

Vol 1023 p 409

STATE OF SOUTH CAROLINA)
COUNTY OF GREENVILLE) FIRST AMENDMENT TO AGREEMENT

GREENVILLE CO. S.C.
12-28-1973

9495

THIS FIRST AMENDMENT to that certain Agreement entered into on July 7, 1973 by and between HOLLY TREE PLANTATION, A LIMITED PARTNERSHIP, organized and existing under the laws of the State of South Carolina, Party of the First Part, herein called, "Holly Tree" and, FIDELITY FEDERAL SAVINGS & LOAN ASSOCIATION OF GREENVILLE, S.C., a Federal Savings & Loan Association, herein called, "Fidelity Federal", and THE CITIZENS AND SOUTHERN NATIONAL BANK OF SOUTH CAROLINA, AS TRUSTEE FOR JAMES G. BANNON, under written Agreement dated May 19, 1971, herein called, "C & S", and JAMES P. McNAMARA AND CATHERINE F. McNAMARA, of Greenville County, South Carolina, herein collectively called, "McNamaras".

W I T N E S S E T H :

WHEREAS, Fidelity Federal, the owner and holder, by way of Assignment as contemplated by the above Agreement between the parties, dated July 7, 1973, of a note and mortgage given by Cunningham and Summers Associates to Holly Tree Plantation in the sum of \$344,650.00, has agreed to amend said mortgage so as to take out multi-family condominium site 2 (b) and to add back to said mortgage multi-family condominium site 4 (d) as shown on a plat recorded in the RMC Office for Greenville County, S.C. in Plat Book 4-Z, pages 36, 37, 38 and 39; and,

WHEREAS, the parties to this Agreement have agreed to the amendment of said mortgage as aforesaid which shall not alter the terms of their agreement of July 7, 1973 except as hereinafter provided.

NOW, THEREFORE, for and in consideration of the sum of One Dollar (\$1.00) and for other good and valuable considerations, the receipt and sufficiency whereof are hereby fully acknowledged, Holly Tree, Fidelity Federal, C & S and McNamaras do hereby covenant and agree and in particular with respect to paragraph 9 of the

4328 RV-2