Mississippi. An Extension and Modification Agreement, showing the lender name of Southern Bancorp Bank, N.A., f/k/a First Bank of the Delta, N.A., recorded August 12, 2009, in Book

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**MODIFICATION OF DEED OF TRUST  
(Continued)**

Loan No: 70005648

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3067 at Page 660, records aforesaid. First Bank of the Delta, National Association subsequently changed its name to Southern Bancorp Bank, N.A., and was purchased by Southern Bancorp Bank.

**REAL PROPERTY DESCRIPTION.** The Deed of Trust covers the following described real property located in DeSoto County, State of Mississippi:

Lot 2, Second Revision, Byhalia Estates, as situated in Section 7, Township 3 South, Range 7 West, DeSoto County, Mississippi, as found at Plat Book 44, Page 6, in the Office of the Chancery Clerk of DeSoto County, Mississippi, and to which recorded plat reference is hereby made for a more particular description of said lot.

The Real Property or its address is commonly known as 1610 Mount Pleasant Road, Hernando, MS 38632.

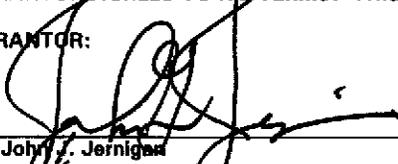
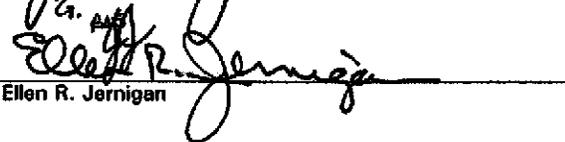
**MODIFICATION.** Lender and Grantor hereby modify the Deed of Trust as follows:

The maturity date of the Deed of Trust and the Note that is referenced in the original Deed of Trust described above is changed to August 8, 2011.

**CONTINUING VALIDITY.** Except as expressly modified above, the terms of the original Deed of Trust shall remain unchanged and in full force and effect. Consent by Lender to this Modification does not waive Lender's right to require strict performance of the Deed of Trust as changed above nor obligate Lender to make any future modifications. Nothing in this Modification shall constitute a satisfaction of the promissory note or other credit agreement secured by the Deed of Trust (the "Note"). It is the intention of Lender to retain as liable all parties to the Deed of Trust and all parties, makers and endorsers to the Note, including accommodation parties, unless a party is expressly released by Lender in writing. Any maker or endorser, including accommodation makers, shall not be released by virtue of this Modification. If any person who signed the original Deed of Trust does not sign this Modification, then all persons signing below acknowledge that this Modification is given conditionally, based on the representation to Lender that the non-signing person consents to the changes and provisions of this Modification or otherwise will not be released by it. This waiver applies not only to any initial extension or modification, but also to all such subsequent actions.

**GRANTOR ACKNOWLEDGES HAVING READ ALL THE PROVISIONS OF THIS MODIFICATION OF DEED OF TRUST AND GRANTOR AGREES TO ITS TERMS. THIS MODIFICATION OF DEED OF TRUST IS DATED AUGUST 6, 2010.**

GRANTOR:

X   
John F. Jernigan  
X   
Ellen R. Jernigan

LENDER:

SOUTHERN BANCORP BANK  
X   
Alan Sims, DeSoto County President

MODIFICATION OF DEED OF TRUST  
(Continued)

Loan No: 70005648

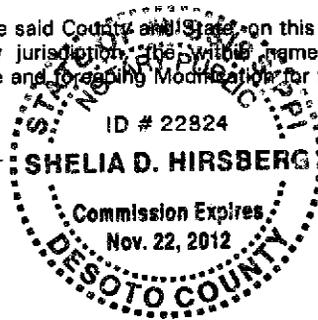
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INDIVIDUAL ACKNOWLEDGMENT

STATE OF MISSISSIPPI )  
 )  
COUNTY OF De Soto ) SS  
 )

Personally appeared before me, the undersigned authority in and for the said County and State, on this day of AUGUST, 20 10, within my jurisdiction, <sup>6<sup>th</sup></sup> the within named John J. Jernigan, who acknowledged that he or she signed, executed and delivered the above and foregoing Modification for the purposes mentioned on the day and year therein mentioned.

Shelia D. Hirsberg  
NOTARY PUBLIC  
My Commission Expires:  
11-22-12

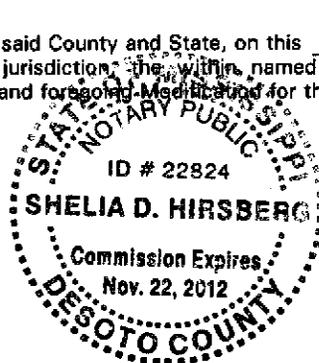


INDIVIDUAL ACKNOWLEDGMENT

STATE OF MISSISSIPPI )  
 )  
COUNTY OF De Soto ) SS  
 )

Personally appeared before me, the undersigned authority in and for the said County and State, on this day of AUGUST, 20 10, within my jurisdiction, <sup>6<sup>th</sup></sup> the within named Ellen R. Jernigan, who acknowledged that he or she signed, executed and delivered the above and foregoing Modification for the purposes mentioned on the day and year therein mentioned.

Shelia D. Hirsberg  
NOTARY PUBLIC  
My Commission Expires:  
11-22-12



MODIFICATION OF DEED OF TRUST  
(Continued)

Loan No: 70005648

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LENDER ACKNOWLEDGMENT

STATE OF Mississippi )  
 )  
COUNTY OF De Soto ) SS  
 )

Personally appeared before me, the undersigned authority in and for the said County and State, on this day of August, 20 10, within my jurisdiction, the widow Bernice Ann Sims, who acknowledged that (he)(she) is DeSoto County President of Southern Bancorp Bank and that in her representative capacity (he)(she) executed the above and foregoing Modification, after first having been duly authorized so to do.

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Shelia D. Hirsberg  
NOTARY PUBLIC  
My Commission Expires:  
11-22-12

