

CAO 2/06/12 2:14:11
DK T BK 3,397 PG 317
CAO DESOTO COUNTY, MS
BC W.E. DAVIS, CH CLERK

CAO 3/05/12 1:20:30
DK T BK 3,408 PG 610
CAO DESOTO COUNTY, MS
W.E. DAVIS, CH CLERK

Prepared by: Shapiro & Massey, L.L.C. J. Gary Massey, MSB No. 1920 1910 Lakeland Drive, Suite B Jackson, MS 39216 (601)981-9299 S&M No. 12-004403	Return to: Shapiro & Massey, L.L.C. 1910 Lakeland Drive, Suite B Jackson, MS 39216 (601)981-9299 Loan No. XXXXXX7659
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Record
2nd

Index: Part of the NE1/4 of Sec. 21, T1S, R6W, DeSoto Co., MS

Corrected
SUBSTITUTION OF TRUSTEE

WHEREAS, on July 11, 2007, Brandon A. Nichols and Lisa Nichols, husband and wife, executed a certain deed of trust to Linear Title & Closing, Trustee for the benefit of Mortgage Electronic Registration Systems, Inc. which deed of trust is of record in the office of the Chancery Clerk of DeSoto County, State of Mississippi in Book 2,795 at Page 203, and recorded in the aforesaid Chancery Clerk's Office and being secured by real property being more particularly described as follows:

(See Exhibit A)

WHEREAS, the undersigned is the present holder and beneficiary of the deed of trust referenced above; and

WHEREAS, OneWest Bank, FSB pursuant to the provisions of the aforesaid Deed of Trust and for reasons satisfactory to itself, has elected to substitute J. Gary Massey as Trustee in and for the above described deed of trust and the indebtedness secured thereby; and

NOW THEREFORE, OneWest Bank, FSB, the present owner and holder of the above described deed of trust, acting by and through its duly authorized officers, does hereby substitute J. Gary Massey as Trustee in the place and stead of the current trustee and does hereby confer upon the said J. Gary Massey full and complete power to execute said trust as Trustee as provided by the terms of the aforesaid deed of trust.

8875 Germantown Road, Olive Branch, MS

Should the undersigned become the last and highest bidder at the foreclosure sale, the Trustee is hereby authorized to transfer and assign said bid and to convey title to said foreclosed property to the Secretary of Housing and Urban Development or the Secretary of Veterans Affairs, or whomsoever the undersigned shall authorize. The statement in the Substitute Trustee's deed that the undersigned has requested transfer of its bid to grantee(s) in the Substitute Trustee's Deed shall be binding on the undersigned and conclusive evidence in favor of the assignee or other parties thereby, and that the Substitute Trustee is duly authorized and empowered to execute same.

WITNESS THE EXECUTION HEREOF by the aforesaid corporation acting by and through its duly authorized officers, this the _____ day of JAN 30 2012, 2012.

OneWest Bank, FSB

[Signature]
By: Elizabeth Hernandez
Its: Assistant Secretary

STATE OF Texas
COUNTY OF Travis

Personally appeared before me, the undersigned authority for the jurisdiction aforesaid, on this the _____ day of JAN 30 2012, 2012, the within named Elizabeth Hernandez who acknowledged that (s)he is Assistant Secretary of OneWest Bank, FSB, and that for and on behalf of the said corporation, and as its act and deed, (s)he executed the above and foregoing instrument, after having been first duly authorized so to do.



[Signature]
Notary Public

My commission expires: 11.23.2013

8875 Germantown Road, Olive Branch, MS

Exhibit A

Located in the Northeast Quarter of Section 21, Township 1 South, Range 6 West, DeSoto County, Mississippi:

Beginning at a point on the West line of Germantown Road 661.0 feet South of the Northeast Corner of Section 21, Township 1, Range 6 West, said point also being 49.2 feet South of the Southeast corner of a 2 acre lot deeded to C.W. Kelly as recorded in Deed Book 79, Page 181, at the Chancery Clerk's Office in Hernando, Mississippi. Said point also being 1846.0 feet South of the center of State Line Road, thence South 5 degrees 20' East a distance of 538.90 feet to a point; thence South 85 degrees 45' West a distance of 443.66 feet to a point; thence North 5 degrees 20' West a distance of 538.90 feet to a point; thence South 85 degrees 45' East a distance of 443.66 feet to the POINT OF BEGINNING, containing an area of 5.49 acres, more or less. This being the same property as conveyed to Robert E. Hays and wife, Frances B. Hayes by Warranty Deed of record in Book 87, Page 13 in the Chancery Clerk's Office of DeSoto County, Mississippi.

LESS AND EXCEPT:

2.43 acres in Section 21, Township 1, Range 6 West, described as beginning at a point in the West line of Germantown Road, 961.0 feet South of the Northeast Corner of Section 21, Township 1, Range 6 West; thence South 5 degrees 20' East a distance of 238.90 feet to a point; thence South 85 degrees 45' West a distance of 443.66 feet to a point; thence North 5 degrees 20' West a distance of 238.90 feet to a point; thence South 85 degrees 45' East a distance of 443.66 feet to the POINT OF BEGINNING, containing 2.43 acres, more or less.

LESS AND EXCEPT:

1.53 acres in Section 21, Township 1, Range 6 West, described as beginning at a point in the West line of Germantown Road, 811 feet South of the Northeast Corner of Section 21, Township 1, Range 6 West, thence South 5 degrees 20' East a distance of 150.0 feet to a point; thence South 85 degrees 45' West a distance of 443.66 feet to a point; thence North 5 degrees 20' West a distance of 150.0 feet to a point; thence South 85 degrees 45' East a distance of 443.66 feet to the POINT OF BEGINNING, containing 1.53 acres, more or less.

Subject to the rights of way and easements for public roads and public utilities, subdivision and zoning regulations in effect in DeSoto County, Mississippi, and further subject to all applicable building restrictions and the covenants of record.

8875 Germantown Road, Olive Branch, MS