

FILED
GREENVILLE, S.C.

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STATE OF SOUTH CAROLINA)
COUNTY OF GREENVILLE) NINTH AMENDMENT TO MORTGAGE OF
REAL ESTATE

This Ninth Amendment to Mortgage of Real Estate made and entered into this 12th day of October, 1984, by and between COTHRAN & DARBY BUILDERS, INC., a Corporation organized and existing in accordance with the laws of the State of South Carolina, maintaining its principal place of business in Greenville, South Carolina, hereinafter referred to as "Mortgagor", and SOUTHERN BANK & TRUST COMPANY, whose address is P. O. Box 1329, Greenville, South Carolina, 29602, hereinafter referred to as "Mortgagee".

W I T N E S S E T H :

WHEREAS, heretofore, on January 9, 1984, Mortgagor did execute and deliver to Mortgagee that certain Mortgage of real estate to secure the Guaranty by Mortgagor of the Promissory Note of C & D Enterprises of Greenville, Inc., given by the said C & D Enterprises of Greenville, Inc. to the Mortgagee in the original principal sum of TWO MILLION FIVE HUNDRED THOUSAND AND NO/100 (\$2,500,000.00) DOLLARS, said Mortgage of real estate being recorded in the Greenville County RMC Office in REM Book 1643 at Page 241, and

WHEREAS, the making of said Mortgage, Note and Guaranty as referred to herein, was pursuant to the terms of a loan commitment between Mortgagee, Mortgagor and C & D Enterprises of Greenville, Inc., dated September 22, 1983, under the terms of which it was contemplated that the Mortgagee would release from the lien of said Mortgage, completed residences at the time said residences were sold and that the Mortgagor would submit, as substituted collateral, new lots to lien of said

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