

1200

6/27/11 8:09:26
DK T BK 3, 315 PG 391
DESOTO COUNTY, MS
W.E. DAVIS, CH CLERK

RECORDATION REQUESTED BY:

Magna Bank, Private Banking, 1264 Germantown Road, Germantown, TN 38138

FOR RECORDER'S USE ONLY

This Modification of Deed of Trust prepared by:

Lender
Magna Bank
1264 Germantown Road
Germantown, TN 38138
(901) 259-5456



INDEXING INSTRUCTIONS: Lot 244, Section D, Edgewater Subdivision, Section 20, Township 3 South, Range 7 West, DeSoto County, MS.

MODIFICATION OF DEED OF TRUST

THIS MODIFICATION OF DEED OF TRUST dated June 20, 2011, is made and executed between James D. McIngvale, 1/6 Undivided Interest, Roxanne McIngvale, 1/6 Undivided Interest as Tenants In Common and James W. McIngvale and wife Elizabeth McIngvale 1/3 Undivided Interest as Tenants By The Entirety with Full Right of Survivorship and Not as Tenants in Common and Christopher W. Newsom and wife Jennifer Robin Newsom, as Tenants by the Entirety with Full Right of Survivorship and Not as Tenants in Common ("Grantor") and Magna Bank, whose address is Private Banking, 1264 Germantown Road, Germantown, TN 38138 ("Lender").

DEED OF TRUST. Lender and Grantor have entered into a Deed of Trust dated November 23, 2007 (the "Deed of Trust") which has been recorded in DeSoto County, State of Mississippi, as follows:

Recorded December 05, 2007 in Book 2,826, page 665, DeSoto County, Mississippi register's office .

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

Lot 244, Section D, Edgewater Subdivision, situated in Section 20, Township 3 South, Range 7 West, DeSoto County, Mississippi, as recorded in Plat Book 79, Page 6, in the Chancery Clerk's Office of DeSoto County, Mississippi, to which reference is hereby made for a more particular description of said property

The Real Property or its address is commonly known as 3153 Quartz Drive, Hernando, MS 38632.

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

Extend maturity date from November 23, 2012 to June 23, 2016 and reduce interest rate from 7.24% to 5.75% on remaining principal balance of \$133140.83.

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 JUNE 20, 2011.

6000000218-4 4

MODIFICATION OF DEED OF TRUST
(Continued)

GRANTOR:

James D. McIngvale
James D. McIngvale

X Roxanne McIngvale
Roxanne McIngvale

X James W. McIngvale
James W. McIngvale

X Elizabeth McIngvale
Elizabeth McIngvale

X Christopher W. Newsom
Christopher W. Newsom

X Jennifer Robin Newsom
Jennifer Robin Newsom

LENDER:

MAGNA BANK

X Rebecca Floyd, VP
Rebecca Floyd, Vice President

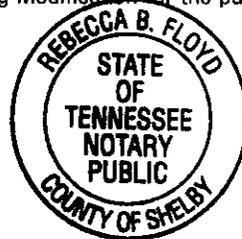
INDIVIDUAL ACKNOWLEDGMENT

STATE OF Tennessee)
) SS
COUNTY OF Shelby)

Personally appeared before me, the undersigned authority in and for the said County and State, on this 20th day of June 2011, within my jurisdiction, the within named James D. McIngvale, 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.

Rebecca B. Floyd
NOTARY PUBLIC

My Commission Expires:
4-20-14



MY COMM. EXP. APRIL 20, 2014

MODIFICATION OF DEED OF TRUST
(Continued)

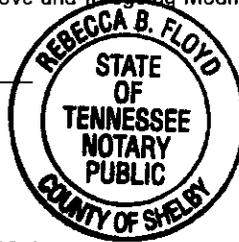
INDIVIDUAL ACKNOWLEDGMENT

STATE OF Tennessee)
) SS
COUNTY OF Shelby)

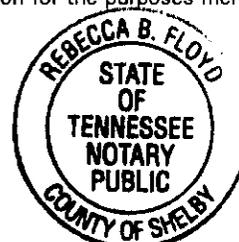
Personally appeared before me, the undersigned authority in and for the said County and State, on this 20th day of June, 20 11, within my jurisdiction, the within named Roxanne McIngvale, who acknowledged that he or she signed, executed and delivered the above and foregoing Modification for the purposes mentioned on the day and year therein mentioned.

Rebecca B. Floyd
NOTARY PUBLIC

My Commission Expires:
4-20-14



MY COMM. EXP. APRIL 20, 2014



MY COMM. EXP. APRIL 20, 2014

INDIVIDUAL ACKNOWLEDGMENT

STATE OF Tennessee)
) SS
COUNTY OF Shelby)

Personally appeared before me, the undersigned authority in and for the said County and State, on this 20th day of June, 20 11, within my jurisdiction, the within named James W. McIngvale, 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.

Rebecca B. Floyd
NOTARY PUBLIC

My Commission Expires:
4-20-14



MY COMM. EXP. APRIL 20, 2014

INDIVIDUAL ACKNOWLEDGMENT

STATE OF Tennessee)
) SS
COUNTY OF Shelby)

Personally appeared before me, the undersigned authority in and for the said County and State, on this 20th day of June, 20 11, within my jurisdiction, the within named Elizabeth McIngvale, 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.

Rebecca B. Floyd
NOTARY PUBLIC

My Commission Expires:
4-20-14



MY COMM. EXP. APRIL 20, 2014

MODIFICATION OF DEED OF TRUST
(Continued)

INDIVIDUAL ACKNOWLEDGMENT

STATE OF Tennessee)
) SS
COUNTY OF Shelby)

Personally appeared before me, the undersigned authority in and for the said County and State, on this 20th day of June, 20 11, within my jurisdiction, the within named Christopher W. Newsom, 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.

Rebecca B. Floyd
NOTARY PUBLIC



My Commission Expires:
4-20-14

MY COMM. EXP. APRIL 20, 2014

INDIVIDUAL ACKNOWLEDGMENT

STATE OF Tennessee)
) SS
COUNTY OF Shelby)

Personally appeared before me, the undersigned authority in and for the said County and State, on this 20th day of June, 20 11, within my jurisdiction, the within named Jennifer Robin Newsom, 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.

Rebecca B. Floyd
NOTARY PUBLIC



My Commission Expires:
4-20-14

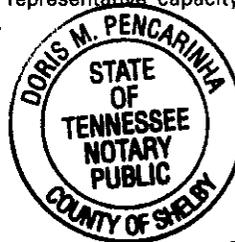
MY COMM. EXP. APRIL 20, 2014

LENDER ACKNOWLEDGMENT

STATE OF Tennessee)
) SS
COUNTY OF Shelby)

Personally appeared before me, the undersigned authority in and for the said County and State, on this _____ day of _____, 20 11, within my jurisdiction, the within named Rebecca Floyd, who acknowledged that (he)(she) is Vice President of Magna Bank and that in said representative capacity (he)(she) executed the above and foregoing Modification, after first having been duly authorized so to do.

Doris M. Pencarinha
NOTARY PUBLIC



My Commission Expires:
4-20-14

MY COMM. EXP. APRIL 20, 2014