

State of South Carolina,  
County of Greenville,

Whereas, the grantor herein is the owner of the premises hereinafter described, and the grantee herein has contracted to purchase the adjoining premises on the West end, upon compliance with the terms of his contract, will become a joint owner of the party wall existing between said premises; and

Whereas, there has arisen between said parties a dispute as to the right of the grantor to keep open and the right of the grantee to brick up certain windows now open in said party wall; and

Whereas, said parties have arrived at a satisfactory settlement of said dispute, now, therefore,

Know All Men By These Presents That I, John T. Davenport, of the County and State aforesaid, for and in consideration of the premises, and in further consideration of the sum of Three Dollars to me in hand paid by H. H. Provence, in the State and County aforesaid, the receipt whereof is hereby acknowledged, have granted, bargained, sold and released, and by these presents do grant, bargain, sell and release unto the said H. H. Provence all of my right, title and interest in and to any and all rights, privileges, and/or easements I might have to maintain and keep open the windows now existing in the Western wall of the building now owned by me, situate on the North Side of West McBee Avenue and conveyed to me by E. Dorman, Master, by deed dated August 14, 1929, and recorded in Vol. 1149 at page 182, upon the express condition, however, that the grantee hereto, his heirs and assigns, shall leave open said windows until the present occupant of said premises, to-wit, Thomas McAfee, Inc., moves, or until the control of said Corporation changes hands.

It is expressly understood and agreed by and between the parties hereto, their heirs and assigns, that upon the happening of the contingency or either of them, above referred to, to-wit - a change in the present occupancy of the premises, that said grantee, his heirs and assigns, may proceed to close said windows by laying bricks in the same for a distance of eight and one-half (8 1/2) inches from the outside of said wall.

Together With All And Singular The Rights Member Hereditaments And Appurtenances to the said premises belonging or in anywise incident or appertaining.

To Have And To Hold all and singular the premises before mentioned unto the said H. H. Provence, his heirs and assigns forever, upon the express condition, however, hereinabove imposed.

And I do hereby bind myself, my heirs, executors and administrators to warrant and forever defend all and singular the said premises unto the said H. H. Provence, his heirs and assigns, against me and my heirs and every other person whatsoever lawfully claiming or to claim the same or any part thereof.

Witness my hand and seal this 25th day of October, 1935.

In the Presence of:  
Journes Hodges  
Jessie O. Hunt

John T. Davenport (L. S.)

(over)