

IT IS LASTLY AGREED that time is of the essence of this Agreement and that if the purchase price is not paid when due and Seller is ready, willing and able to deliver clear title to Buyer, then Seller shall be discharged in law and in equity from all liability to make said deed and may treat said Buyer as a tenant holding over after termination or contrary to the terms of a monthly lease, and the Seller may retain the down payment as rental for the use of said property or by way of liquidated damages or the Seller may enforce the payments under this Agreement and may declare the entire balance due and payable, together with a reasonable attorney's fee and cost should the Seller deem it necessary to turn the matter over to an attorney for collection or enforcement of this Agreement. In similar fashion, if Buyer is ready, willing and able to pay the balance due under the purchase price and Seller is unable or unwilling to making said deed to Buyer, then Buyer shall be entitled to sue for damages or specific performance, together with reasonable attorney's fees and cost.

IN WITNESS WHEREOF, Buyer and Seller have hereunto set their hands and seals this the day and year first written above.

IN THE PRESENCE OF:

Bruce W. Bogeman  
Vickie R. Wickerson

BANKERS TRUST OF SOUTH CAROLINA as trustee

BY: William G. Bridges (SEAL)  
Senior Vice Pres. Trust Office

SELLER

H. Ray Davis (SEAL)  
H. RAY DAVIS

BUYER

STATE OF SOUTH CAROLINA )  
  )  
COUNTY OF GREENVILLE )

PROBATE

PERSONALLY appeared the undersigned witness and made oath that (s)he saw the within named Bankers Trust of South Carolina, by its duly authorized officer and H. Ray Davis, sign, seal and as their act and deed deliver the within written instrument and that (s)he, with the other witness subscribed above witnessed the execution thereof.

Vickie R. Wickerson

SWORN to before me this the  
20<sup>th</sup> day of November, 1978

Bruce W. Bogeman (SEAL)  
Notary Public for South Carolina

My Commission Expires: 8-14-79

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