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4/19/11 10:18:56  
DK T BK 3,294 PG 1  
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, Desoto County President  
Southern Bancorp Bank  
2552 Highway 51  
Hernando, MS 38632  
(662) 429-9973

INDEXING INSTRUCTIONS: Lot 20, Section "A", Weatherby Place, Section 14, Township 3 S, Range 8 W, Desoto County.  
*PB 94 pg 20-22*

**MODIFICATION OF DEED OF TRUST**



\*00000000070004764073504132011\*

**THIS MODIFICATION OF DEED OF TRUST** dated April 13, 2011, is made and executed between *✓* **DAVID H GREGG BUILDERS LLC**, whose address is 470 VAIDEN DRIVE, HERNANDO, MS 38632-0000 ("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 December 13, 2007 (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 December 13, 2007 in Record Book 2830, Page 701, also an Extension and Modification Agreement, dated December 15, 2008, filed December 17, 2008, in Record Book 2975, Page 43, also an Extension and Modification Agreement, dated December 17, 2009, filed December 18, 2009, in Record Book 3116, Page 385, also an Extension and Modification Agreement, dated March 25

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

Loan No: 70004764

Page 2

2010, filed March 29, 2010, in Record Book 3148, Page 566, Official Records of DeSoto County Mississippi, Southern Bancorp Bank, successor in interest to Southern Bancorp Bank, N. A. formerly known as First Bank of the Delta, N.A.

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

Lot 20, Section "A", Weatherby Place as situated in Section 14, Township 3 South, Range 8 West, DeSoto County, Mississippi, as found in Plat Book 94, Pages 20-22, in the Office of the Chancery Clerk of DeSoto County, Mississippi.

The Real Property or its address is commonly known as Lot 20 Weatherby Place Subdivision, 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 April 13, 2012. .

**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 APRIL 13, 2011.**

GRANTOR:

DAVID H GREGG BUILDERS LLC

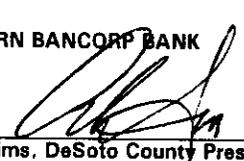
By:

  
DAVID H GREGG, Member Manager of DAVID H GREGG BUILDERS LLC

LENDER:

SOUTHERN BANCORP BANK

X

  
Alan Sims, DeSoto County President

MODIFICATION OF DEED OF TRUST  
(Continued)

Loan No: 70004764

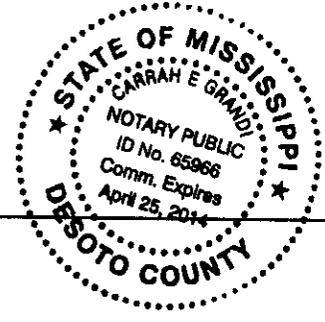
CORPORATE ACKNOWLEDGMENT

STATE OF Mississippi )  
 ) SS  
COUNTY OF DeSoto )

Personally appeared before me, the undersigned authority in and for the said County and State, on this 19<sup>th</sup> day of April, 20 11, within my jurisdiction, the within named **DAVID H GREGG**, Member Manager of **DAVID H GREGG BUILDERS LLC**, a Mississippi corporation, and acknowledged that for and on behalf of the said corporation, and as its act and deed, he or she signed, executed and delivered the above and foregoing Modification for the purposes mentioned on the day and year therein mentioned after first having been duly authorized by said corporation so to do.

Carrah E Grandi  
NOTARY PUBLIC

My Commission Expires:  
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LENDER ACKNOWLEDGMENT

STATE OF Mississippi )  
 ) SS  
COUNTY OF DeSoto )

Personally appeared before me, the undersigned authority in and for the said County and State, on this 19<sup>th</sup> day of April, 20 11, within my jurisdiction, the within named **Alan Sims**, who acknowledged that (he)(she) is **DeSoto County President of Southern Bancorp Bank** and that in said representative capacity (he)(she) executed the above and foregoing Modification, after first having been duly authorized so to do.

Carrah E Grandi  
NOTARY PUBLIC

My Commission Expires:  
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