

MCDONALD, COX & ANDERSON

BOOK 1385 PAGE 517

FILED  
GREENVILLE, CO. S. C.

FIDELITY FEDERAL SAVINGS AND LOAN ASSOCIATION  
DONNIE S. TANKERSLEY GREENVILLE, SOUTH CAROLINA BOOK 82 PAGE 518  
R.H.C.

MODIFICATION & ASSUMPTION AGREEMENT

Loan Account No. 35109

STATE OF SOUTH CAROLINA  
COUNTY OF GREENVILLE

WHEREAS Fidelity Federal Savings and Loan Association of Greenville, South Carolina, hereinafter referred to as the ASSO-  
CIATION, is the owner and holder of a promissory note dated June 22, 1976, executed by  
Charles L. Burks, Jr. and Shelley A. Burks in the original sum of \$ 35,600.00 bearing

interest at the rate of \_\_\_\_\_ % and secured by a first mortgage on the premises being known as \_\_\_\_\_  
301 West Earle Street, Greenville, South Carolina, which is recorded in the RMC office for

Greenville County in Mortgage Book 1370, page 996, 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 (Nine) % to the OBLIGOR and his  
assumption of the mortgage loan, provided the interest rate on the balance due is increased from \_\_\_\_\_ % to a present  
rate of (Nine) 9 %, and can be escalated as hereinafter stated.

NOW, THEREFORE, this agreement made and entered into this 16th day of December, 1976, by and between  
the ASSOCIATION, as mortgagee, and Jose A. Rayas and Evangelina R. Rayas

as assuming OBLIGOR, of the original principal balance assumed upon payment to the ASSOCIATION of a premium equal to six (6)  
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 16th day of December, 1976.

In the presence of:  
*John W. DeJong* 12833 FIDELITY FEDERAL SAVINGS & LOAN ASSOCIATION  
*Suditha M. DeJong* BY: *Fred N. McDonald* (SEAL)  
*Jose A. Rayas* (SEAL)  
*Evangelina R. Rayas* (SEAL)

CLARKE & JACOBSEN  
Attorneys At Law  
Post Office Box 187  
Mauldin, S. C. 29662

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, the undersigned(s) as transferring OBLI-  
GOR(S) do hereby consent to the terms of this Modification and Assumption Agreement and agree to be bound thereby.

In the presence of:  
*John W. DeJong* Formerly Fidelity Federal Savings and Loan Association  
*Charles L. Burks, Jr.* (SEAL)  
*Shelley A. Burks* (SEAL)  
*Jose A. Rayas* (SEAL)  
*Evangelina R. Rayas* (SEAL)  
Transferring OBLIGOR(S)

STATE OF SOUTH CAROLINA )  
COUNTY OF GREENVILLE )

PROBATE

Personally appeared before me the undersigned who made oath that (s)he saw Jose A. Rayas, Evangelina R.  
Rayas, Charles L. Burks, Jr., Shelley A. Burks and Fred N. McDonald  
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  
16th day of December, 1976.

*Suditha M. DeJong* (SEAL)  
Notary Public for South Carolina  
My commission expires: 1/15/85

*John W. DeJong*  
16325

RECORDED DEC 17 '76 At 3:29 P.M.