

STATE OF SOUTH CAROLINA)
COUNTY OF GREENVILLE)

BOOK 1153 PAGE 303

AFFIDAVIT

PERSONALLY appeared before me, the undersigned, W. Daniel Yarborough, Jr., who being duly sworn first, did state as follows:

I am an attorney practicing law in Greenville, South Carolina. Since January 1, 1981, I am also the Vice President and General Manager of Development for Danco, Inc. Prior to such employment with Danco, Inc. I served as the attorney for said company. In the above stated capacities I am very familiar with the facts surrounding the dealing between Danco, Inc. and one Lurton E. Lipscomb pertaining to Lot 128, Forrester Woods, Section 7, Plat Book 5-P at pages 21 and 22 of the REC Office for Greenville County. This affidavit is prepared for the purpose of inducing Chicago Title Insurance Company to issue an Owner's and Mortgagee title insurance policy on the property in question to a party or parties who currently have contracted to purchase said property.

On August 17, 1978, Danco, Inc. contracted to sell to Lurton E. Lipscomb, Lot 128, Forrester Woods, Section 7. Attached hereto is a true copy of said contract. Said contract called for sale by way of Bond For Title which would be fully performed on or before August 17, 1979.

A Bond For Title was executed between Danco, Inc. and Lurton E. Lipscomb, dated October 13, 1978 and recorded in the REC Office for Greenville County on October 19, 1978 in Deed Book 1090 at Page 205. The original recorded Bond For Title is attached hereto. Danco, Inc. has performed every one of its duties with regard to the Bond For Title. During the month of June 1979, Lurton E. Lipscomb defaulted on his obligation under the Bond For Title to pay the monthly payments as called for in the Bond. I personally notified Mr. Lipscomb of his default by letter. Mr. Lipscomb did not cure his default, and in fact, was not heard from at all. Danco, Inc. instituted suit against Mr. Lipscomb on June 1, 1979 for his failure to pay for certain items over allowance which had been installed in his house. I am informed and believe that he left his residence on the date of service in June of 1979, and to my knowledge he has not returned to South Carolina. A default judgement regarding his failure to pay for said overages was obtained in November, 1979.

The undersigned, as attorney for Danco, Inc. has attempted and failed to locate Lurton E. Lipscomb. It is believed that he left this state on or about June 1, 1979. Danco, Inc. has met all requirements stated in the Bond For Title aforementioned with regard to notifying Mr. Lipscomb of his default in the terms of the Bond For Title, and further, Danco, Inc. has met every condition stated in the Bond For Title regarding the rights of a defaulting party.

IN WITNESS WHEREOF the undersigned has set his hand and seal this 31st day of July, 1981.

IN THE PRESENCE OF

Timothy Lule
Elizabeth R. Johnson

W. Daniel Yarborough, Jr.
W. Daniel Yarborough, Jr.

SWORN TO BEFORE ME THIS 31st DAY OF JULY, 1981.

Timothy Lule
Notary Public for South Carolina
My commission expires: 9-6-88

STATE OF SOUTH CAROLINA)
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PROBATE

PERSONALLY appeared before me the undersigned witness and made oath that (s)he saw the within affiant sign this affidavit, and that (s)he with the other subscribed witness did witness the execution thereof

SWORN to before me this 31st day of July, 1981

Timothy Lule
Notary Public for South Carolina
My commission expires: 9-6-88

Elizabeth R. Johnson

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