

It is further covenanted and made of the essence hereof that in case of default for five days in the performance of any of the covenants herein on the part of the Mortgagor, then it shall be optional with Mortgagee to consider all unmatured indebtedness or liability secured hereby, and accrued interest thereon, as immediately due and payable, without demand and without notice or declaration of said option, and Mortgagee shall have the right forthwith to institute proceedings to enforce the collection of all moneys secured hereby or to foreclose the lien hereof.

It is further stipulated and agreed by and between the parties that the Mortgagee shall have the right to exercise any option or privilege herein given or reserved and to enforce any duty of the Mortgagor at any time without further or other notice regardless of any prior waiver by Mortgagee or default of Mortgagor or delay by Mortgagee in exercising any right, option, or privilege or enforcing such duty of Mortgagor, and no waiver by Mortgagor, and no waiver by Mortgagee of default of Mortgagor nor delay of Mortgagee in exercising any right, privilege or option or in enforcing any duty of Mortgagor shall be deemed, held, or construed to be a waiver of any of the terms or provisions of this mortgage or of any subsequent default.

IN WITNESS WHEREOF, we have hereunto set our hand and seals this 9 day of FEBRUARY A.D. 1978

X James W. Capps (SEAL)
X Karen S. Capps (SEAL)
(SEAL)

Signed, Sealed and Delivered in the presence of
1st Subscribing Witness
2nd Subscribing Witness

STATE OF SOUTH CAROLINA

COUNTY OF

PROBATE

PERSONALLY APPEARED BEFORE ME STEPHEN PRICE and made oath that he saw the within named JAMES W. CAPPs AND WIFE KAREN S. CAPPs sign, seal and as TESTER act and deed deliver the within written deed and that he with LESLIE SUTPHIN 2nd Subscribing Witness

witnessed the execution thereof.

Sworn to before me this 16 day of Feb. AD. 1978
Notary Public, S. C.

1st Subscribing Witness

MY COMMISSION EXPIRES 10-30-1985

339,564.00 L.O. ACT

STATE OF SOUTH CAROLINA

COUNTY OF

RENUNCIATION OF DOWER

I, THORNTON R. ACE, a Notary Public for South Carolina, do hereby certify unto all whom it may concern, that Mrs. KAREN S. CAPPs, the wife of the within named JAMES W. CAPPs, did this day appear before me, and upon being privately and separately examined by me, did declare that she does freely, voluntarily and without any compulsion, dread or fear of any person or persons whomsoever, renounce, release, and forever relinquish unto the within named JIM WALTER HOMES, INC., Heirs and Assigns, all her interest and estate, and also all her right and claim of Dower, of in or to all and singular the Premises within mentioned and released.

X Karen S. Capps (SEAL)

Given under my hand and seal this 16 day of Feb. AD. 1978
Notary Public, S. C.

MY COMMISSION EXPIRES 10-30-1985

RETURN TO JIM WALTER HOMES, INC. P. O. BOX 22601 TAMPA, FLORIDA 33622

X 27182 X
Karen W. Capps
Karen S. Capps
Jim Walter Homes

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