

FILED GREENVILLE CO. S.C. JUN 21 9 01 AM '78 FIDELITY FEDERAL SAVINGS AND LOAN ASSOCIATION GREENVILLE, SOUTH CAROLINA DONNIE S. TANKERSLEY R.H.C. MODIFICATION & ASSUMPTION AGREEMENT 38841

STATE OF SOUTH CAROLINA COUNTY OF GREENVILLE

Loan Account No. 38841

WHEREAS Fidelity Federal Savings and Loan Association of Greenville, South Carolina, hereinafter referred to as the ASSOCIATION, is the owner and holder of a promissory note dated August 15, 1975, executed by Carl D. McManamy Jr. & Charlene McManamy in the original sum of \$40,000.00 bearing interest at the rate of 8 3/4 % and secured by a first mortgage on the premises being known as Lot 10, Birnam Court, Birnam Woods Greenville County in Mortgage Book 1346

on the anniversary of the assumption of the original principal balance assumed. Further privilege is reserved to pay in excess of twenty per centum (20%) of the original principal balance assumed upon payment to the ASSOCIATION of a premium equal to six (6) months interest on such excess amount computed at the then prevailing rate of interest according to the terms of this agreement between the undersigned parties. Provided, however, the entire balance may be paid in full without any additional premium during any thirty (30) day notice period after the ASSOCIATION has given written notice that the interest rate is to be escalated.

(5) That all terms and conditions as set out in the note and mortgage shall continue in full force, except as modified expressly by this Agreement. (6) 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 20th day of June, 1978

In the presence of: David H. Wilkins, Agent, Fidelity Federal Savings & Loan Association (SEAL); David H. Wilkins (SEAL); David D. Palmer (SEAL); George R. Jomaich (SEAL); Harry J. Lafferty (SEAL) Assuming OBLIGOR(S)

CONSENT AND AGREEMENT OF TRANSFERRING OBLIGOR(S)

In consideration of Fidelity Federal Savings and Loan Association's consent to the assumption outlined above, and in further consideration of One dollar (\$1.00), the receipt of which is hereby acknowledged, I (we), the undersigned(s) as transferring OBLIGOR(S) do hereby consent to the terms of this Modification and Assumption Agreement and agree to be bound thereby.

In the presence of: David H. Wilkins, Agent, Fidelity Federal Savings & Loan Association (SEAL); David D. Palmer (SEAL); William & Jane Arnold M. Lafferty (SEAL); Transferring OBLIGOR(S)

STATE OF SOUTH CAROLINA ) PROBATE COUNTY OF GREENVILLE ) Fidelity Federal Savings & Loan Assoc.

Personally appeared before me the undersigned Notary Public for South Carolina (s) he saw by David H. Wilkins, Agent, Fidelity Federal Savings & Loan Association, William & Jane Arnold M. Lafferty sign, seal and deliver the foregoing Agreement(s) and that (s) he with the other subscribing witness witnessed the execution thereof.

SWORN to before me this 20th day of June, 1978. David D. Palmer (SEAL) Donnie S. Tankersley (SEAL) Notary Public for South Carolina commission expires: 5/17/87

RECORDED JUN 21 1978 at 9:01 A.M. 38338