

State of South Carolina

Mortgage of Real Estate

VOL 1847 PAGE 655

County of Greenville

FILED S.C.
FEB 17 4 26 PM '84
CORNER R.M.C.

THIS MORTGAGE is dated February 3, 1984

THE "MORTGAGOR" referred to in this Mortgage is James C. Leary and Glenda S. Leary

THE "MORTGAGEE" is BANKERS TRUST OF SOUTH CAROLINA, whose address is P. O. Box 8, 116 North East Main Street, Simpsonville, SC 29681

THE "NOTE" is a ~~note~~ guaranty (*see below) from James C. Leary to Mortgagee in the amount of \$ 110,000.00, dated February 3, 1984. The Note and any documents renewing, extending or modifying it and any notes evidencing future advances are all referred to as the "Note" and are considered to be a part of this Mortgage. The final maturity of the Note is on demand, 19___. The amount of debt secured by this Mortgage, including the outstanding amount of the Note and all Future Advances under paragraph 13 below, shall at no time exceed \$ 110,000.00, plus interest, attorneys' fees, and court costs incurred in collection of amounts due hereunder, and Expenditures by Mortgagee under paragraph 5 below. Interest under the Note will be deferred, accrued or capitalized, but Mortgagee shall not be required to defer, accrue or capitalize any interest except as provided in the Note.

THIS MORTGAGE is given to secure to Mortgagee the repayment of the following amounts, with interest: (a) the indebtedness evidenced by the Note; (b) any Future Advances made under paragraph 13 below; (c) Expenditures by Mortgagee under paragraph 5 below; and (d) attorneys' fees, court costs and other amounts which may be due under the Note and this Mortgage. In consideration of the above indebtedness and for other valuable consideration which Mortgagor acknowledges receiving, Mortgagor does hereby mortgage, grant and convey to Mortgagee, its successors and assigns, the following described property:

ALL that piece, parcel or lot of land, situate, lying and being in the State of South Carolina, County of Greenville, being known and designated as Lot 331, Section 5, Sheet 2, of Subdivision known as Poinsettia, said subdivision being situated within the corporate limits of the Town of Simpsonville, plat of said subdivision being recorded in the RMC Office for Greenville County in Plat Book 5P, Page 34, and also being shown on a more recent plat and survey of Lot 331, Hillpine Drive, dated September 4, 1980, prepared by J. L. Montgomery, III, recorded in Plat Book 8E, Page 35, and having, according to the more recent plat, the following metes and bounds, to-wit:

BEGINNING at an iron pin on the easterly side of Hillpine Drive, joint front corner of Lots 331 and 332 and running thence S 53-03 E 105.26 feet to an iron pin; thence turning and running with the common line of Lots 330 and 331, S 07-33 W 166.18 feet to an iron pin on South Almond Drive; thence turning and running as follows: N 82-20 W 46.0 feet to an iron pin and N 70-50 W 74.56 feet to an iron pin at the intersection of South Almond Drive and Hillpine Drive; thence running along Hillpine Drive N 22-14 E 179.38 feet to an iron pin, being the point of beginning.

Being the same property conveyed to the mortgagors herein by deed of Poinsett Realty Co. recorded in the RMC Office for Greenville County on August 25, 1980 in Deed Book 1131, Page 847.

STATE OF SOUTH CAROLINA
SOUTH CAROLINA TAX COMMISSION
DOCUMENTARY
FEB 1984
STAMP TAX \$ 44.00

* This mortgage secures the obligation of James C. Leary under his written guaranty of payment of liabilities of James Leary Builders, Inc., a South Carolina corporation, of even date herewith.

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TOGETHER with all and singular rights, members, hereditaments and appurtenances belonging or in any way incident or appertaining thereto; all improvements now or hereafter situated thereon; and all fixtures now or hereafter attached thereto (all of the same being deemed part of the Property and included in any reference thereto);

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