

FILED  
GREENVILLE CO. S. C.  
SEP 9 11 53 AM '80  
DONNIE S. TANKERSLEY  
R.M.C.

1515 PAGE 90

# MORTGAGE

(Participation)

This mortgage made and entered into this 9th day of September  
19 80 by and between Robert H. Gilbert and Anne B. Gilbert

(hereinafter referred to as mortgagor) and Southern Bank and Trust Company  
(hereinafter referred to as  
mortgagee), who maintains an office and place of business at Greenville, South Carolina

WITNESSETH, that for the consideration hereinafter stated, receipt of which is hereby acknowledged, the mortgagor does hereby mortgage, sell, grant, assign, and convey unto the mortgagee, his successors and assigns, all of the following described property situated and being in the County of Greenville State of South Carolina, and being on Westover Place, and Caroleton Way, being known and designated as Lot 28 as shown on plat entitled "CARTER'S GROVE, SECTION # 2, prepared by Dalton & Neeves Co., Engineers, dated August, 1974, and recorded in Plat Book 4-R at page 100, and having, according to said plat, the following metes and bounds, to-wit;

BEGINNING at an iron pin on the western corner of Caroleton Way and Westover Place, joint front corner of Lots 27 and 28; thence running with line of said lots, S. 65-38 W. 93.8 feet to an iron pin; thence S. 89-17 W. 96.8 feet to an iron pin, joint rear corner of Lots 28 and 29; thence running with joint line of said lots N. 27-06 E. 165.4 feet to an iron pin, joint front corner of said lots, western side of Caroleton Way and Westover Place; thence running as follows: S. 61-52 E. 34.3 feet; S. 47-21 E. 60 feet; S. 32-45 E. 60 feet to the point of beginning.

This is the same property conveyed to the mortgagor herein by deed of Devenger Road Land Company, recorded in the RMC Office for Greenville County in Deed Book 1085 at page 179. This mortgage is second and junior in lien to that certain mortgage to First Federal Savings and Loan Association of Greenville, S.C. recorded in the RMC Office for Greenville, S.C. in Mortgage Book 1441 at page 91 and having a current approximate balance of \$ 56,624.90. Rec. Aug. 14, 1978.

STATE OF SOUTH CAROLINA  
SOUTH CAROLINA TAX COMMISSION  
DOCUMENTARY  
STAMP  
TAX  
SEP-9 81  
PS 11218  
30.00

SC70  
SEP 9 80  
718

Together with and including all buildings, all fixtures including but not limited to all plumbing, heating, lighting, ventilating, refrigerating, incinerating, air conditioning apparatus, and elevators (the mortgagor hereby declaring that it is intended that the items herein enumerated shall be deemed to have been permanently installed as part of the realty), and all improvements now or hereafter existing thereon; the hereditaments and appurtenances and all other rights thereunto belonging, or in anywise appertaining, and the reversion and reversions, remainder and remainders, all rights of redemption, and the rents, issues, and profits of the above described property ( provided, however, that the mortgagor shall be entitled to the possession of said property and to collect and retain the rents, issues, and profits until default hereunder). To have and to hold the same unto the mortgagee and the successors in interest of the mortgagee forever in fee simple or such other estate, if any, as is stated herein.

The mortgagor covenants that he is lawfully seized and possessed of and has the right to sell and convey said property: that the same is free from all encumbrances except as hereinabove recited; and that he hereby binds himself and his successors in interest to warrant and defend the title aforesaid thereto and every part thereof against the claims of all persons whomsoever.

This instrument is given to secure the payment of a promissory note dated September 9, 1980 in the principal sum of \$ 75,000.00 , signed by Robert H. Gilbert in behalf of Western Carolinas X-Ray, Inc.

4-00001

4328 RV-2