



MODIFICATION OF MORTGAGE OF REAL ESTATE

THIS MODIFICATION OF MORTGAGE OF REAL ESTATE entered into by and between Sara Earle Campbell, Marshall D. Earle, Jr. and Lila Earle Crumpton (hereinafter collectively referred to as the "Earle Family") and American Service Corporation of S. C. (hereinafter "American Service") as of the 10th day of ~~December~~ ^{January} 1983.

WITNESSETH:

WHEREAS, in connection with the conveyance by the Earle Family to American Service of approximately 45 acres of land located on Grove Road, Greenville, South Carolina, which land is more particularly described on Exhibit A attached hereto and incorporated by reference (hereinafter the "Property"), a Mortgage of Real Estate (hereinafter the "Mortgage") was given by American Service to the Earle Family dated May 28, 1981 and recorded in the R.M.C. Office for Greenville County, South Carolina, in Mortgage Book 1545, Page 200, on June 25, 1981 encumbering the Property and securing a Promissory Note dated May 28, 1981 in the original principal amount of \$798,600; and

WHEREAS, the Earle Family and American Service are desirous of amending the Mortgage in certain respects, as more fully set forth herein;

NOW, THEREFORE, for and in consideration of the mutual covenants and agreements set forth herein, and for other good and valuable consideration, the sufficiency and receipt of which are hereby acknowledged, the parties hereby agree as follows:

1. The Earle Family and American Service hereby agree that the Mortgage described herein is hereby amended and modified by deleting paragraph (b) of the Mortgage Release Rider attached to the Mortgage and substituting in its place the following paragraph:

"(b) Mortgagor shall develop the subject property, and obtain releases thereon, in the following sequence:

- First - Phase Two
- Second - Phases One, Three and Four, in any order, at Mortgagor's option
- Third - (After release of Phases One-Four) Phase Five
- Fourth - (After release of Phases One-Five) Phase Six"

2. It is further agreed that the Mortgage Release Rider attached to the Mortgage is hereby amended and modified by adding the following subparagraph (g) thereto:

"(g) Mortgagor shall prior to or simultaneously with the commencing of any construction of improvements on the Property, construct an eight (8) foot high fence, or a fence of a lesser height constructed of material and design to be agreed to by Mortgagee and Mortgagor and which will be compatible with the quality and type of development planned by Mortgagor, along the joint boundary lines between Parcel A and Parcel C as shown on that certain Plat of Survey dated May 14, 1981 and prepared by Webb Surveying and Mapping Company and recorded in the R.M.C. Office for Greenville County, South Carolina in Plat Book 8.7, at Page 78.77."

GC10 - 5 FEB 28 5 00 PM '83

0. 9. 6.

4328 RV-21