

State of South Carolina,
County of Greenville.

This agreement made this the 14th, day of April 1921, between Mrs. A.C. Ferguson, of the first part, and R.L. Cruikshank Trustee of the Second Part, both of the City and County of Greenville, State of South Carolina, Witnesseth:

That whereas the two parties own each a lot in the City of Greenville adjacent to each other, and fronting on Penikese St. The lot of Mrs. Ferguson's being described in a deed from Joseph B. Scruggs to L.B. Cline, made in 1880, and registered in book K.K., page 418, of the Record of Deeds for Greenville County and the said Mrs. Ferguson, desires now to improve her lot by placing thereon a two story and basement brick store building. Now therefor it is agreed that she will set the partition wall between them one half on her ^{own} ground and one half on the ground of the second party, according to the provisions of the statute law of South Carolina, in regard to such party walls. And that when hereafter the second party or any person for whom he holds the title in trust there heirs or assigns shall use said wall, he or they shall pay to the first party or her legal represent for one half of said partition wall, so far as he or they make use of the same, as is also provided by existing statute in said State.

The second party grants to the first party, the right to remove the present wall of a small wooden building now on his lot, next to the division line, by taking off a sufficient distance, say nine or ten inches, on that side of the small building, as will give room for her to bring up this party wall - provided that the first party shall set in a temporary board wall on that side at her own expence, and as soon as the brick wall is up, take out this temporary partition so that the new brick wall, will serve for the wall of his small wooden building on that side. In witness whereof the said parties have hereunto set their hands and seals the date above written.

Witness:

W.B. Anthony,
Edna Berre,

Mrs. A.C. Ferguson
By E.B. Cline, (Seal)
R.L. Cruikshank, (Seal)
Trustee.

State of South Carolina,
County of Greenville.

Personally appeared before me W.B. Anthony who upon oath says that he saw Mrs. A.C. Ferguson by E.B. Cline and R.L. Cruikshank, Trustee sign, seal and deliver the foregoing written instrument, and that he with Edna Berre witnessed the execution thereof.

Sworn to before me this 11,

day of July 1921

W.D. Browning

Notary Public for



W.B. Anthony

Recorded July 11th, 1921.

State of South Carolina,
County of Greenville.

Know all men by these presents, that I, Clara M. Davenport, as general guardian of the minors, Constance Davenport, Malcolm C. Davenport, Luther M. Davenport, Martha Davenport and Dan D. Davenport, and pursuant to the authority vested in me by order of Circuit Judge, T.J. Mauldin, in the case of Clara M. Davenport, as general guardian vs. Constance Davenport et al., and in consideration of the sum of Seven hundred and fifty (\$750.00) Dollars, to me in hand paid at and before the sealing and delivery of these presents by S.H. Kress and Co., a corporation of the state of New York, do hereby sell, convey and release unto the said S.H. Kress and Co., its successors and assigns the northern one-half of a certain brick wall of the Davenport building on Laurens Street in the City of Greenville, South Carolina, extending the present entire height of said wall and running back from Laurens Street to a depth of only 115 feet, it being understood and agreed that no part of the fee of the soil upon which the wall of the said Davenport building now stands, shall pass to or be vested in the said S.H. Kress and Co., or its successors or assigns.

To have and to hold all and singular the said one-half of said brick wall unto the said S.H. Kress and Co., its successors and assigns forever.

And I do hereby bind myself, as general guardian of the said minors, and my successors, and said minors, to warrant and forever defend the same unto the said S.H. Kress and Co., its successors and assigns, against me as general guardian aforesaid, and my successors, the said minors and all other persons lawfully claiming said wall, or any part thereof.

Witness my hand and seal this the 9th, day of July in the year of our Lord one thousand, nine hundred and twenty-one in the one hundred and forty-sixth year of the Independence of the United States of America.

(Stamp \$1.00)

Mrs. Mattie Foster,
A. R. Wood,

Clara M. Davenport (Seal)
As general Guardian of Constance Davenport,
Malcolm C. Davenport, Luther M. Davenport,
Martha Davenport and Dan D. Davenport

State of South Carolina,
County of Greenville.

Personally appeared before me, A.R. Wood and made oath that he saw the within named Clara M. Davenport, as general guardian of Constance Davenport, Malcolm C. Davenport, Luther M. Davenport, Martha Davenport and Dan D. Davenport sign, seal and as her act and deed deliver the within written deed or instrument and that he with Mrs. Mattie Foster witnessed the execution thereof.

Sworn to before me this ninth

day of July, A.D. 1921

R.H. Bearden (L.S.)

Notary Public for S.C.



A.R. Wood

Recorded July 11th, 1921.