

LEATHERWOOD, WALKER, TODD & MANN

FILED
GREENVILLE CO. S.C.

DEC 15 11 15 PM '80

1138-273

COLLATERAL ASSIGNMENT OF LEASES

THIS COLLATERAL ASSIGNMENT OF LEASES made this 3rd day of December, 19 80, by KRIEGER DEVELOPMENT COMPANY, a South Carolina General Partnership, (hereinafter called "Assignor"), to BANKERS TRUST OF SOUTH CAROLINA (hereinafter called "Assignee");

W I T N E S S E T H :

Assignor, in consideration of the sum of Ten Dollars (\$10.00) cash in hand paid and other good and valuable consideration paid by Assignee, the receipt and sufficiency of which are hereby acknowledged, does hereby GRANT, CONVEY, ASSIGN, TRANSFER and SET OVER unto Assignee, its successors and assigns, the following:

A. All rights, interests and estates of Assignor in, to and under the lease agreement described in Schedule I attached hereto and made a part hereof and all other lease agreements which cover or affect portions of the land described in Exhibit A attached hereto and made a part hereof or the improvements located thereon (the "Subject Property"); together with all renewals and extensions of such lease agreements and other instruments and all other lease agreements that may hereafter be entered into which cover a portion of said land or the improvements located thereon (such lease agreements, other instruments, renewals and extensions being herein called the "Leases"); and

B. All rents, rentals and other sums of money that may now and at any time hereafter become due and payable to Assignor under the terms of the Leases; and

C. Any and all monies, awards or other payments paid or payable by any and all lessees under the Leases in lieu of rent including but not limited to any damages (all such monies, awards or payments including but not limited to damages herein collectively called the "Damages") which may hereafter become due pursuant to any of the Leases pertaining to all or any part of the Subject Property.

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