referred to as Mortgagee.)

Address of Mortgagee: First Union National Bank 301 South Tryon Street, CORP-11 Charlotte, North Carolina 28288

MORTGAGE CONSTRUCTION AND SECURITY AGREEMENT

THIS MORTGAGE made and entered into this 22nd day of August _{_}, 19<u>84</u>, by and among:

Oak Crest Apartments First Union National Limited Partnership, a Bank South Carolina Limited Partnership (A National Banking (Whether one or (Whether one or Association more persons, core persons, maintaining its partnerships, or partnerships, or registered office corporations, corporations, in Charlotte, herein as herein as Mecklenburg County, "Grantor" if "Borrowers") and different from North Carolina hereinafter Borrower) and

WITNESSETH THAT, WHEREAS, Borrower is indebted to First Union National Bank for money to be loaned pursuant to a Commitment Letter and Construction Loan Agreement (hereinafter collectively referred to as "Loan Agreement") entered into between August 22, 1984 Borrower and Mortgagee and dated provisions of which are incorporated herein by reference as fully and to the same extent as though set out herein verbatin; and

AND WHEREAS, Mortgagor has executed and delivered to Mortgagee a Note of even date herewith in the principal sum of One Million One Hundred Thirty-five Thousand
Two Hundred Fifty and No/100 (\$ 1,135,250.00), the final payment), the final payment of which is due ten months from the date hereof, together with interest thereon as provided in said Note;