

And it is agreed, by and between the said parties, that the said Mortgagor is to hold and enjoy the said premises until default of payment shall be made.

This is a second mortgage and is subject to a first mortgage to First Pennsylvania Mortgage Trust, an unincorporated Massachusetts Real Estate Investment Trust, with its place of business at 28 State Street, Boston, Massachusetts 02109.

The name "SUMMIT PROPERTIES" refers to the Trustees (as Trustees but not individually) under a Declaration of Trust dated as of January 25, 1965, as amended, to which reference is hereby made (a copy of which is on file with the Recorder of Summit County, Ohio) and, as provided therein, no trustee, officer, agent or shareholder of said Trust shall be held to any personal liability in any connection in any obligation entered into or incurred on behalf of said Trust, and any person dealing with said Trust shall look solely to the Trust Estate for the payment of any claim or for the performance of any obligation thereof.

IN WITNESS WHEREOF, the said SUMMIT PROPERTIES does hereto subscribe its respective name and affix its seal.

Attest:

Wesley Hunsaker
John L. Dwyer

SUMMIT PROPERTIES

By *James H. Nobil*
James H. Nobil, Chairman

Howard C. Walker, Jr.
Howard C. Walker, Jr., Secretary-Treasurer

STATE OF OHIO)

SUMMIT COUNTY)

Before me, a notary public, in and for said County, personally appeared the above named JAMES H. NOBIL, Chairman, and HOWARD C. WALKER, JR., Secretary-Treasurer, of SUMMIT PROPERTIES, who acknowledged that they did sign the foregoing instrument and that the same is the free act and deed of said Summit Properties, and the free act and deed of each of them personally and as such officers.

IN TESTIMONY WHEREOF, I have hereunto set my hand and official seal, at AKRON Ohio this 24th day of MAY, 1976.

Wesley Hunsaker
Notary Public

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