This Agreement, made as of this \_\_\_\_\_\_day of May, 1976, by and between FIRST PIEDMONT MORTGAGE COMPANY, INC., a South Carolina Corporation, (hereinafter called "First Piedmont"); INGLES' MARKETS, INC., a North Carolina Corporation, (hereinafter called "Ingles"); and C. W. & I. PARTNERSHIP, a Partnership consisting of Braxton M. Cutchin, III, Robert P. Ingle, and Gerald C. Wallace;

## WITNESSETH:

- 1. On January 14, 1974, Ingles entered into a Lease Agreement with Wade Hampton Enterprises, a Limited Partnership organized under the laws of the State of South Carolina, pursuant to which said Wade Hampton Enterprises, as Landlord, and Ingles, as Tenant, leased certain property located on Wade Hampton Boulevard in Greenville County, South Carolina. A Memorandum of Lease related thereto was recorded in the RMC Office for Greenville County on September 4, 1974, in Deed Book 1006 at Page 192.
- 2. Said Lease was subsequently amended by an instrument executed by Ingles and Wade Hampton Enterprises dated July 5, 1974. Wade Hampton Enterprises, the Tenant under said lease, conditionally assigned its interest thereunder to First Piedmont Mortgage Company, Inc., as additional security for a loan in the face amount of \$475,000.00 by instrument recorded on September 26, 1974, in Deed Book 1007 at Page 349.
- 3. By Deed dated April 26, 1976, Wade Hampton Enterprises conveyed the fee simple title to the property covered by said lease to First Piedmont, said instrument being recorded in Deed Book 1036 at Page 113
- 4. Ingles, as Tenant, and First Piedmont, as the successor Landlard, have agreed to terminate and cancel said lease as amended, in its entirety, and likewise to cancel the interests of First Piedmont obtained pursuant to the aforesaid Conditional Assignment of Lease, it being the understanding and intent of said parties that a new lease will be entered

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