

TITLE TO REAL ESTATE

The State of South Carolina,  
COUNTY OF GREENVILLE.

WHEREAS, on or about July 1, 1942 I conveyed to Ben K. Norwood, as Trustee, lots 31 and 32 in Washington Heights, as appears from deed recorded in Office of R. M. C. for Greenville County, S. C., Vol. 245 at page 370; and

WHEREAS, through error I thereafter, on or about December 29, 1942, undertook to convey the same two lots to Fannie C. Norwood, as Trustee for Frances N. Funderburk, as appears from deed recorded in said Office in Vol. 250 at Page 110, and I now desire to replace two said lots with Lots Nos. 17 and 8 in Washington Heights, herein below referred to: upon a trust the terms of which are below set out, No. 8 being on different plat.

KNOW ALL MEN BY THESE PRESENTS, That I, J. W. Norwood

in the State aforesaid  
in consideration of the ~~xxxxx~~ Premises and the sum of Two  
DOLLARS

to me  
in hand paid, at and before the sealing of these presents by  
Fannie C. Norwood, as Trustee for Frances N. Funderburk and others,

~~XXXXXXXXXXXX~~ 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 Fannie C. Norwood, as Trustee for Frances N. Funderburk and others.

All those two certain Lots of land in or near the City of Greenville, Greenville County, State of South Carolina, being known as Lots Nos. 17 and eight (8) of a subdivision known as Washington Heights, Lot 17 more fully described on a plat thereof recorded in Office of R. M. C. for Greenville County in Plat Book F at page 54, and Lot 8 on plat in said Book at page 216.

In-Trust, however, for the following uses and purposes, to-wit:-

(1) To rent, manage and care for same and to collect all income therefrom, the net income (after payment of costs of collection, taxes, insurance and cost of up-keep) to be paid Frances N. Funderburk as long as she lives.

(2) If Frances N. Funderburk should die, leaving one or more descendants, then the trust shall continue in Fannie C. Norwood and her heirs until - and only until - the youngest child of said Frances N. Funderburk that shall become twenty-one years of age shall reach the age, the net income to be used for the maintenance of her said children, the children of any deceased child to share in the parent's stead. At the termination of the trust as above provided the title in fee simple, with any unused accumulation, to vest equally in the descendants of the said Frances N. Funderburk, per stirpes and not per capita, free of all trusts.

(3) If Frances N. Funderburk should die, leaving no descendants, surviving her, then the title shall vest in fee simple, equally in George Norwood, John W. Norwood, Jr., Benjamin K. Norwood and Oliver Norwood, free of all trusts; but if any of them be dead, the share of any such deceased persons shall go to those who would then answer the description, "his heirs", if he had just died, - in the proportions then fixed for "heirs" under the Statute of Distributions of the State of South Carolina.

The Trustee herein shall have full power to sell, and resell, the property as often as she may deem advisable, and make good and sufficient deed or deeds therefor in said Trustee's discretion at any time, and upon each of such sale shall promptly reinvest the trust funds in other unencumbered real estate without accountability to any beneficiary beyond the requirements of ordinary prudence, and the said Trustee has full power to make fee simple deed or deeds upon sale or resale, and no purchaser at such sale or resale shall be in any way responsible for the application of the proceeds. The Trustee shall not be accountable for fire loss, if in the exercise of discretion such Trustee shall leave the property uninsured, or if it be insured below its value.