

AGREEMENT

IN CONSIDERATION of a loan granted to the undersigned by Commercial Credit dated 8/17/98, the undersigned agree not to make any claim for any future advances under and pursuant to the terms of the Future Advance Clause of the first mortgage encumbering the real property owned by the undersigned and more formally described in Exhibit A attached hereto and made part hereof, said mortgage being from Kevin S. Harris & Shawna D. Harris to First Commercial Mortgage dated 8/28/96 and recorded 9/4/96 in Official Record Book 853, Page 696 of the Public Records of Desoto County, Mississippi and we, undersigned, hereby specifically waive any right to secure funds pursuant to such future advance clause for so long a period of time and the Commercial Credit and/or assignee(s) shall retain any interest in the mortgage bearing this date executed by the undersigned to the said Commercial Credit.

This Agreement also provides that the acceptance of a future advance under the first mortgage will constitute a default under the second mortgage and that the second mortgagee on such default, is entitled to all of the rights and remedies available to him in the event of a default as set forth in said mortgage.

Dated this August 17, 1998

WITNESS

[Signature]
(Witness's Signature)

[Signature]
(Customer's Signature)

[Signature]
(Witness's Signature)

STATE MS. - DE SOTO CO.

[Signature]
(Customer's Signature)

AUG 18 10 19 AM '98

STATE OF Mississippi
COUNTY OF Desoto

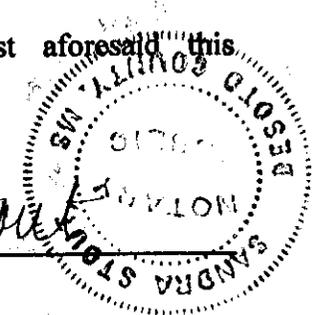
BK 1026 PG 420
W.F. DAVIS, CLERK

I HEREBY CERTIFY that on this day before me, an officer duly qualified to take acknowledgments, personally appeared Kevin S. Harris & Shawna D. Harris, to me known to be the persons described herein and who executed the foregoing instrument and acknowledged before me that they executed the same.

WITNESS my hand and official seal in the County and State last aforesaid this Aug. 17, 1998.

MY COMMISSION EXPIRES JAN. 21, 2002
My Commission Expires: _____

[Signature]
Notary Public



INDEXING INSTRUCTIONS: LOT 173, SECTION D, KINGSTON WEST, SECTION 28, TOWNSHIP 1 S, RANGE 8W

LOT 173, SECTION D, KINGSTON WEST, SITUATED IN SECTION 28, TOWNSHIP 1 SOUTH, RANGE 8 WEST, CITY OF HORN LAKE, DESOTO COUNTY, MISSISSIPPI, AS PER PLAT THEREOF RECORDED IN PLAT BOOK 51, PAGE 34, IN THE OFFICE OF THE CHANCERY CLERK OF DESOTO COUNTY, MISSISSIPPI: LESS AND EXCEPT: A 0.015, MORE OR LESS, ACRE TRACT OF LAND BEING PART OF LOT 173 OF KINGSTON WEST SUBDIVISION SECTION 'D' AS RECORDED IN PLAT BOOK 51, PAGE 34 IN THE CHANCERY COURT OFFICE AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
BEGINNING AT A POINT AT THE SOUTHWEST CORNER OF LOT 173 OF KINGSTON WEST SUBDIVISION SECTION 'D' AS RECORDED IN PLAT BOOK 51, PAGE 34 IN THE CHANCERY COURT OFFICE SAID POINT BEING THE POINT OF BEGINNING FOR THE HEREIN DESCRIBED TRACT OF LAND; THENCE NORTHEASTWARDLY A DISTANCE OF 6.00 FEET ALONG A CURVE TO THE LEFT HAVING (DELTA= 01 DEGREE, 31 MINUTES 41 SECONDS, RADIUS= 225.00 FEET, CH. BRG. = NORTH 21 DEGREES 30 MINUTES 27 SECONDS EAST, CH. LENG. = 6.00 FEET) TO A POINT; THENCE SOUTH 67 DEGREES 43 MINUTES 40 SECONDS EAST A DISTANCE OF 106.41 FEET TO A IRON PIN (SET); THENCE SOUTH 15 DEGREES 59 MINUTES 35 SECONDS WEST A DISTANCE OF 6.04 FEET TO AN IRON PIN (SET); THENCE NORTH 67 DEGREES 43 MINUTES 40 SECONDS WEST A DISTANCE OF 106.99 FEET TO THE POINT OF BEGINNING AND CONTAINING 0.015, MORE OR LESS, ACRE TRACT OF LAND, BEING SUBJECT TO ALL EASEMENTS, SUBDIVISION REGULATIONS, RESTRICTIONS, AND RIGHTS OF WAY OF RECORD.

INDEXING INSTRUCTIONS:

LOT 173, SECTION D, KINGSTON WEST, SECTION 28, TOWNSHIP 1 SOUTH, RANGE 8 WEST.

BY FEE SIMPLE DEED FROM REEVES-WILLIAMS, INCORPORATED, AS SET FORTH IN DEED BOOK 305, PAGE 790, DATED 08/28/1996 AND RECORDED 09/04/1996, DESOTO COUNTY RECORDS, STATE OF MISSISSIPPI.
