

FIDELITY FEDERAL SAVINGS AND LOAN ASSOCIATION

GREENVILLE, SOUTH CAROLINA

RENEGOTIABLE RATE MORTGAGE ASSUMPTION AGREEMENT

STATE OF SOUTH CAROLINA
COUNTY OF GREENVILLE

FILED
OCT 15 8 56 AM '80
JONNE BANKERSLEY
R.M.C.

LOAN ACCOUNT NO. \_\_\_\_\_

WHEREAS, Fidelity Federal Savings and Loan Association of Greenville, South Carolina, hereinafter referred to as the "ASSOCIATION," is the owner and holder of a renegotiable rate promissory note dated September 4, 1980, executed by ROSAMOND ENTERPRISES, INC. in the original sum of Ninety Thousand Four Hundred and 00/100ths (\$90,400.00) Dollars, bearing interest at the original rate of thirteen (13) per cent per annum and secured by a first renegotiable rate mortgage on the premises being known as Lot 92 Gilden Lane & Plantation Drive, Holly Tree, which is recorded in the RMC Office for Greenville County in Mortgage Book 1514, Page 446, title to which property is now being transferred to the undersigned "OBLIGOR(S)," who has (have) agreed to assume said mortgage loan and to pay the balance due thereon; and

WHEREAS, the ASSOCIATION has agreed to said transfer of ownership of the mortgaged premises to the OBLIGOR and his assumption of the mortgage loan and all terms and conditions thereof.

NOW, THEREFORE, this agreement made and entered into this 13th day of October, 1980, by and between the ASSOCIATION, as mortgagee, and JAMES W. SHEARER AND ANNE C. SHEARER, as assuming OBLIGOR,

WITNESSETH:

In consideration of the premises and the further sum of \$1.00 paid by the ASSOCIATION to the OBLIGOR, receipt of which is hereby acknowledged, the undersigned parties agree as follows:

- 1. That the loan balance at the time of this assumption is Sixty One Thousand Five Hundred and 00/100 Dollars; that the interest rate at the time of the assumption is 10.875 per cent per annum and the monthly principal and interest installments are Five Hundred Seventy Nine and 88/100ths (\$579.88) Dollars; each with payments to be applied first to interest and then to remaining Principal, balance due from month to month with the first monthly payment due November 1, 1980; that the OBLIGOR agrees to repay said obligation on the terms and conditions set forth in the renegotiable rate promissory note, renegotiable rate mortgage and rider thereto and further agrees to be bound by all terms and conditions of said instruments as if his signature appeared thereon as the original borrower.
2. That the assuming OBLIGOR does hereby acknowledge receipt of a copy of the original renegotiable rate note, renegotiable rate mortgage and rider thereto which is being assumed by said OBLIGOR.
3. Should any installment payment become due for a period in excess of fifteen (15) days, the ASSOCIATION may collect a "late charge" not to exceed an amount equal to five per centum (5%) of any such past due installment payment.
4. That all terms and conditions as set out in the original renegotiable rate note, renegotiable rate mortgage and rider thereto shall continue in full force, except as modified expressly by this agreement.
5. That this agreement shall bind jointly and severally the successors and assigns of the ASSOCIATION and OBLIGOR, his heirs, successors and assigns.

IN WITNESS WHEREOF the parties hereto have set their hands and seals this 13th day of October, 1980

IN THE PRESENCE OF:

HAYNSWORTH, PERRY, BRYANT, MARION & JOHNSTONE, ATTYS.

Sherry M Bird
Mary R Johnson

FIDELITY FEDERAL SAVINGS AND LOAN ASSOCIATION

BY: Frank J. Danahy (SEAL)
(CLOSING ATTORNEY FOR OBLIGOR)

BY: \_\_\_\_\_ (SEAL)

James W Shearer (SEAL)

Anne C. Shearer (SEAL)
ASSUMING OBLIGOR(S)

STATE OF SOUTH CAROLINA )
COUNTY OF GREENVILLE )

PROBATE

PERSONALLY appeared before me the undersigned who made oath that (s)he saw JAMES W. SHEARER AND ANNE C. SHEARER and FIDELITY FEDERAL S. & L. ASSOCIATION by Agent sign, seal and deliver the foregoing Agreement(s) and that (s)he with the other subscribing witnessed the execution thereof.

SWORN to before me this 13th day of October, 1980

Mary R Johnson (SEAL)
Notary Public for South Carolina 5-9-89
My commission Expires: \_\_\_\_\_

August, 1980

RECORDED OCT 15 1980 at 8:56 A.M.

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