

<b>Prepared by and Return to:</b>  Austin Law Firm, P.A. 6928 Cobblestone Drive, Suite 100 Southaven, MS 38672 662-890-7575  File No.: 100216	<b>Grantors Address:</b>  5779 Getwell Rd, Bldg D, Ste 1 Southaven, MS 38672  Work: 662-349-7775  Home: N/A	<b>Grantees Address:</b>  425 Plaza Street Helena West Helena, AR 72390  Work: 870-816-1111  Home: N/A
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### DEED IN LIEU OF FORECLOSURE

**WHEREAS**, Southern Bancorp Bank, successor in interest to Southern Bancorp Bank, N.A. formerly known as, First Bank of the Delta, N.A. ("Grantee") is the owner and holder of a certain promissory note dated January 9, 2007, from Forum Investments, LLC ("Grantor") to Southern Bancorp Bank, successor in interest to Southern Bancorp Bank, N.A. formerly known as, First Bank of the Delta, N.A., in the original principal amount of three hundred thousand dollars (\$300,000.00), which is secured by the deed of trust of record in the office of the Chancery Clerk of DeSoto County, Mississippi in Book 2641 at Page 401 (the "Deed of Trust");

**WHEREAS**, Grantor has agreed to make, and Grantee has agreed to accept this conveyance in lieu of foreclosure proceedings being instituted against the Grantor herein;

**WHEREAS**, Grantor and Grantee have agreed that this conveyance is not intended to result in a merger of the legal and equitable titles to the property conveyed herein, and that the lien of said Deed of Trust is not and shall not be deemed to be released hereby;

**NOW THEREFORE**, for and in consideration of the sum of Ten and NO/100 Dollars (\$10.00) cash in hand paid by the hereinafter named Grantee and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Grantor has bargained and sold, and by these presents does hereby transfer and convey unto Grantee, its successors and assigns, a certain tract of land in DeSoto County, Mississippi described as follows:

**Lots 33,34,35,36,37 and 39, Magnolia Glenn Subdivision, situated in Section 18, Township 2 South, Range 7 West, DeSoto County, Mississippi, as per plat thereof recorded in Plat Book 101, Page 4, in the office of the Chancery Clerk of DeSoto County, Mississippi.**

This conveyance is made 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. Subject to subdivision restrictive covenants, easements and setback lines as recorded in Plat Book 101, Page 4, in the office of the Chancery Clerk of DeSoto County, Mississippi and the lien of the said Deed of Trust.

**TO HAVE AND TO HOLD** said tract of land, with the appurtenances, estate, title and interest thereto belonging to said Grantee, its successors and assigns, forever; and Grantor does covenant with said Grantee that Grantor is lawfully seized and possessed of said land in fee simple, has a good right to convey it, and the same is unencumbered, except as otherwise herein set out; and Grantor does further covenant and bind itself, its successors and representatives, to warrant and forever defend the title to said land to said Grantee, its successors and assigns, against the lawful claims of all persons whomsoever.

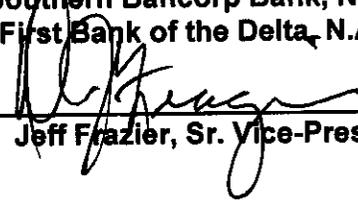
In executing this instrument the Grantor agrees and acknowledges that this conveyance is for the transfer of ownership of the aforescribed property secured by the Grantee in the aforereferenced Deed of Trust and by execution of this instrument the parties agree and acknowledge that the Grantee in no way is releasing, relinquishing, or waiving any rights or remedies it may have under said Promissory Note and Deed of Trust, including but not limited to, the right to pursue a deficiency against the Grantor. Grantee does hereby specifically preserve all of their right, title and interest in the Deed of Trust, which is not being released hereby.

**WITNESS** our signature(s), this the 16<sup>th</sup> day of February, 2011.

**GRANTOR:**  
Forum Investments, LLC

  
By: Charles F. Roberts, III, Member and  
Manager

**GRANTEE:**  
Southern Bancorp Bank, successor in interest  
to Southern Bancorp Bank, N.A. formerly known  
as, First Bank of the Delta, N.A.

  
By: Jeff Frazier, Sr. Vice-President

STATE OF MISSISSIPPI:  
COUNTY OF DESOTO:

PERSONALLY APPEARED before me, the undersigned authority at law, in and for the State and County aforesaid, the within named Charles F. Roberts, III, who acknowledged that as Member and Manager for and on behalf of and by authority of Forum Investments, LLC, signed and delivered the above and foregoing Deed on the day and year therein mentioned, and for the purposes therein expressed, he having been so duly authorized so to do.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this the 16<sup>th</sup> day of February, 2011.

My commission expires:



Aleia Burton  
Notary Public

STATE OF MISSISSIPPI:  
COUNTY OF DESOTO:

PERSONALLY APPEARED before me, the undersigned authority at law, in and for the State and County aforesaid, the within named Jeff Frazier, who acknowledged that he is the Sr. Vice-President of Southern Bancorp Bank, successor in interest to Southern Bancorp Bank, N.A. formerly known as, First Bank of the Delta, N.A., and that for and on behalf of said corporation and as its free act and deed he executed the above and foregoing instrument, after first having been duly authorized by said corporation so to do.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this the 16<sup>th</sup> day of February, 2011.

My commission expires:



Aleia Burton  
Notary Public