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IN THE DISTRICT COURT OF THE UNITED STATES
For the Western District of South Carolina

IN THE MATTER OF:

Paul C. Dillard,
Bankrupt

IN BANKRUPTCY
No. B/1754

ORDER ON PETITION FOR LEAVE TO DISCLAIM

This matter coming on for consideration on the Trustee's Petition for leave to disclaim and abandon title to certain property belonging to said estate and it appearing that due notice has been given the creditors herein and not any adverse interest being represented,

The Court finds that Harry C. Walker is the duly appointed, qualified and acting Trustee herein; that a portion of the bankrupt's estate consists of the following property:

All that lot of land in Chick Springs Township, County of Greenville, State of S. C., and having according to a Plat made by J. C. Hill, dated June 22, 1950, the following metes and bounds, to-wit:

BEGINNING at a point on the south side of a County Road, leading east from the Old Rutherford Road, said iron pin being 176.6 feet east of the Old Rutherford Road, and running thence S. 78-30 E. 269.6 feet to an iron pin; thence S. 3-30 W. 255 feet to an iron pin, corner of other property; thence with the line of said property, N. 46-20 W. 213.1 feet to an iron pin; thence N. 27-20 W. 158.5 feet to an iron pin, the point of beginning, LESS, however, 11/100 of an acre conveyed to Lina M. Dillard by deed dated July 23, 1953, recorded in the R.M.C. Office for Greenville County in Deed Book 482 at page 307.

The Court further finds that said property is valueless to this estate for the following reasons:

Said property has been appraised at a value of \$7,000.00 but it is encumbered by a first mortgage upon which there is a balance due of \$3,495.25, which the holder thereof is attempting to foreclose; Said property is further encumbered by unpaid taxes, and the wife of the bankrupt claims a dower interest in said property; The Trustee nor his agents have been able to sell said property at either public or private sale and it thus appears that no equity exists in said property for the benefit of this estate.

The Court further finds that the bankrupt is entitled to a homestead exemption in said property and that the bankrupt is willing to accept the property, subject to encumbrances, in satisfaction of his homestead in land. The Court finds that it will thus be to the benefit of this estate that the title to said property be disclaimed and abandoned.

IT IS THEREFORE ORDERED that the Trustee be authorized and directed to disclaim title to and abandon the aforescribed property.


Referee in Bankruptcy

Recorded August 17th, 1954 at 12:45 P.M. #18433