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DK T BK 3,523 PG 93  
DESOTO COUNTY, MS  
W.E. DAVIS, CH CLERK



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**WHEN RECORDED MAIL TO:** Southern Bancorp Bank - Central Region, P. O. Box 2507, West Helena, AR 72390, Tel. (870) 816-1111

*J* This Modification of Deed of Trust prepared by: Southern Bancorp Bank, Loan Operations, 601 Main Street, Arkadelphia, AR 71923, (870) 246-5811

**INDEXING INSTRUCTIONS:** LOT 80, SECTION A, HOYTTE AUSTIN LAKE SUBDIVISION, SITUATED IN SECTION 6, TOWNSHIP 2 SOUTH, RANGE 8 WEST, DESOTO COUNTY, MISSISSIPPI .

**FOR RECORDER'S USE ONLY**

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**MODIFICATION OF DEED OF TRUST**

**GRANTOR:** RANDY BAIN, 3540 CLEVELAND RD, HERNANDO, MS 38632, Tel. (901) 351-2306

**LENDER / BENEFICIARY:** Southern Bancorp Bank, Hernando Office, 970 Byhalia Rd, Hernando, MS 38632, Tel. (662) 429-9973

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**THIS MODIFICATION OF DEED OF TRUST** dated October 5, 2012, is made and executed between **RANDY BAIN D/B/A BAIN INVESTMENTS**, whose address is 3540 CLEVELAND RD, HERNANDO, MS 38632 ("Grantor") and Southern Bancorp Bank.

**DEED OF TRUST.** Lender and Grantor have entered into a Deed of Trust dated October 3, 2007 (the "Deed of Trust") which has been recorded in DE SOTO County, State of Mississippi, as follows:

**FILED 10-11-2007 BOOK 2,802 PAGE 707.**

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

LOT 80, SECTION A, HOYTTE AUSTIN LAKE SUBDIVISION, SITUATED IN SECTION 6, TOWNSHIP 2 SOUTH, RANGE 8 WEST, DESOTO COUNTY, MISSISSIPPI AS PER PLAT OF RECORD THEREOF RECORDED IN PLAT BOOK 3, PAGES 8-10 IN THE OFFICE OF THE CHANCERY CLERK OF DESOTO COUNTY, MISSISSIPPI

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

Loan No: 70004540

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The Real Property or its address is commonly known as 5564 ASHFORD, HORN LAKE, MS 38637.

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

**EXTEND MATURITY DATE TO 10-05-2027.**

**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 OCTOBER 5, 2012.**

**GRANTOR:**

x Randy Bain  
RANDY BAIN

**LENDER:**

**SOUTHERN BANCORP BANK**

x Alan Sims  
Alan Sims, DeSoto County President

MODIFICATION OF DEED OF TRUST  
(Continued)

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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 19th day of October, 20 12, within my jurisdiction, the within named **RANDY BAIN**, 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.

Carah E Grand  
NOTARY PUBLIC



My Commission Expires:  
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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 19th day of October, 20 12, within my jurisdiction, the within named **Alan Sims**, who acknowledged that (he)(she) is **Desoto County President of Southern Bancorp Bank** and that in said representative capacity (he)(she) executed the above and foregoing Modification, after first having been duly authorized so to do.

Carah E Grand  
NOTARY PUBLIC



My Commission Expires:  
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**MODIFICATION OF DEED OF TRUST  
(Continued)**

Loan No: 70004540

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