

MORTGAGE OF REAL ESTATE

5726 PROVISION-LARRARD CO.-GREENVILLE

STATE OF SOUTH CAROLINA, )
COUNTY OF GREENVILLE. )

THIS INDENTURE ( herein sometimes called Mortgage Deed of Trust or Third Mortgage), bearing date the 1st day of July, 1937, made and entered into by and between GREENVILLE COMMUNITY HOTEL CORPORATION, a corporation organized and existing under the laws of the State of South Carolina (hereinafter for brevity called the "Corporation") Party of the First Part, herein appearing through Ellis M. Johnston and William Goldsmith, President and Secretary respectively of said Corporation, and THE SOUTH CAROLINA NATIONAL BANK OF CHARLESTON, a corporation organized and existing under the laws of the United States of America (hereinafter for brevity called the "Trustee"), as Trustee under certain trusts hereinafter declared, imposed and accepted, Party of the Second Part;

WHEREAS, GREENVILLE COMMUNITY HOTEL CORPORATION is duly incorporated under the laws of the State of South Carolina, and has, by law and by virtue of its charter, full power and authority to borrow money for its general corporate purposes, and to make and issue, and to sell, negotiate or hypothecate its bonds, and to secure the same by mortgage, pledge or conveyance in trust or otherwise, of any and of all of its property; and

WHEREAS, the Trustee has full power and authority, by law and by its charter, to accept, undertake and perform the trusts hereinafter recited; and

WHEREAS the Directors of said Corporation, at a meeting duly called and held at the office of the Corporation in Greenville, South Carolina, on the 4th day of July, 1937, did adopt a resolution calling a meeting of the Stockholders of said Corporation for June 9, 1937, to consider borrowing money for the uses of said Corporation in the amount of Three Hundred Twenty-Five Thousand (\$325,000.00) Dollars, and to issue a note or notes therefor, secured by a mortgage upon its real estate, hotel building, fixtures, equipment, furniture and personal property connected with said hotel, and all additions thereto, and to consider issuing Second Bonds in the principal amount on One Hundred Ninety-Five Thousand (\$195,000.00) Dollars, to be exchanged for the present outstanding Second Mortgage Bonds, plus accrued interest, and to secure the same by a Second Mortgage Deed of Trust upon its real estate, hotel building, fixtures, equipment, furniture and personal property connected with said hotel, and all additions thereto, and to consider the issue of Third Bonds in the aggregate principal amount of Three Hundred Eighteen Thousand (\$318,000.00) Dollars, to be issued in exchange for the present outstanding Third Mortgage Bonds, plus accrued interest thereon, and to secure the same by a Third Mortgage Deed of Trust upon its real estate, hotel building, fixtures, equipment, furniture and personal property connected with said hotel, and all additions thereto; and

WHEREAS, pursuant to said call a meeting of the Stockholders of said Corporation was duly held on June 9, 1937, of which meeting due notice was given to the stockholders of said Corporation in advance of said meeting, as required by law; and

WHEREAS, at said meeting more than a majority of said Stockholders being represented in person or by proxy, resolutions were unanimously passed authorizing the officers of said Corporation to borrow money for the uses and purposes of said Corporation, in the amount of Three Hundred Twenty-Five Thousand (\$325,000.00) Dollars, and to issue therefor a note or notes of said Corporation in the aggregate principal amount of Three Hundred Twenty-Five Thousand (\$325,000.00) Dollars, to be dated July 1, 1937, and payable as set forth in the first mortgage securing same; and to issue Second Mortgage Bonds to be known as Mortgage Bonds Class B, in the sum of One Hundred Ninety-Five Thousand (\$195,000.00) Dollars, to be dated July 1, 1937, and payable as set forth in the Mortgage Deed of Trust securing same, said Second Mortgage Bonds to be exchanged for the present outstanding Second Mortgage Bonds, plus accrued interest thereon; and to issue Third Mortgage Bonds to be known as Mortgage Bonds Class C, in the sum of Three Hundred Eighteen Thousand (\$318,000.00) Dollars, to be dated July 1, 1937, and payable as hereinafter set forth, and bearing interest at the rate of five (5%) per cent. per annum, payable semi-annually on the 1st days of January and July of each year, represented by coupons thereto attached, and to be issued in exchange for the present outstanding Third Mortgage Bonds, plus accrued interest thereon, and to secure said Three Hundred Eighteen Thousand (\$318,000.00) Dollars of Third Mortgage Bonds by a Third Mortgage or Deed of Trust to The South Carolina National Bank of Charleston, as Trustee, covering the property of said Corporation in Greenville, S. C.; and

WHEREAS, the Board of Directors of said Corporation, at a meeting duly held in Greenville, S. C., on the 29th day of June, 1937, did adopt a resolution approving the form of this Indenture and the bonds and coupons secured hereby, and authorizing the President and Secretary respectively of said Corporation to execute the same; and

WHEREAS, for the purpose of securing the payment of said Mortgage Bonds in the sum of Three Hundred Eighteen Thousand (\$318,000.00) Dollars and interest thereon, and the observance and performance of the covenants and conditions therein and in this mortgage contained, the Corporation has, by authority of its Board of Directors and Stockholders as aforesaid, determined to execute acknowledge and deliver this Mortgage Deed of Trust or Mortgage to The South Carolina National Bank of Charleston, as Trustee, for the benefit of the holders of said bonds, and was duly authorized by law to execute and deliver the same and to make and issue said bonds, and to do all things necessary to make said bonds, when duly certified by the Trustee, valid, binding and legal

Handwritten notes and signatures in the top half of the page, including 'The deed is in full compliance with the provisions of the charter' and 'I hereby certify that this is a true and correct copy of the original as recorded in the office of the Recorder of Deeds for Greenville County, South Carolina, on July 1, 1937'.

RECORDED AND INDEXED JULY 12 1937 GREENVILLE COUNTY, S. C. #11888

See Agreement Recorded in R. E. M. Book 294 Page 88.