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note, and of this mortgage and shall perform all the obligations according to the true intent and meaning of the said notes and mortgage, and the conditions thereunder written, then this Deed of Bargain and Sale shall cease, determine and be void, otherwise it shall remain full force and virtue.

Should the mortgagee named herein die, fail, refuse or become unable to act, or for any other reason satisfactory to the part of the Banks, or the legal holders of a majority of the unpaid indebtedness hereby secured, such Banks or such majority may name and appoint a successor mortgagee, and the title, powers and authority herein conveyed to THOMAS P. KANADAY, JR., Trustee, shall be vested in said successor; which appointment shall be in writing, and shall be duly registered in the Register's Office of the County in which said land lies; and as to any such successor mortgagee like powers of appointment and substitution shall exist in favor of the party of the third part, its successors and assigns.

The covenants and agreements herein contained shall bind, and the rights hereunder shall inure to, the respective heirs, executors, administrators, successors and assigns of the Banks and mortgagor. Wherever used, the singular number shall include the plural, the plural the singular, and the use of any gender shall be applicable to all genders. All covenants and agreements of mortgagor shall be joint and several. The term "Banks" shall include any payee of the indebtedness hereby secured, or any transferee thereof, whether by operation of law or otherwise.

IN WITNESS WHEREOF, Mortgagor has hereunto set its Hand this 30th day of October, 1980.

Witnesses:
John J. Ross
Elizabeth D. Cucci

BIG-K EDWARDS, INC.

BY *G.H. Coryell*

STATE OF New York)
COUNTY OF New York)

Before me, *Leon S. Saper*, a Notary Public of the State and County aforesaid, personally appeared G. H. Coryell, with whom I am personally acquainted, and who, upon oath, acknowledged himself to be Vice President of BIG-K EDWARDS, INC., the within named mortgagor, a corporation, and that he as such Vice President, being authorized so to do, executed the foregoing instrument for the purpose therein contained, by signing the name of the corporation by himself as Vice President.

Witness my hand and seal, at office in New York, this 30th day of October, 1980.

Leon S. Saper
NOTARY PUBLIC

My Commission Expires _____

3/30/82

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