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This assignment is given as additional security for the above mentioned note and mortgage and the amounts collected hereunder, less the expense of collection, if any, shall be applied against the outstanding indebtedness due on said note and mortgage.

Nothing herein contained shall be construed as making Southern Bank & Trust Company a mortgagee in possession, nor shall said Bank be liable for laches, or failure to collect said rents, issues, profits, revenues, rights and benefits, and it is understood that said Bank is to account only for such sums as it may actually collect.

It is understood and agreed that neither the existence of this agreement nor the exercise of its privilege to collect said rents, issues, profits, revenues, rights and benefits hereunder, shall be construed as a waiver by the Bank of its rights to enforce payment of the debt hereinabove mentioned, in strict accordance with the terms and provisions of the note and mortgage above mentioned for which this assignment is given as additional security.

IN WITNESS WHEREOF, the undersigned has hereunto set its hand and seal this 27th day of May, 1982.

IN THE PRESENCE OF:

STATE OF SOUTH CAROLINA

COUNTY OF SPARTANBURG

PROBATE

PERSONALLY appeared before me the witness above named who made oath that he saw the within named Penta Associates, by its duly authorized general partners, sign, seal and as its act and deed deliver the within Assignment of Rents and Leases, and that he with the other witness above named witnessed the execution thereof.

SWORN to and subscribed before me

this <u>27th</u> day of May, 1982.

(SEAL)

My Commission Expires: 11/2/83

215.10