

TITLE TO REAL ESTATE

KNOW ALL MEN BY THESE PRESENTS, THAT WHEREAS, the premises in Greenville, South Carolina, described in the attached lease dated the 12th day of December, 1940, from WILLIAM H. AUSTIN, as Landlord (s) to SEARS, ROEBUCK AND CO., as Tenant, are subject to a mortgage to the undersigned, JESSIE M. GALLIVAN, dated the 7th day of December, 1928, securing an indebtedness of \$15,000.00: and

WHEREAS, said proposed Tenant does not desire to accept said lease unless the undersigned enters into the agreements hereinafter set forth;

NOW, THEREFORE, in order to induce said proposed Tenant to accept said lease, and in consideration of the acceptance and execution of said lease by Tenant, the undersigned, Jessie M. Gallivan, for herself and for each and every subsequent holder or owner of said mortgage and for any receiver or purchaser of the premises in the event of foreclosure, hereby agrees with said Tenant that Tenant's peaceable and quiet possession of the demised premises under said lease and any renewal thereof will not be disturbed on account of said mortgage or by reason of anything done or caused to be done thereunder, so long as said Tenant pays the rentals (less the deductions provided for in said lease) and performs the covenants and agreements on its part contained in said lease.

IN WITNESS WHEREOF, the undersigned has hereunto set her hand and affixed her seal this 12th day of Dec. 1940.

Jessie M. Gallivan (SEAL)

EXHIBIT "B"

Rider Recorded January 24th, 1941, at 3:10 P.M. 1100 BY:N.S.

KNOW ALL MEN BY THESE PRESENTS:

That by a written lease dated the 12th day of December, 1940, WILLIAM H. AUSTIN as Landlord (s) therein has demised to SEARS, ROEBUCK AND CO. a corporation organized and existing under the laws of New York and qualified to do business in the State of S. Carolina, as Tenant therein, for a term from the 1st day of October, 1940, until the 15th day of October April, 1949 at the rentals and upon the provision, covenants, agreements, limitations, restrictions and conditions therein contained, the premises in the City of Greenville, County of Greenville and State of S. Carolina known and described as follows:

All of that lot of land situate on the East side of Brown Street, North of North Street in the city and county of Greenville, South Carolina, and described as follows: Beginning at a stake on Brown Street and running thence along the rear line of the two lots once owned by Mrs. L. C. Boling, and which fronts North Street S. 68 E. 153 feet to a point in the line of J. F. Hodges (formerly Endel) lot; thence along his line N. 21 E. 45 feet; thence in a straight line 155 feet, more or less, to a point on Brown St. 53 feet and six inches from the beginning corner thence along said street 53 feet and six inches to the beginning corner, being the same land conveyed to J. W. Goddard by M. D. Barr, April 1st, 1910, recorded in Vol. 8, page 311.

Also all that other lot of land adjoining the above on the North and described as follows: Beginning at the corner of the M. D. Barr lot on the East side of Brown Street and runs thence with the line of that lot about 155 feet to a point in J. F. Hodges' line; thence along his line in a northerly direction 45 feet, thence in a straight line to a point on Brown St. 53 feet and six inches from the beginning corner; thence along said street in a southerly direction 53 feet and six inches to the beginning corner, being the same land conveyed to J. W. Goddard by J. H. O'Neal and J. D. Smith April 1st, 1910, deed recorded Vol. 8 page 254. Less, however, a strip eight feet wide across the whole of the front of both of said lots, said strip having been conveyed to the city of Greenville to widen said Brown Street - See deed recorded Vol. 27, page 416, together with the three story and basement building located thereon, commonly known and described as 222-226 North Brown Street, in Greenville, South Carolina. mentioned

It is understood that this instrument is for the purpose of giving notice of the above lease.

IN WITNESS WHEREOF, the parties have hereunto set their hands and affixed their seals this twelfth day of December 1940.

WITNESSES TO EXECUTION BY LANDLORD (S)

Laura Virginia Inman
B. F. Martin

Wm. H. Austin (SEAL)