

WAIVER OF RIGHT TO INCREASE FIRST MORTGAGE/DEED OF TRUST

MORTGAGEE/BENEFICIARY: FIRST CAPITAL MORTGAGE CORPORATION, (hereinafter referred to as MORTGAGEE/BENEFICIARY)

MORTGAGOR/GRANTOR: JAMES E. MORRIS, III and MARY B. MORRIS

We, the undersigned Mortgagors/Grantors, having granted a second Mortgage/Deed of Trust to Mortgagee/Beneficiary this date, hereby waive our rights to increase the present first Mortgage/Deed of Trust on our property under future advances (open-end provisions) contained in said Mortgage/Deed of Trust (provisions regarding optional advancements under said first Mortgage/Deed of Trust).

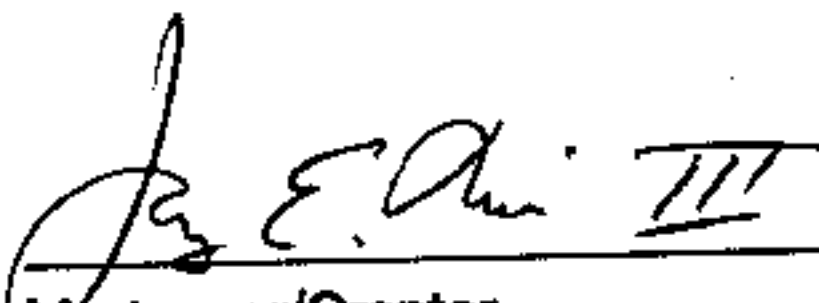
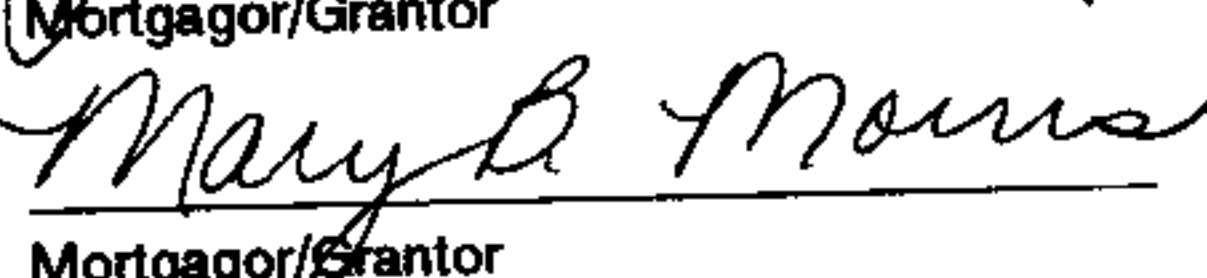
The first Mortgage/Deed of Trust referred to herein is dated 9-28-90 in favor of COLLATERAL MORTGAGE in the original amount of \$223650.00 and is recorded in 312/886; 315/777.

Enclosed with a copy of this waiver addressed to the first mortgagee are all checks, credit cards and other devises used to obtain future advances, if any. Mortgagors/Grantors hereby limit the maximum principal amount of the first Mortgage/Deed of Trust to \$217438.00, excepting advances by the first mortgagee to protect its interests, as authorized by applicable state law.

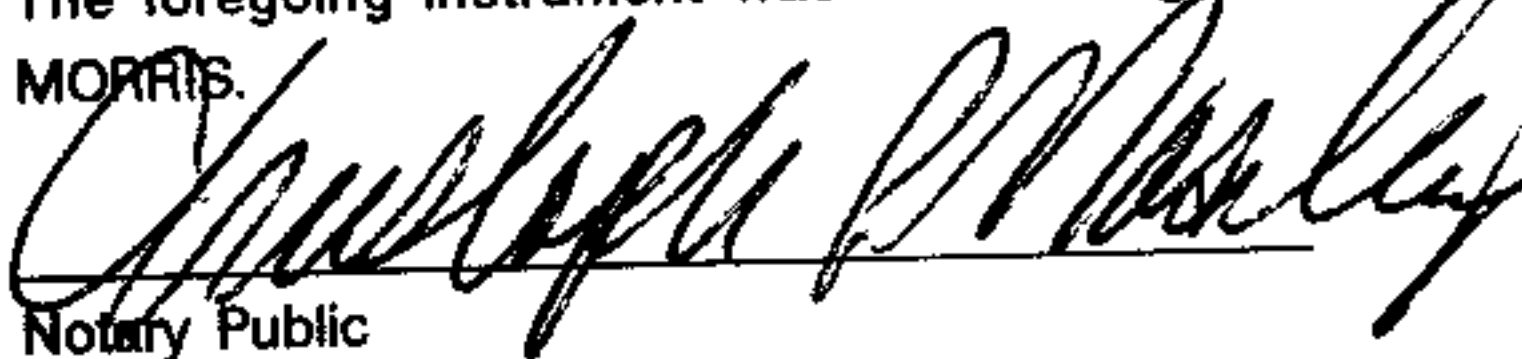
Borrowers agree, in the event any advances are made or received in violation of this waiver, that the balance the due Mortgagee/Beneficiary by us will at Mortgagee/Beneficiary's option, become due and payable in full immediately and, further, that such advances are hereby assigned to Mortgagee/Beneficiary.

Executed at SHELBY County, State of Alabama.

Dated: May 31, 1994


Mortgagor/Grantor

Mortgagor/Grantor

The foregoing instrument was acknowledged before me on May 31, 1994, by JAMES E. MORRIS, III and MARY B. MORRIS.


Notary Public

MY COMMISSION EXPIRES OCTOBER 27, 1997

My commission expires: _____

Record and Return to:
CAMBRIDGE-TITLE AGENCY, INC.
3800 Colonnade Pkwy, Suite 650
Birmingham, AL 35243

Form #766 (Rev. 5/91) WP

Inst # 1994-29111

09/26/1994-29111
09:10 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
001 MCD 8.50

194-29111