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GREENVILLE  
SOUTH CAROLINA  
RECORDERS

BOOK 1481 PAGE 923

# MORTGAGE

(Participation)

This mortgage made and entered into this <sup>25<sup>th</sup></sup> day of September 19 79, by and between James C. Montgomery, Jr. and Susan W. Montgomery

(hereinafter referred to as mortgagor) and First Citizens Bank and Trust Company

(hereinafter referred to as mortgagee), who maintains an office and place of business at 340 N. Main Street, P.O. Box 3028, Greenville, South Carolina 29602

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 that certain piece, parcel or lot of land, with all improvements thereon, situate, lying and being in the State of South Carolina, County of Greenville, on the northwest side of West Tallulah Drive, being shown and designated as Lot No. 16 on a plat of property of D. W. and Minnie T. Cochrane made by Dalton and Neves, Engineers, dated July, 1937, and recorded in the RMC Office for Greenville County, South Carolina, in Plat Book I at Pages 92 and 93, and being more particularly described with reference to said plat as follows:

Beginning at an iron pin on the northwest side of West Tallulah Drive, at the joint front corner of Lots 15 and 16, said pin being located 750 ft., more or less, southwest of the northwest corner of the intersection of West Tallulah Drive and Augusta Road, running thence from said pin along and with the joint property line of Lots No. 15 and 16, N. 34-10 W. 161.5 feet to an iron pin; thence S. 46-27 W. 70.94 feet to an iron pin, joint rear corner of Lots No. 16 and 17; thence with the joint property line of Lots No. 16 and 17, S. 34-10 E. 150 feet to an iron pin on the northwest side of West Tallulah Drive; thence along and with the northwest edge of West Tallulah Drive, N. 55-50 E. 70 feet to the beginning corner.

This is the same property conveyed to the Mortgagors herein by deed of Irene M. Batson dated November 21, 1975 and recorded in the RMC Office for Greenville County, South Carolina in Deed Book 1027 at page 568.

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 in the principal sum of \$161,700.00, signed by James C. Montgomery, Jr., M.D. and ~~in the name of~~ Michael R. Hoffman, M.D., Individually and as a Partnership, d/b/a PELHAM POINTE OB-GYN ASSOCIATES, and Susan W. Montgomery and Gail Hoffman in favor of First Citizens Bank and Trust Company

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