

FILED
GREENVILLE CO. S.C.

STATE OF SOUTH CAROLINA)
)
 COUNTY OF GREENVILLE) MORTGAGE

THIS MORTGAGE made this 12th day of September, 1974, between Broadmoor Apartments of Greenville, South Carolina Limited Partnership, having its office at 7777 Bonhomme Avenue, Clayton, Missouri (the "Mortgagor") and August Kohn and Company, Incorporated, a South Carolina Corporation,

W I T N E S S E T H :

WHEREAS, the Mortgagor is the owner in fee simple of certain real property and improvements thereon more particularly described in Schedule "A" annexed hereto and made a part thereof (the "Realty"); and

WHEREAS, the Mortgagor has executed and delivered to the Mortgagee its note of even date herewith (the "Note") obligating it to pay to the Mortgagee the sum of \$3,360,000.00 or so much thereof as may be advanced in accordance with the terms of a Commitment dated November 21, 1972, as amended, together with interest, all as provided for in the Note,

Obligations Secured

NOW, THEREFORE for the purpose of securing:

- (a) the payment of the Note with interest thereon, any any renewals or extensions thereof; and
- (b) the performance and observance of all of the terms, covenants and conditions to be performed and observed by the Mortgagor under this Mortgage; and
- (c) the payment of any sums advanced by the Mortgagee to protect the security of this Mortgage or discharge the obligations of the Mortgagor hereunder, to the extent the aggregate of such sums and any other sums expended pursuant hereto exceeds the principal amount of the Note,

Granting Clause

The Mortgagor does hereby give, grant, bargain, sell warrant, alienate, remise, release, convey, assign, transfer, mortgage, hypothecate, deposit, pledge, set over and confirm unto the Mortgagee the following described property (hereinafter referred to collectively as the "Premises") now owned or held or hereafter acquired, to wit:

- (i) the Realty, as more particularly described in Schedule "A" annexed hereto and made a part hereof, including all of the easements, rights, privileges and appurtenances thereunto belonging to or in anywise appertaining to and all of the estate, right, title, interest, claim or demand whatsoever of the Mortgagor therein and in the streets and ways adjacent thereto, either in law or in equity, in possession or expectancy, now or hereafter acquired;