

27567395-25597

8/08/11 11:41:24 <sup>SS</sup>  
DK T BK 3,329 PG 577  
DESOTO COUNTY, MS  
W.E. DAVIS, CH CLERK

**RECORDATION REQUESTED BY:**

Trustmark National Bank, Hernando Main Office, 2510 Highway 51 South,  
Hernando, MS 38632

**WHEN RECORDED MAIL TO:**

Trustmark National Bank, Attn: Loan Operations, P. O. Box 1182, Jackson,  
MS 39205

**SEND TAX NOTICES TO:**

Oak Park, LLC; c/o Jack Tucker  
5719 Raleigh Lagrange #7; Memphis, TN 38134

**FOR RECORDER'S USE ONLY**

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**This Modification of Deed of Trust prepared by:**

Michael Leonard, President  
Trustmark National Bank  
2510 Highway 51 South  
Hernando, MS 38632  
(662) 429-5251

**INDEXING INSTRUCTIONS:** A tract of land in the NW 1/4 of Section 36, T1S,  
R6W, DeSoto County, MS.

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**MODIFICATION OF DEED OF TRUST**

**THIS MODIFICATION OF DEED OF TRUST** dated July 25, 2011, is made and  
executed between Oak Park, LLC ("Grantor") and Trustmark National Bank,  
whose address is Hernando Main Office, 2510 Highway 51 South, Hernando,  
MS 38632 ("Lender").

**DEED OF TRUST.** Lender and Grantor have entered into a Deed of Trust dated  
October 26, 2006 (the "Deed of Trust") which has been recorded in DeSoto County,  
State of Mississippi, as follows:

**Recorded October 30, 2006 in the Office of the Chancery Clerk in Book**

## EXHIBIT "A"

A tract of land located in the Northwest Quarter of Section 36, Township 1 South, Range 6 West, DeSoto County, Mississippi, and is further described as follows

Beginning at a ½ inch rebar set at a point being on the west right-of-way line of Old Hacks Cross Road (Highway 305, 80 foot Right-Of-Way) and on the south right-of-way line of Goodman Road (Right-Of-Way Varies); said point lies South 07 degrees 27 minutes 31 seconds East a distance of 341.46 feet from a spike nail found being the Northwest corner of Section 36, Township 1 South, Range 6 West; thence South 00 degrees 53 minutes 44 seconds East along the East right-of-way of said Old Hacks Cross Road a distance of 1290.72 feet to a ½ inch rebar set at the intersection of the right-of-way of the aforementioned Old Hacks Cross Road and New Hacks Cross Road (80 foot Right-Of-Way), thence with a curve turning to the right with an arc length of 769.19 feet, a radius of 1792.20 feet, chord bearing of South 05 degrees 04 minutes 00 seconds East, chord length of 268.94 feet, and a delta angle of 8 degrees 36 minutes 21 seconds, to a ½ inch rebar set in East right-of-way of said New Hacks Cross Road; thence South 01 degree 00 minutes 25 seconds East along the aforementioned right-of-way a distance of 173.43 feet to a right-of-way monument found, thence South 00 degrees 26 minutes 42 seconds East along said East right-of-way of New Hacks Cross Road a distance of 479.14 feet to a ½ inch rebar set, thence East a distance of 1162.60 feet to a ½ inch rebar set, thence North a distance of 1770.48 feet to a ½ inch rebar set, thence North 02 degrees 09 minutes 45 seconds East a distance of 200.00 feet to a ½ inch rebar set, thence North 02 degrees 09 minutes 45 seconds West a distance of 200.00 feet to a ½ inch rebar set on the South right-of-way line of Goodman Road, thence South 87 degrees 50 minutes 15 seconds West along said Goodman Road right-of-way a distance of 63.43 feet to a ½ inch rebar set, thence continuing along the aforementioned Goodman Road right-of-way with a curve turning to the right with an arc length of 1256.35 feet, a radius of 3944.72 feet, chord bearing North 83 degrees 38 minutes 52 seconds West, chord length of 1251.05 feet, and a delta angle of 18 degrees 14 minutes 53 seconds to a ½ inch rebar set which is the true point of beginning, being subject to all codes, regulations and restrictions, rights of way, and easements of record

SIGNED FOR IDENTIFICATION PURPOSES, THIS THE 25th DAY OF JULY, 2011.

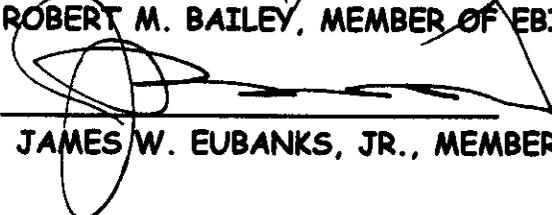
OAK PARK, LLC

EBI LAND, LLC, MANAGING MEMBER OF OAK PARK, LLC

BY:

  
ROBERT M. BAILEY, MEMBER OF EBI LAND, LLC

BY:

  
JAMES W. EUBANKS, JR., MEMBER OF EBI LAND, LLC

2,594 at Page 677 subsequently modified by Modification of Deed of Trust dated March 24, 2009 and recorded in said records in Book 3,023 at Page 372.

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

See Exhibit "A", which is attached to this Modification and made a part of this Modification as if fully set forth herein.

The Real Property or its address is commonly known as NW 1/4, Sec 36, T1S, R6W, DeSoto, MS.

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

**The maturity date of the Note and the above described Deed of Trust shall be extended to July 25, 2013.**

**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 endorser 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.

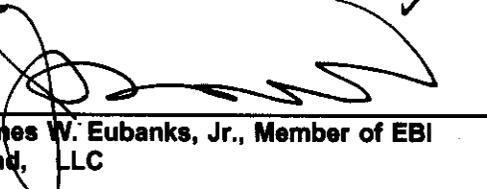
**GRANTOR ACKNOWLEDGES HAVING READ ALL THE PROVISIONS OF THIS MODIFICATION OF DEED OF TRUST AND GRANTOR AGREES TO ITS TERMS. THIS MODIFICATION OF DEED OF TRUST IS DATED JULY 25, 2011.**

**GRANTOR:**

**OAK PARK, LLC**

**EBI LAND, LLC, Managing Member of Oak Park, LLC**

By:   
Robert M. Bailey, Member of EBI Land LLC

By:   
James W. Eubanks, Jr., Member of EBI Land, LLC

LENDER:

TRUSTMARK NATIONAL BANK

X

Authorized Officer

*[Handwritten signature]*

LIMITED LIABILITY COMPANY ACKNOWLEDGMENT

STATE OF Mississippi )

) SS

COUNTY OF Union )

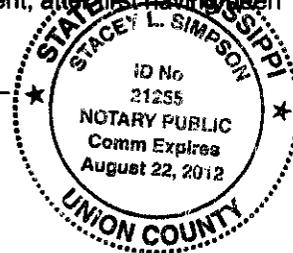
Personally appeared before me, the undersigned authority in and for the said county and state, on this the 26<sup>th</sup> day of July, 2011, within my jurisdiction the within named Robert M. Bailey and James W. Eubanks, Jr., who acknowledged to me that they are Member and Member, respectively, of EBI Land, LLC, a Mississippi Limited Liability Company, and Managing Member of Oak Park, LLC, a Mississippi Member-Managed Limited Liability Company, and that for and on behalf of EBI Land, LLC as Managing Member of Oak Park, LLC, and as the act and deed of EBI Land, LLC as Managing Member of Oak Park, LLC and as the act and deed of Oak Park, LLC, they executed the above and foregoing instrument, after first having been duly authorized by EBI Land, LLC and Oak Park, LLC so to do.

*[Handwritten signature: Stacey L. Simpson]*

NOTARY PUBLIC

My Commission Expires:

8/22/12



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 26<sup>th</sup> day of July, 2011, within my jurisdiction, the within named Michael H Leonard, who acknowledged that (he)(she) is President of Trustmark National Bank and that in said representative capacity (he)(she) executed the above and foregoing Modification, after first having been duly authorized so to do.

*Robin S. Parker*  
\_\_\_\_\_  
NOTARY PUBLIC

My Commission Expires:  
*October 1, 2012*



LASER PRO Lending, Ver. 5.55.00.102 Copr. Harland Financial Solutions, Inc.  
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