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IN THE CHANCERY COURT OF DESOTO COUNTY, MISSISSIPPI

JERRED BLANCHARD and
PULASKI MORTGAGE COMPANY and
PULASKI BANK AND TRUST COMPANY, Plaintiffs

VS.

CAUSE NO. 84-9-738

LUTHER BREWER, TAMMY L. BREWER,
JERRY WAYNE SHINGLETON, and
MARY ANNE SHINGLETON, Defendants

DECREE

CAME ON THIS DAY this cause to be heard on Plaintiffs' Complaint To Reform Deed, Etc. The Court being advised does find as follows:

1. That the Defendants Luther Brewer, Tammy L. BREWER, and Jerry Wayne Shingleton are each adult non-residents of the state of Mississippi, who were not found therein after diligent inquiry, and whose post office is unknown to the affiant and Plaintiffs after diligent inquiry. That the aforesaid three Defendants were properly and lawfully served with process pursuant to § 13-3-19 Mississippi Code Annotated of 1972 as Amended, by publication for non-resident or absent Defendant. That a properly certified and attested copy of the required notice has been filed in this cause. That each of the three aforesaid Defendants has failed to answer or appear in this cause within the time required by law, thereby defaulting in this cause.

2. That the Defendant, Mary Anne Shingleton is an adult resident citizen of Desoto County, Mississippi, who was served by personal service of process on September 19, 1984 by a deputy of the Sheriff of said county and state, a return of said summons having been made and filed in this cause. That said Defendant has appeared through counsel, Hon. John Zizzman, in this cause, but has filed no answer in this cause. That said Defendant has signed this Decree agreeing to its form and content.

FILED
JAN 3 1985

H. G. FERGUSON, CLERK

BY J. K. K. D. C.

3. That the Defendant, Mary Anne Shingleton has neither admitted nor denied any liability resulting from any possible deficiency which may occur as a result of any possible foreclosure. That the aforesaid Complaint of the Plaintiffs' does not pray for any finding of the Court concerning deficiency liability, and this Court Court makes no finding concerning who, if anyone, is or may be liable for any deficiency.

4. That in that certain Deed of Trust dated June 28, 1980, recorded in Trust Deed Book 245 , Page 175 , a scribner's error was made, incorrectly describing the lot sought in said Trust Deed to be used as collateral as being in Section 8, Township 3 South, Range 9 West. That in fact said lot was located in Section 18, Township 3 South, Range 9 West. That said scribner's error should be corrected, and the Deed of Trust be reformed, amended, and corrected.

5. That the Plaintiffs do not have adequate remedy at law, that Plaintiffs would suffer irreparable harm were they denied this relief, and that Defendants would suffer no harm were the relief granted.

IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED that that certain Deed of Trust signed June 28, 1980, recorded in Trust Deed Book 245 , Page 175 , in the office of the Chancery Clerk of Desoto County, Mississippi, should be, and the same hereby is, reformed, amended, and corrected by correcting the scribner's error which incorrectly describes the lot in said Deed of Trust as being in Section 8, Township 3 South, Range 9 West, and replacing said incorrect description wherever it occurs in said Deed of Trust with the following description: "Section 18, Township 3 South, Range 9 West."

FURTHER, that the Chancery Clerk of Desoto County, Mississippi shall cause this Decree to be recorded on the land deed records of Desoto County, Mississippi for the the subject property described in the aforesaid Deed of Trust, and he shall likewise cause a notation to be written on the face of hte said Deed of Trust noting the filing of this Decree and the Court's action herein

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FURTHER, that all Court Costs incurred herein are assessed to the Plaintiffs for which let execution issue.

For the accomplishment of all things ordered done herein, let execution issue.

ORDERED ADJUDGED AND DECREED this the 3RD day of January 1985.

J. E. Hannaford, Sr.
CHANCELLOR

AGREED AS TO FORM AND CONTENT:

Maryanne Shingleton
MARY ANNE SHINGLETON

John G. Zyzanski
JOHN ZYZANSKI, Attorney for
Defendant Mary Anne Shingleton

James D. Franks
JAMES D. FRANKS, Attorney for
Plaintiffs

Filed @ 9:40 AM 30 March 1985
Recorded in Book 177 Page 96
H. G. Ferguson, Clerk