

State of South Carolina
County of Greenville

Whereas, Susan L. Mills owns certain land near the City of Greenville, S. C. on Augusta Road, and has by numerous deeds conveyed away most of said land, and did by deed dated February 23, 1923, convey to L. L. Ashmore Lot no. 13, Block 2 of the property of O. P. Mills as shown on plat recorded in the R. M. Co. office for Greenville County in Plat Book 6, at page 176, said deed being recorded in said office in Volume 89, at page 202; and

Whereas, the said L. L. Ashmore, by deed dated the 1 day of January, 1924, conveyed said premises to J. A. Moon, said deed being recorded in the R. M. Co. office for Greenville County, in Volume 102, at page 20, and;

Whereas, both deeds contained the following conditions:

- (1) That no part of said lot shall be sold to any person or persons of African descent;
- (2) That no dwelling shall be erected on said lot costing less than \$3,500.00 except out houses;
- (3) That no dwelling shall be erected on said lot that does not conform to the building laws as now established;
- (4) That no building now erected, or which shall be hereafter erected on said lot, shall ever be used to carry on mercantile business or store room;
- (5) That the grantee, his heirs or assigns shall construct a sidewalk along the entire frontage of said lot, four feet wide and four inches thick.

And Whereas, in said deeds it was stipulated that these conditions were conditions subsequent, and in the event they are not said property shall revert to the grantor, or his heirs and assigns; and

Whereas, some question has arisen in regard to the interpretation of the said conditions; and

Whereas, it was not intended by said conditions to create a conditional limitation, the violation of which would operate as a forfeiture or reversion of the property, but it was the intention of the grantor to create building restrictions for the benefit of all persons who purchased said lots, which restrictions could be enforced by the owner of any lot; and

Whereas, by release dated June 25, 1921, the original grantor Susan L. Mills released said property from said conditions and declared said conditions to be by way of building restrictions only;

Now Therefore, in consideration of the premises and the sum of One (\$1.00) Dollar to me in hand, I hereby release said property conveyed to J. A. Moon from said conditions, and declare that it was not intended by said deed to create a conditional limitation upon the title (nor was it intended by said deed to create a conditional limitation upon the title, nor was it intended that a violation of the conditions should work a forfeiture of the title, but said conditions are hereby expressly declared to be by the way of building restrictions.

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