

WHEREAS, in consideration of execution of said Assumption and Modification Agreement, James River and Arkon have asked that the Mortgage be amended as hereinafter set forth, and Mortgagee is willing to agree to such amendment;

NOW, THEREFORE, in consideration of the premises, and for other good and valuable consideration, receipt and sufficiency of which are hereby acknowledged, Mortgagor and Mortgagee hereby agree as follows:

1. Paragraph (b) of Section 1.05 of the Mortgage is hereby deleted therefrom.

2. The first sentence of Section 1.06 of the Mortgage is hereby deleted therefrom and there is substituted therefor the following:

If all or any material part of the Mortgaged Property shall be damaged or taken through condemnation (which term when used herein shall include any damage or taking by any governmental authority or any other authority authorized by the laws of the State of South Carolina or the United States of America so to damage or take, and any transfer by private sale in lieu thereof), either temporarily or permanently, so that the Mortgaged Property cannot reasonably be used for the purposes for which it is used on June 13, 1984, the entire indebtedness and other sums secured hereby shall, at the option of Mortgagee, become immediately due and payable.

3. The last sentence of paragraph (d) of Section 1.07 of the Mortgage is hereby deleted therefrom and there is substituted therefor the following:

(d) If a part of the Mortgaged Property shall be lost, physically damaged or destroyed through condemnation, then Mortgagor shall give immediate written notice of such loss, damage or destruction to Mortgagee and promptly shall repair the Mortgaged Property as nearly as possible to the equivalent of its original condition, regardless of whether or not there shall be condemnation proceeds available therefor.

4. Paragraph (e) of Section 1.07 of the Mortgage is hereby deleted therefrom and there is substituted therefor the following:

(e) If any work required to be performed under this paragraph involves an estimated expenditure of more than \$140,000, no such work shall be undertaken

1675
595

1675
595