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BOOK 1146 PAGE 362

STATE OF SOUTH CAROLINA
COUNTY OF GREENVILLE

) MODIFICATION AGREEMENT
) INCREASING INTEREST RATE

WHEREAS Fidelity Federal Savings and Loan Association of Greenville, South Carolina, is the owner and holder of a promissory note dated 12/11/68, executed by John C. Cothran & Ellis L. Darby, Jr. in the original sum of \$33,200.00 bearing interest at the rate of 7 3/4 % and secured by a first mortgage on the premises being known as Lot # 30 Pilgrim's Point, which is recorded in the RMC Office for Greenville County in Mortgage Book lill, page 620, title to which property is now being transferred to the Obligor, who has agreed to assume said mortgage loan and to pay the balance due thereon; and

WHEREAS Fidelity Federal Savings and Loan Association of Greenville, South Carolina, has agreed to said transfer of ownership of the mortgaged premises to the Obligor and his assumption of the mortgage loan, provided the interest rate on the balance due is increased from 7 % to 7 3/4 %,

NOW, THEREFORE, this agreement made and entered into this 5th day of January, 1970, by and between Fidelity Federal Savings and Loan Association of Greenville, South Carolina, as mortgagee, and James E. Mahatzke as Obligor,

WITNESSETH:

In consideration of the premises and the further sum of \$1.00 paid by the Association to the Obligor, receipt of which is hereby acknowledged, the undersigned parties agree as follows:

- (1) That the interest rate on the loan balance of \$ 32,748.47 be increased to 7 3/4 %.
- (2) That the Obligor agrees to repay said obligation in monthly installments of \$263.00 each, with payments to be applied first to interest and then to the remaining principal balance due from month to month, with the first monthly payments being due January 1, 19 70.
- (3) That all terms and condition as set out in the note and mortgage shall continue in full force, except as modified expressly by this Agreement.
- (4) That this Agreement shall bind jointly and severally the successors and assigns of the Association and Obligor, his heirs, successors and assigns.

IN WITNESS WHEREOF, the parties hereto have set their hands and seals this 5th day of January, 1970.

In the presence of:

Walter C. Gato
Mayor L. ...

FIDELITY FEDERAL SAVINGS & LOAN ASSOCIATION (SEAL)

BY: James J. Anderson
Asst. Loan Officer (SEAL)

James E. Mahatzke (SEAL)
OBLIGOR(S)

STATE OF SOUTH CAROLINA
COUNTY OF GREENVILLE

)
) PROBATE

PERSONALLY appeared the undersigned and made oath that (s)he saw the above named parties sign, seal, and deliver the foregoing Agreement and that (s)he with the other subscribing witness witnessed its execution.

SWORN TO BEFORE ME THIS

5th day of January, 1970. Walter C. Gato
Mayor L. ... (LS)
Notary Public for South Carolina
Commission Expires: 11/19/79