

STATE MS.-DESCOTO CO. 22

Nov 5 10 48 AM '93

THIS INSTRUMENT PREPARED BY:
James E. Woods, Woods & Snyder
P.O. Box 456
Olive Branch, MS 38654

BK 670 PG 443
W.E. DAVIS, CLK.
By: Woodward, P.C.

PARTIAL RELEASE AND TERMINATION OF MORTGAGE RIDER

WHEREAS, Ottis Mims Clayton and his wife, Teresa S. Clayton (hereinafter collectively called "Mortgagor"), and FIRST TENNESSEE NATIONAL BANK ASSOCIATION, a national banking association having its principal place of business in Memphis, Tennessee (hereinafter called "Mortgagee"), entered into that certain Mortgage Rider (the "Mortgage Rider"), bearing date of the 11th day of August, 19 93, recorded in the ~~Register's Office~~ ^{Chancery Clerk's Office of} ~~DeSoto County, Mississippi~~ ^{Mississippi} (under ~~Register No.~~ ^{Register No.} 662, Page 486); and said Mortgage Rider constituting an amendment to that certain deed of trust ("Mortgage"), bearing date of the 11th day of August, 19 93, recorded in said ~~Register's~~ ^{Register's} Office (under ~~Register No.~~ ^{Register No.} 662, Page 332); and

WHEREAS, the Mortgage Rider provides, inter alia, that in the event that the Mortgagor shall well and truly keep and perform all of the Mortgagor's covenants and agreements, as set forth in the Note (the "Note"), as amended by Rider to Note (the "Rider to Note"), which evidences the indebtedness secured by the Mortgage, in the Mortgage, and in the Construction Loan Agreement ("Construction Loan Agreement") mentioned in the Mortgage Rider, the Mortgagee will record a partial release and termination of Mortgage Rider in the Register's Office of DeSoto County, Mississippi; and, upon such recordation, the Mortgage Rider and said Construction Loan Agreement shall thereafter be of no further force or effect; and

WHEREAS, the Mortgagee desires to release, cancel and terminate the Mortgage Rider;

NOW, THEREFORE, for and in consideration of the premises, and other good and valuable considerations, the receipt and sufficiency of which are hereby acknowledged, the Mortgagee does hereby release, cancel and terminate the Mortgage Rider.

This instrument shall also be and constitute a release, cancellation, and termination of the Construction Loan Agreement and Rider to Note, and shall be effective as of the date hereof.

IN WITNESS WHEREOF, the Bank has caused this instrument to be executed by its duly authorized officer on this the 3rd day of November, 19 93.

This is a Partial Release as to the Mortgage Rider only. All other terms and conditions of said Deed of Trust to remain in full force and effect.

FIRST TENNESSEE BANK
NATIONAL ASSOCIATION

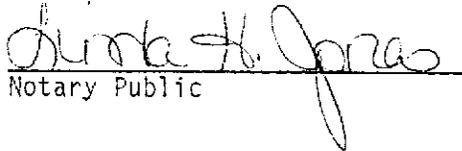
By: [Signature]
Title: Vice-President

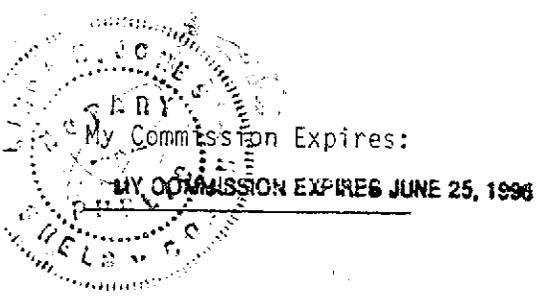
First Tennessee Bank MORTGAGEE

STATE OF TENNESSEE
COUNTY OF SHELBY

Personally appeared before me, the undersigned, a Notary Public in and for said State and County, duly commissioned and qualified, Robert C. Bristow, with whom I am personally acquainted, and who acknowledged that he executed the within instrument for the purposes therein contained, and who further acknowledged that he is the Vice-President of FIRST TENNESSEE BANK NATIONAL ASSOCIATION (the "Maker") and is authorized by the Maker to execute this instrument on behalf of the Maker.

WITNESS my hand, at office, this 2nd day of November, 1993.


Notary Public



Return to:
WOODS AND SNYDER
P. O. BOX 456
OLIVE BRANCH, MS 38654