

57 1/17/12 1:46:20
DK T BK 3,390 PG 132
DESOTO COUNTY, MS
W.E. DAVIS, CH CLERK

Prepared by:
Almon M. Ellis
Attorney at Law
7145 Swinnea Rd.
Southaven, MS 38671
Tel. (662) 719-8120
MS Bar No. 101914

* **Return to:**
Select Title and Escrow
7145 Swinnea Rd.
Southaven, MS 38671
Tel. (662) 349-3944
File # 11-1338

Indexing Instructions: 4.92 acres in the SE ¼ of Section 19, Township 2 South, Range 7 West, DeSoto County, Mississippi

Grantor:
James E. Sandy Family Trust, James E. Sandy and Patricia D. Sandy, Trustees
P.O. Box 273
Southaven, MS 38671 PHONE: N/A

Grantee:
Michael D. Smith and wife, Kimberly M. Smith
2125 Swinnea Rd.
Southaven, MS 38671 PHONE: N/A

SUBSTITUTION OF TRUSTEE

WHEREAS, on the 21st day of June, 2010, Michael D. Smith and wife, Kimberly M. Smith, as tenants by the entirety, with full rights of survivorship, and not as tenants in common, executed a Deed of Trust to the James E. Sandy Family Trust, dated March 30, 2001, James E. Sandy and Patricia D. Sandy, Trustees, which Deed of Trust is on file and of record in the office of the Chancery Clerk of DeSoto County, Mississippi, in Deed of

4

Trust Record Book 3194, at Page 144; and pertaining to the following described property located in DeSoto County, Mississippi:

SEE ATTACHED EXHIBIT "A"

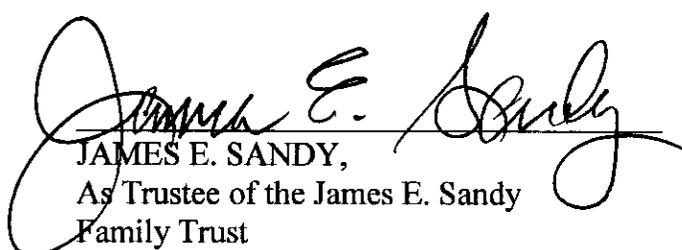
WHEREAS, the undersigned is the present holder and beneficiary of the Deed of Trust referenced to above; and

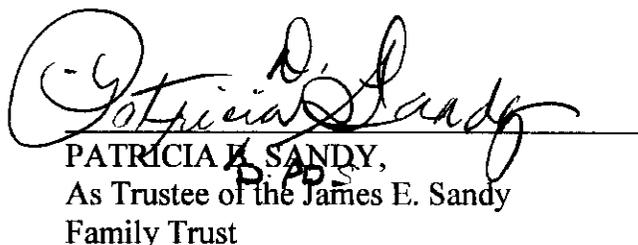
WHEREAS, under the terms of said Deed of Trust, the beneficiary or any assignee is authorized to appoint a Trustee in the place and stead of the original Trustee or any successor Trustee in said Deed of Trust; and

NOW, THEREFORE, the undersigned holder of said Deed of Trust does hereby appoint and substitute Almon M. Ellis, as Trustee, the said Almon M. Ellis to have all rights, powers and privileges granted the Trustee in said Deed of Trust.

The aforesaid Chancery Clerk is hereby authorized and directed to note upon the margin of the aforesaid recorded Deed of Trust the fact of this Substitution of Trustee.

WITNESS the signature of the undersigned, this the 13th day of January, 2012.


JAMES E. SANDY,
As Trustee of the James E. Sandy
Family Trust


PATRICIA A. SANDY,
As Trustee of the James E. Sandy
Family Trust

STATE OF MISSISSIPPI
COUNTY OF DESOTO

Personally appeared before me, the undersigned authority in and for the State and County aforesaid, within my jurisdiction, the within named JAMES E. SANDY, who acknowledged that he is Trustee of James E. Sandy Family Trust, and that in said representative capacity he executed the above and foregoing instrument, after first having been duly authorized so to do

Given under my hand and official seal this 13th day of January, 2012.



[Handwritten Signature]

NOTARY PUBLIC

My Commission Expires

STATE OF MISSISSIPPI
COUNTY OF DESOTO

Personally appeared before me, the undersigned authority in and for the State and County aforesaid, within my jurisdiction, the within named PATRICIA B. SANDY, who acknowledged that she is Trustee of the James E. Sandy Family Trust, and that in said representative capacity she executed the above and foregoing instrument, after first having been duly authorized so to do.

Given under my hand and official seal this 13th day of January, 2012.



[Handwritten Signature]

NOTARY PUBLIC

My Commission Expires

EXHIBIT A

4.92 Acres in the Southeast Quarter of Section 19, Township 2 South, Range 7 West, DeSoto County, Mississippi, more particularly described as follows:

Commencing at an iron pin at the Southeast corner of Section 19, Township 2 South, Range 7 West, in DeSoto County, Mississippi, said point lying near the intersection of the center lines of Swinnea Road and Bankston Road; thence North 03 degrees 19' 10" West 499.25 feet along Swinnea Road to a point; thence South 84 degrees, 54' 40" West 40.00 feet to a point in a 48" oak tree, said point being the Southeast corner of this said tract, and being the POINT OF BEGINNING; thence South 84 degrees 54' 40" West 1,052.06 feet along an old meandering fence line to a 1/2" rebar and a tee post; thence North 02 degrees, 22' 10" West 204.58 feet along an old meandering fence line to a 3/8" rebar and a tee post; thence North 84 degrees, 57' 05" East 1,048.64 feet to a 3/8" rebar and a tee post; thence South 03 degrees, 19' 10" East 203.71 feet to the Point of Beginning.