

Indexing Instructions: Lot 402, Brook Hollow West Subdivision, in Section 24,  
Township 1 South, Range 8 West

After recording, return to:  
FNF Title Services, Inc.  
7145 Swinnea Road, Suite 2  
Southaven, MS 38671  
(662) 349-6536  
File #S 12141

# WARRANTY DEED

Re-recorded to correct execution date--see attached Scrivener's Aff.

This instrument prepared by  
**E. Flint Foster, II, Attorney**  
**Kirkland, Rothman- Branning & Associates, PLLC**  
6489 Quail Hollow  
Suite 102  
Memphis, Tennessee 38120-1305  
(901) 758-5588

GRANTOR(S): Mark E. Smith

GRANTEE(S): Jennifer Johnson and Joseph Johnson, wife and husband

FOR AND IN CONSIDERATION of the sum of Ten Dollars (\$10.00), cash in hand paid, and other good and valuable considerations, the receipt of all of which is hereby acknowledged **Mark E. Smith, a married person**, does hereby sell, convey and warrant unto Jennifer Johnson and Joseph Johnson, wife and husband, as joint tenants with rights of survivorship and not as tenants in common, the land lying and being situated in Desoto County, Mississippi, described as follows, to wit:

Lot 402, Brook Hollow West Subdivision, in Section 24, Township 1 South, Range 8 West, in Desoto County, Mississippi, as per plat thereof recorded in Plat Book 8, Page 3, in the office of the Chancery Clerk of Desoto County, Mississippi.

Being part of the same property as conveyed to Grantor in Warranty Deed of record in Book 431, Page 300 in the Chancery Clerk's office of DeSoto County, Mississippi.

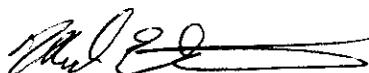
The warranty in this deed is subject to rights of ways and easements for public roads and public utilities to building, zoning, subdivision, and health department regulations in effect in Desoto County, Mississippi, and further subject to all applicable building restrictions and restrictive covenants of record. The property herein described is unencumbered except for subdivision restrictions, building lines and easements of record in Plat Book 8, Pages 3 and 4. Easements of record in Book 406, Page 370 all in the Office of the Chancery Clerk of Desoto County, Mississippi. City of Southaven and DeSoto County taxes for the year 2004 are to be prorated, and possession is to take place upon delivery of deed.

Title to the aforescribed real property is vested in Mark E. Smith. Deborah S. Smith, wife of Mark E. Smith, for consideration, joins herein for the purpose of granting, bargaining, selling, conveying and confirming and does hereby grant, bargain, sell, convey and confirm unto the party of the second part, its successors and/or assigns, all rights, claims and interest of every kind, character and description whatsoever which she now has or hereafter may acquire by virtue of her marriage, including but not limited to homestead and any interest in the aforescribed real property as all or a part of an elective share of a surviving spouse as provided by the laws of the State of Mississippi, but the said Deborah S. Smith does not join in the covenants and warranties of this deed.

Tax Parcel ID # 1086-2407.0-00402.00

WITNESS my/our hand(s) this 27th day of March, 2004.

\_\_\_\_\_



Mark E. Smith

\_\_\_\_\_



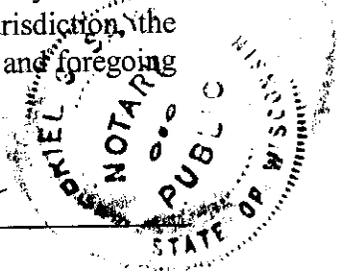
Deborah S. Smith

STATE OF WISCONSIN, COUNTY OF MILWAUKEE

Personally appeared before me, the undersigned authority in and for said county and state, on this 27<sup>th</sup> day of MARCH, 2004, within my jurisdiction, the within named Mark E. Smith, who acknowledges that he executed the above and foregoing instrument.

My commission expires: 1-9-2005

Habel Syz  
Notary Public

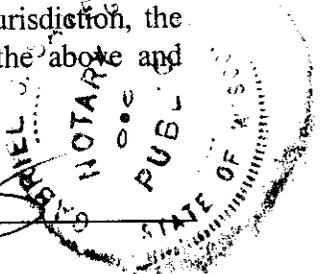


STATE OF WISCONSIN, COUNTY OF MILWAUKEE

Personally appeared before me, the undersigned authority in and for said county and state, on this 27<sup>th</sup> day of MARCH, 2004, within my jurisdiction, the within named Deborah S. Smith, who acknowledges that she executed the above and foregoing instrument.

My commission expires: 1-9-2005

Habel Syz  
Notary Public



**GRANTOR ADDRESS & PHONE:**

508 Hillbrook Drive  
Southaven, MS 38671

Home Phone: N/A

Work Phone: 901-758-5588

**GRANTEE ADDRESS & PHONE:**

508 Hillbrook Drive  
Southaven, MS 38671

Home Phone: 662-349-6536

Work Phone: N/A

Return to:

File # K047192

STATE MS.-DESOTO CO. SS  
SS

OCT 5 2 31 PM '04 R

BK 483 PG 572  
M.E. DAVIS CH. CLK.

# SCRIVENER'S AFFIDAVIT

STATE OF MISSISSIPPI  
COUNTY OF DESOTO

Before me, the undersigned authority in and for said jurisdiction, this 14<sup>th</sup> day of October, 2004, personally appeared Shelly R. Byrum, who having been duly sworn, on his oath states as follows:

Whereas, on the 27th day of March, 2004 a Warranty Deed was executed by Mark E. Smith and Deborah S. Smith recorded October 5, 2004 in Deed Book 483, page 572 in the office of the Chancery Court Clerk of Desoto County, Mississippi which contained an error in the execution date.

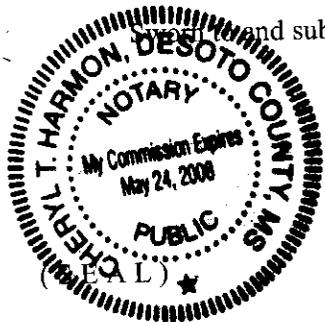
Whereas said instrument contained an error of the scrivener, in that the execution date of the Warranty Deed was listed as the 30<sup>th</sup> day of September, 2004.

Whereas the execution date of the Warranty Deed should be:

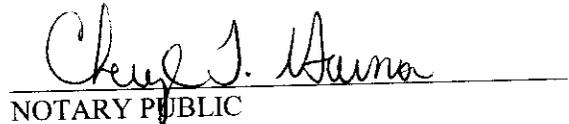
27<sup>th</sup> day of March, 2004.

This day personally appeared before me, the undersigned authority in and for the said jurisdiction, the within named Shelly R. Byrum, who acknowledged that she is the Closer of First National Financial Title, prepared the above and foregoing instrument.

  
Shelly R. Byrum



and subscribed before me this 14<sup>th</sup> day of October, 2004.

  
NOTARY PUBLIC

My Commission Expires:

PREPARED BY AND RETURN TO AFTER RECORDING:  
FIRST NATIONAL FINANCIAL TITLE SERVICES, INC.  
7145 SWINNEA ROAD, SUTIE 2  
SOUTHAVEN, MISSISSIPPI 38671  
(662) 349-6536

RR  
RR  
STATE MS.-DESOTO CO.  
OCT 15 9 56 AM '04  
484 PG 281  
CH. CLK.