

TITLE TO REAL ESTATE

STATE OF SOUTH CAROLINA,

COUNTIES OF GREENVILLE AND LAURENS

TRUST DEED

Whereas, B. S. Cox of Greenville County died many years ago leaving a will by the terms of which his son, F. T. Cox, acquired an interest in certain real estate belonging to the said B. S. Cox and hereafter specifically described. Thereafter the said F. T. Cox by his two deeds conveyed his interest in the said lands to J. R. Foster, Jr. The deed to the Laurens County land is dated day of March, 1931, and was recorded in the office of the Clerk of Court for Laurens County on the 28th day of March, 1931, in Book 63 at page 142. The deed to the Greenville County lands is dated the day of March, 1931 and recorded in the office of the R. M. C. for Greenville County in Book 133 at page 594. Thereafter by his deed dated the day of May, 1931, the said J. R. Foster, Jr. conveyed the Greenville County property to Mrs. Ella Cox. The deed is recorded in the office of the R. M. C. for Greenville County in Book 224 at page 34. Likewise and thereafter the said J. R. Foster, Jr. conveyed the Laurens County property to the said Mrs. Ella Cox by his deed dated the day of May, 1931. That deed has not been recorded, but is in the possession of the said Mrs. Ella Cox. Both deeds to the said Mrs. Ella Cox were delivered and were intended to carry to the said Mrs. Ella Cox the entire undivided interest of the said F. T. Cox in the B. S. Cox properties.

Now all of the heirs of the said B. S. Cox have signed deeds conveying their several interests in the B. S. Cox estate unto F. T. Cox as trustee with certain powers and duties in him. It was intended that these trust deeds carry unto the said F. T. Cox as trustee any, all and every interest in the property and estate of the said B. S. Cox. The said Mrs. Ella Cox, who is the wife of the said F. T. Cox, renounced dower on those said deeds but question has arisen as to whether or not those deeds are sufficient.

Therefore, intending that the purposes of those trust deeds be carried out the said Mrs. Ella Cox in consideration of the sum of Ten (\$10.00) Dollars to her in hand paid does by these presents grant, bargain, sell and release unto the said F. T. Cox as trustee the following described properties, to-wit:

"My undivided interest and estate in and to all that certain piece, parcel and tract of land lying and being situate in Laurens County in the State of South Carolina, near the Town of Fountain Inn, containing 20.18 acres, more or less, and known as lot No. 3 of the Scruggs' property and being the same as was conveyed to B. S. Cox by John T. Bolt as Clerk of Court and recorded in the Clerk of Court's office for Laurens County December 4, 1905 in Book 15 at page 270, and being likewise the same tract of land in which F. T. Cox conveyed his undivided interest to J. R. Foster, Jr. in March 1931 and recorded in the office of the Clerk of Court for Laurens County in Deed Book 63 at page 142. And being likewise the same tract of land in which the said J. R. Foster, Jr. conveyed his undivided interest to the grantor by a deed which has been delivered but not yet recorded.

"Also all the right, title and interest which I may have in and to a certain lot of land in the Town of Fountain Inn in Greenville County and State of South Carolina, and being known as Lot No. 44 in the subdivision of the said town of Fountain Inn, located on Jones Street and having a frontage thereon of 90 feet and running back 100 feet and being the same lot in which F. T. Cox conveyed his undivided interest to J. R. Foster, Jr. by deed dated the day of March, 1931, and recorded in the office of the R. M. C. for Greenville County in Book 133 at page 594, and being likewise the same lot of land in which J. R. Foster, Jr. conveyed his undivided interest to Mrs. Ella Cox by his deed dated the day of May, 1931, and recorded in the office of the R. M. C. for Greenville County in Book 224 at page 34."

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 said premises before mentioned unto the said F. T. Cox, his successors and assigns forever for the following purposes, to-wit:

(1) To hold title to said property, rent the same and collect the rents and profits therefrom and make such necessary repairs as may be necessary.

(2) To sell the said property or any portion thereof at either private or public sale and to convey the lands by deeds in fee simple.

(3) To collect the proceeds of any sale and to pay over to the heirs of the said B. S. Cox any rents and profits which he may have in hand and the proceeds of any sale which may be made according to the law for the distribution of intestate estates in the State of South Carolina.

(4) That said sale or sales may be for cash or for part cash and the balance on mortgage of the conveyed premises. And should any such sale or sales be made on mortgage then the said trustee shall have authority to collect the said indebtedness and pay over the proceeds to the said heirs when collected.

(5) The purchaser or purchasers at any such sale or sales shall not be required to see that the proceeds of such sale or sales are properly accounted for, such accountancy to be the sole duty of the trustee.