

STATE OF SOUTH CAROLINA }  
COURTY OF GREENVILLE }

GREENVILLE CO. S.C.

Nov 23 10 47 AM '72

BOOK 1258 PAGE 657

ELIZABETH RIDDLE

# MORTGAGE

(Participation)

This mortgage made and entered into this 13th day of November 1972 by and between Tanner's Big Orange, Inc.

(hereinafter referred to as mortgagor) and The South Carolina National Bank of Charleston (hereinafter referred to as mortgagee), who maintains an office and place of business at Greenville, South Carolina

WITNESSETH, that for the consideration hereinafter stated, receipt of which is hereby acknowledged, the mortgagor does hereby mortgage, sell, grant, assign, and convey unto the mortgagee, his successors and assigns, all of the following described property situated and being in the County of Greenville State of South Carolina:

All of the leasehold interest of the mortgagor in and to the following described real estate and all buildings and improvements located thereon:

All that certain piece, parcel or lot of land located on Pleasantburg Drive (U. S. Highway 291, South), City of Greenville, County of Greenville, State of South Carolina, as shown on a plat recorded in the R.M.C. Office for Greenville County, South Carolina in Plat Book PPP, Page 5, and having, according to said plat, the following metes and bounds, to-wit:

BEGINNING at a point on the Northwest side of said highway, 575 feet from the Northwest corner of LeGrand Boulevard and Pleasantburg Drive (U. S. Highway 291, South), and running thence 395 feet, plus or minus, N63-56W, along the property now known as Rib & Loin Steak House and being approximately perpendicular to Pleasantburg Drive (U. S. Highway 291, South), to a point on the Southeast side of McAlister Road, thence in a Northeasterly direction along McAlister Road, 140 feet to a point on the Southeast side of McAlister Road, thence in an approximately perpendicular direction and parallel with the Southwest line of the within described property, S63-56E, 394.2 feet to an iron pin on the Northwest side of Pleasantburg Drive (U. S. Highway 291, South), thence along Pleasantburg Drive (U. S. Highway 291, South), S26-04W, 140 feet to the beginning corner. Above description according to plat made by R. K. Campbell, Surveyor, April 1961.

In addition to said real property, this mortgage also covers and includes all other real property owned by the mortgagor and used or kept for use in connection with the business of the mortgagor, including all such other real property which may be hereafter acquired by the mortgagor for such use. Together with and including all buildings, all fixtures including but not limited to all plumbing, heating, lighting, ventilating, refrigerating, incinerating, air conditioning apparatus, and elevators (the mortgagor hereby declaring that it is intended that the items herein enumerated shall be deemed to have been permanently installed as part of the realty), and all improvements now or hereafter existing thereon; the hereditaments and appurtenances and all other rights thereunto belonging, or in anywise appertaining, and the reversion and reversions, remainder and remainders, all rights of redemption, and the rents, issues, and profits of the above described property (provided, however, that the mortgagor shall be entitled to the possession of said property and to collect and retain the rents, issues, and profits until default hereunder). To have and to hold the same unto the mortgagee and the successors in interest of the mortgagee forever in fee simple or such other estate, if any, as is stated herein.

The mortgagor covenants that he is lawfully seized and possessed of and has the right to sell and convey said property; that the same is free from all encumbrances except as hereinabove recited; and that he hereby binds himself and his successors in interest to warrant and defend the title aforesaid thereto and every part thereof against the claims of all persons whomsoever.

This instrument is given to secure the payment of a promissory note dated November 13, 1972 in the principal sum of \$40,000.00, signed by E. Jerome Zeller and Amber T. Isham in behalf of Tanner's Big Orange, Inc.