

FILED
GREENVILLE SOUTH CAROLINA)
AUG 22 10 20 AM '72)
COUNTY OF GREENVILLE)
CONDITIONAL ASSIGNMENT OF CONTRACT
OF SALE

ELIZABETH RIDDLE
R.M.C. WHEREAS, LINDSEY BUILDERS, INC. is the owner of a real estate subdivision known as TERRYDALE, situate on Henderson Drive in the City of Greenville, South Carolina, as shown on a plat recorded in the RMC Office for Greenville County, S. C., in Plat Book 4N, page 17, reference to which is hereby craved, the remaining lots in which subdivision have been sold under a contract of sale to INVESTMENT PROPERTIES, INC., a corporation, for the sum of \$300,000.00, by contract of sale dated July 27, 1972, a copy of which is attached hereto and incorporated herein by reference.

WHEREAS, LINDSEY BUILDERS, INC. is about to obtain a loan from DAVID I. HOROWITZ in the sum of \$25,000.00 as evidenced by a separate note of even date herewith and desires to secure payment of said note by the Conditional Assignment of its right, title and interest in and to the aforesaid Contract of Sale.

NOW; THEREFORE, for and in consideration of the aforesaid loan made to LINDSEY BUILDERS, INC. and for other good and valuable considerations, the receipt and sufficiency whereof are hereby fully acknowledged, LINDSEY BUILDERS, INC., on behalf of itself, its successors and assigns, does hereby set over, assign and transfer unto DAVID I. HOROWITZ, his heirs and assigns, all the right, title and interest of LINDSEY BUILDERS, INC. in and to the aforesaid contract of sale, covering the remaining lots in TERRYDALE SUBDIVISION, Greenville, S. C., in the fact amount of \$300,000.00, executed by INVESTMENT PROPERTIES, INC., dated July 27, 1972, including but not limited to all funds, monies and equities due LINDSEY BUILDERS, INC. under the terms thereof, this Assignment to be and become absolute to the aforesaid assignee in the event of default by LINDSEY BUILDERS, INC., in payment of the note aforesaid, and in the event of payment of said note in full, including all principal and interest to DAVID I. HOROWITZ, this Assignment shall be null and void.

The within Conditional Assignment of Contract of Sale is subject to a prior assignment to the extent of \$69,000.00 given by LINDSEY BUILDERS, INC. to FIRST PIEDMONT BANK AND TRUST COMPANY on August 18, 1972.

IN WITNESS WHEREOF, LINDSEY BUILDERS, INC. has caused this Assignment to be executed this 21st day of August, A. D., 1972.

IN THE PRESENCE OF:

James B. Holtzclaw

LINDSEY BUILDERS, INC.,

By James H. Lindsy
President

STATE OF SOUTH CAROLINA)
COUNTY OF GREENVILLE) PROBATE

PERSONALLY appeared the undersigned witness and made oath that he saw the within named corporation by its duly authorized officer, sign, seal and as its act and deed deliver the within Assignment and that he with the other witness subscribed above witnessed the execution thereof.

SWORN to before me this
21st day of August, 1972.

James B. Holtzclaw
Notary Public for South Carolina)
My commission expires 9/15/79)

James H. Lindsy
Conditional Assignment Of Contract Of Sale
Recorded August 22, 1972 at 10:20 A. M., #5365