

and assigns, the said debt or sum of money aforesaid with interest thereon according to the true intent and meaning of the said Note or Notes and conditions thereunder written, then this Mortgage and assignment shall cease, determine and be utterly void and the Mortgagee shall supply the Mortgagor with all necessary instruments in recordable form to extinguish this Mortgage from the records.

The said Mortgagor does hereby assign, set over and transfer to the said Mortgagee, its successors and assigns, all of the rents, issues and profits of the said mortgaged premises accruing and falling due from and after the service of a summons issued in an action to foreclose this Mortgage after default in the conditions thereof.

AND IT IS AGREED by and between the parties that in case of foreclosure of this Mortgage, by suit or otherwise, the mortgagee shall recover of the Mortgagor a reasonable sum as attorney's fees which shall be secured by this Mortgage, and shall be included in judgment of foreclosure.

WITNESS, Drive-In Theatres of S. C., Inc., by the hands of H. F. Kinsey, its Vice-President, and Roy L. Smart, its Secretary, hereunto duly authorized, and the seal of the corporation affixed hereto, as of the 25th day of October, 1948.

This Mortgage is executed in triplicate.

Signed, sealed and delivered in the presence of:

DRIVE-IN THEATRES OF S. C., INC.

Helen P. Brunson  
Kathleen Polley

By [Signature]  
Vice-President  
Attest: [Signature]  
Secretary

STATE OF NORTH CAROLINA  
COUNTY OF MECKLENBURG

Personally appeared before me Helen P. Brunson, who, being duly sworn, deposes and says that she saw Drive-In Theatres of S. C., Inc., by H. F. Kinsey, its Vice-President, and Roy L. Smart, its Secretary, sign and seal the foregoing instrument for the uses and purposes therein contained, and that she with Kathleen Polley witnessed the execution thereof.

Sworn to before me this 25th day of October, 1948.

[Signature]  
Notary Public for  
Mecklenburg County, N.C.

[Signature]  
Helen P. Brunson

My commission expires: 1/6/49