

receive and enjoy all the rents privileges and immunities to the said divided interest free and independent of all debts, contracts and liabilities of him the said Charles Heath and after his death the said property is to be divided among the children of the said Charles Heath share and share alike free and unencumbered by any trust whatsoever thereon the said party of the first part releases relinquishes grants and sells to the party of the third part for the purposes and considerations herein specified all his right title and interest in and to the portion of the above lot or parcel of land situated as aforesaid which has a front of one hundred and six & a half feet on coffee Street and a depth of one hundred and twenty feet on Spring Street and one hundred and twenty feet on the other portion of this Lot to have and to hold the same to his heirs and successors in the trust aforesaid forever for the uses and purposes set forth above and it is further the intention of the parties to this indenture that if the said property is desirous to be charged by the parties of the third part that he may sell and make good and sufficient titles thereto the party of the second part and the aforesaid Mary Heath joining in the deed of conveyance or the survivors of them if one be dead. And the party of the second part for and in consideration of the premises abovenamed granted conveys releases and relinquishes unto the party of the first part all his right title interest or claim in or to all and singular the portion of the aforesaid lot of land which is situate lying and being on Brown Street One hundred and twenty feet on coffee Street one hundred and six and a half feet and one hundred twenty feet on the other portion of this Lot both Lots being bounded on the back by a Lot of I P Pool to have and to hold the same to him and his heirs forever and the said parties bind their selves and their heirs to each other to warrant and forever defend all and singular the said respective parties to each other respectively against them selves their heirs and every one else lawfully claiming or to claim the same or any part thereof. And it is the further understanding of the parties to this indenture that the partition of the aforesaid lot of land which was conveyed by Vandy McBee to Frances Heath individually by deed dated the 8th day of September A.D. 1858 belonging to them jointly in as much as the said Charles Heath put up the house thereon - Given under our hand and seals on this the Sixteenth day of December in the year above written the said Charles Heath being otherwise and better known as Christian Heath and signing his name hereto as C Heath

In the presence of
William Troubridge
W M Thomas

Z Z Z

Francis Heath P.S.
his mark

Christian Heath P.S.
Frances X. Heath
Trustee for Mrs May Heath