

County of GREENVILLE )

THIS MORTGAGE made this 4th day of January, 1984

by COTHRAN &amp; DARBY BUILDERS, INC.

(hereinafter referred to as "Mortgagor") and given to SOUTHERN BANK &amp; TRUST COMPANY

(hereinafter referred to as "Mortgagee"), whose address is P.O. Box 1329, Greenville, S.C. 29602

## WITNESSETH:

THAT WHEREAS, COTHRAN & DARBY BUILDERS, INC. is indebted to Mortgagee in the maximum principal sum of TWO MILLION FIVE HUNDRED THOUSAND AND NO/100----- Dollars (\$ 2,500,000.00 ), which indebtedness is evidenced by the Note of C & D ENTERPRISES OF GREENVILLE, INC. of even date herewith, said principal together with interest thereon being payable as provided for in said Note, the final maturity of which is \_\_\_\_\_ after the date hereof, the terms of said Note and any agreement modifying it are incorporated herein by reference.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS that the said Mortgagor, for and in consideration of the aforesaid indebtedness and in order to secure the payment thereof together with any renewals or extensions or modifications thereof upon the same or different terms or at the same or different rate of interest and also to secure in accordance with Section 29-3-50, as amended, Code of Laws of South Carolina (1976): (i) all future advances and readvances that may subsequently be made to Mortgagor by Mortgagee evidenced by the aforesaid Note, or by other promissory notes, and all renewals and extensions thereof; and (ii) all other indebtedness of Mortgagor to Mortgagee, now or hereafter existing, whether direct or indirect, the maximum amount of all indebtedness outstanding at any one time secured hereby not to exceed \$ 2,500,000.00 plus interest thereon, all charges and expenses of collection incurred by Mortgagee including court costs and reasonable attorneys fees, has granted, bargained, sold, released and by these presents does grant, bargain, sell and release unto the Mortgagee, its successors and assigns, the following described property:

PARCEL A

ALL that certain piece, parcel or lot of land with the buildings and improvements thereon, lying and being on the easterly side of Ladyslipper Lane, near the City of Greenville, State of South Carolina, and being designated as Lot No. 580, on Map IV, Section 2, Sugar Creek, as recorded in the R.M.C. Office for Greenville County, South Carolina, in Plat Book 8-P, at Page 62, reference to which is hereby craved for the metes and bounds thereof.

PARCELS B

ALSO: ALL those pieces, parcels or lots of land near the City of Greenville, South Carolina, with all the buildings and improvements thereon, being designated as Lots Nos. 590, 596, 597, 601, 602, 607, 611, 612, 613, 614, 615, 616, 627, 629, 630, 631 and 632, on plat entitled Map I, Section III, Sugar Creek, as recorded in the R.M.C. Office for Greenville County in Plat Book 9-F, at Page 35.

PARCELS C

ALSO: ALL those certain pieces, parcels or lots of land with the buildings and improvements thereon, near the City of Greenville, South Carolina, and being designated as Lot No. 553, as shown on Map IV, Section 2, Sugar Creek, as recorded in the R.M.C. Office for Greenville County in Plat Book 8-P, at Page 62, reference to which is hereby craved for the metes and bounds thereof.

PARCELS D

ALSO: ALL that certain piece, parcel or unit, situate, lying and being in the State of South Carolina, County of Greenville, being known and designated as Unit(s) Nos. 26-A, 26-C, 26-D, 27-A and 29-A, Sugar Creek Villas Horizontal Property Regime as is more fully described in Declaration (Master Deed) dated September 15, 1980, and recorded in the R.M.C. Office for Greenville County, South Carolina, on September 15, 1980, in Deed Book 1133, at Pages 365 through 366, inclusive, and survey and plat plan recorded in the R.M.C. Office for Greenville County in Plat Book 7-X, at Page 40, as amended by First Amendment to Declaration (Master Deed) of Sugar Creek Villas Horizontal Property Regime dated February 25, 1981, and recorded in the R.M.C. Office for Greenville County on February 26, 1981, in Deed Book 1143, at Pages 305 through 319, inclusive, as amended by Second Amendment to Declaration (Master Deed) of Sugar Creek Villas Horizontal Property Regime dated April 27, 1981, and recorded in the R.M.C. Office for Greenville County on August 28, 1981, in Deed Book 1154, at Pages 210 and 219, inclusive, as amended by Third Amendment to Declaration (Master Deed) of Sugar Creek Villas Horizontal Property Regime recorded in the R.M.C. Office for Greenville County on May 28, 1981, in Deed Book 1167, at Pages 654 through 660, inclusive, as amended by Fourth Amendment to Declaration (Master Deed) of Sugar Creek Villas Horizontal Property Regime recorded in the (CON'T) TOGETHER with all and singular rights, members, hereditaments and appurtenances belonging or in any way incident or appertaining thereto; all improvements now or hereafter situated thereon; and all fixtures now or hereafter attached thereto (all of the same being deemed part of the Property and included in any reference thereto);