

STATE OF SOUTH CAROLINA
 COUNTY OF GREENVILLE

RECORDED
 FILED
 DEC 17 1983
 R.M.C. - ASLEY

SECOND MODIFICATION AGREEMENT

WHEREAS, Bankers Trust of South Carolina (hereinafter the Bank) has heretofore made two loans to Carabo Capital, a South Carolina general partnership (herein the Borrower), for which the Borrower has executed and delivered to the Bank two notes, the first Note dated May 13, 1982 in the principal sum of Two Million Nine Hundred Fifty Thousand Dollars (\$2,950,000.00) (hereinafter the First Note), the second Note dated February 15, 1983 in the principal sum of Nine Hundred Fifty Thousand Dollars (\$950,000.00) (hereinafter the Second Note), and various security agreements and real estate mortgages including, without limitation, that certain mortgage dated May 13, 1982, recorded on the 17th day of June, 1982 in Mortgage Book 1573, Page 33, as modified by Modification Agreement dated February 15, 1983 recorded the 1st day of March, 1983 in Mortgage Book 1596, Page 335, RMC Office for Greenville County, South Carolina (hereinafter the Mortgage), which mortgage conveys property now operated as a Bojangles Restaurant located at 1204 West Wade Hampton Boulevard, Greenville, South Carolina

_____ in said County and State; and

WHEREAS, the Bank has agreed to make an additional loan to Borrower in the amount of One Million Four Hundred Thirty Dollars (\$1,430,000.00) provided certain requirements be met including, among others, (a) the modification of the Mortgage to secure the repayment of the additional loan and (b) the modification of the First and Second Notes to include a cross default provision with respect to the additional loan.

NOW, THEREFORE, in consideration of the premises and in order to secure the repayment to the Bank of the additional loan of One Million Four Hundred Thirty Dollars (\$1,430,000.00) and other valuable consideration, the receipt of which by the Borrower is hereby acknowledged, the parties do hereby agree as follows:

FIRST: The Mortgage is hereby amended and modified so as to include within the term "Note" a note from the Borrower to

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