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DK T BK 3, 402 PG 133
DESOTO COUNTY, MS
W.E. DAVIS, CH CLERK

RECORDATION REQUESTED BY:

Community Bank, North Mississippi; Amory Office; 475 E. Commerce Street; Hernando, MS 38632

WHEN RECORDED MAIL TO:

Community Bank, 475 East Commerce Street, Hernando, MS 38632

SEND TAX NOTICES TO:

Community Bank, 475 East Commerce Street, Hernando, MS 38632

FOR RECORDER'S USE ONLY

This Modification of Deed of Trust prepared by:

ew
Community Bank, North Mississippi
Community Bank, North Mississippi
475 E. Commerce Street
Hernando, MS 38632
(662) 429-8484

INDEXING INSTRUCTIONS: 16.11 acres in SW 1/4 of Sec. 35, T1S, R8W, City of Horn Lake, DeSoto County, MS .



MODIFICATION OF DEED OF TRUST



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THIS MODIFICATION OF DEED OF TRUST dated February 13, 2012, is made and executed between Robert P. Tate aka Robert Tate and Karen M. Tate aka Karen Tate, whose address is 1405 Nottingham Dr, Southaven, MS 38671-9474 ("Grantor") and Community Bank, North Mississippi, whose address is Amory Office, 475 E. Commerce Street, Hernando, MS 38632 ("Lender").

DEED OF TRUST. Lender and Grantor have entered into a Deed of Trust dated November 1, 2004 (the "Deed of Trust") which has been recorded in DeSoto County, State of Mississippi, as follows:

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

Loan No: 6533863

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recorded November 15, 2004, DeSoto County Chancery Clerk in Book 2,107, Page 229 and re-recorded February 11, 2005, DeSoto County Chancery Clerk in Book 2,158, Page 321 and Modification Deed of Trust dated August 26, 2011, recorded August 30, 2011, DeSoto County Chancery Clerk in Book 3,336, Page 104.

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 6295 Highway 51 N, Horn Lake, MS 38637.

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

To extend maturity date to February 15, 2015 and remove LOC feature and correct property address to 6295 Highway 51 N, Horn Lake, MS 38637.

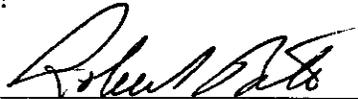
CONTINUING VALIDITY. Except as expressly modified above, the terms of the original Deed of Trust shall remain unchanged and in full force and effect. Consent by Lender to this Modification does not waive Lender's right to require strict performance of the Deed of Trust as changed above nor obligate Lender 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.

CROSS-COLLATERALIZATION. In addition to the Note, this Deed of Trust secures all obligations, debts and liabilities, plus interest thereon, of Grantor to Lender, or any one or more of them, as well as all claims by lender against Grantor or any one or more of them, whether now existing or hereafter arising, whether related or unrelated to the purpose of the Note, whether voluntary or otherwise, whether due or not due, direct or indirect, determined or undetermined, absolute or contingent, liquidated or unliquidated, whether Grantor may be liable individually or jointly with others, whether obligated as guarantor, surety, accommodation party or otherwise, and whether recovery upon such amounts may be or hereafter may become barred by any statute of limitations, and whether the obligation to repay such amounts may be or hereafter may become otherwise unenforceable. (Initial Here RPB)

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 FEBRUARY 13, 2012.

GRANTOR:

X


Robert P. Tate aka Robert Tate

X


Karen M. Tate aka Karen Tate

LENDER:

COMMUNITY BANK, NORTH MISSISSIPPI

X


Authorized Officer

Attached to and forming part of Modification Deed of Trust dated 2/13/12 in the name of Robert P. Tate aka Robert Tate and Karen M. Tate aka Karen Tate

Exhibit "A"

16.11 ACRES IN THE SOUTHWEST QUARTER OF SECTION 35, TOWNSHIP 1 SOUTH RANGE 8 WEST, CITY OF HORN LAKE, DESOTO COUNTY, MISSISSIPPI AND BEING DESCRIBED AS FOLLOWS:

COMMENCING AT A FOUND 3/8 INCH REBAR MARKING THE ACCEPTED NORTHWEST CORNER OF THE SOUTHWEST QUARTER OF SAID SECTION 35; THENCE SOUTH 0 DEGREES 29 MINUTES 05 SECONDS EAST 990.52 FEET TO A FOUND 5/8 INCH PIPE; THENCE SOUTH 1 DEGREE 10 MINUTES 33 SECONDS WEST 225.72 FEET TO A SET T-POST AND THE POINT OF BEGINNING; THENCE NORTH 89 DEGREES 54 MINUTES 27 SECONDS EAST 1589.00 FEET TO A SET T-POST; THENCE NORTH 1 DEGREE 10 MINUTES 33 SECONDS EAST 16.18 FEET TO A SET T-POST; THENCE NORTH 89 DEGREES 54 MINUTES 27 SECONDS EAST 1025.98 FEET TO A SET T-POST ON THE WEST LINE OF HIGHWAY NO. 51; THENCE SOUTH 4 DEGREES 48 MINUTES 22 SECONDS WEST 27.68 FEET ALONG THE WEST LINE OF SAID HIGHWAY TO A FOUND CONCRETE R.O.W. MARKER; THENCE SOUTH 8 DEGREES 38 MINUTES 37 SECONDS WEST 141.38 FEET ALONG THE WEST LINE OF SAID HIGHWAY TO A FOUND CONCRETE R.O.W. MARKER; THENCE SOUTH 8 DEGREES 50 MINUTES 55 SECONDS EAST 112.49 FEET ALONG THE WEST LINE OF SAID HIGHWAY TO A SET T-POST IN A LARGE DITCH; THENCE LEAVING SAID HIGHWAY SOUTH 89 DEGREES 52 MINUTES 27 SECONDS WEST 2614.46 FEET TO A FOUND 5/8 INCH PIPE; THENCE NORTH 1 DEGREE 10 MINUTES 33 SECONDS EAST 263.91 FEET TO THE POINT OF BEGINNING.

Signed for identification:



 Robert P. Tate aka Robert Tate



 Karen M. Tate aka Karen Tate

MODIFICATION OF DEED OF TRUST
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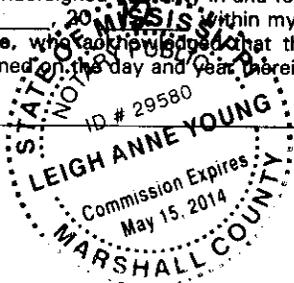
INDIVIDUAL ACKNOWLEDGMENT

STATE OF Mississippi)
) SS
COUNTY OF Desoto)

Personally appeared before me, the undersigned authority in and for the said County and State, on this 13th day of February, 2012, within my jurisdiction, the within named Robert P. Tate aka Robert Tate and Karen M. Tate aka Karen Tate, who acknowledged that they signed, executed and delivered the above and foregoing Modification for the purposes mentioned on the day and year herein mentioned.

Leigh Anne Young
NOTARY PUBLIC

My Commission Expires:
5-15-14



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 13th day of February, 2012, within my jurisdiction, the within named Simon J. Wain, who acknowledged that (he)(she) is President, Desoto County of Community Bank, North Mississippi and that in said representative capacity (he)(she) executed the above and foregoing Modification, after first having been duly authorized so to do.

Leigh Anne Young
NOTARY PUBLIC

My Commission Expires:
5-15-14

