

No Stamps

DISTRICT OF COLUMBIA)
City of Washington)

For True Consideration See Affidavit
Book 3, Page 128

KNOW ALL MEN BY THESE PRESENTS: That

WHEREAS, by deed dated October 27th. 1933, recorded in the office of the Register of Mesne Conveyance for Greenville County, South Carolina, in Vol. 159, page 353, on the 28th. day of October, 1933, E. INMAN, Master in and for the County of Greenville, South Carolina, conveyed to E. W. MONTGOMERY COMPANY, a corporation,

"All those two certain lots of land situate in the State and County aforesaid, being a part of the lands of said Company known as "Melrose", said lots being known and designated on a plat of said land made by Carter and Pringle, Surveyors, which plat is recorded in R. M. C. Office for Greenville County, S. C., as lots number 12 and 13 of block A, fronting fifty feet each on Melrose Avenue and running back to Southern R. R. Company's right of way. Plat recorded in plat book "A" page 156, R. M. C. Office for Greenville County."

and

WHEREAS, by deed dated March 8, 1938, recorded on the same date in said office of the Register of Mesne Conveyance for Greenville County, South Carolina, in Book 202 of Deeds, page 247, SUNIE STATON conveyed to said E. W. MONTGOMERY COMPANY:

"All that piece, parcel or lot of land in Greenville Township, Greenville County, State of South Carolina, being known and designated as Lot No. 14 in Block A. in a subdivision known as Melrose Heights, which Plat is recorded in the R. M. C. Office for Greenville County in Plat Book A, page 157, said lot having a frontage on Melrose Avenue of 50 feet and running back to the Southern Railroad Company's right of way. Being the same conveyed to me by Annie C. Coln by her deed dated July 12, 1929, and recorded in Deed Book 127, page 431, R. M. C. Office for Greenville County."

and

WHEREAS, the said lands conveyed to E. W. Montgomery Company as aforesaid are contiguous parcels fronting 150 feet on Melrose Avenue (or Green Street) and extending therefrom northwestwardly, between parallel lines 150 feet apart, toward the main track of Southern Railway Company running between Greenville and Columbia: and

WHEREAS, Southern Railway Company owns an easement one hundred (100) feet in width, extending southeastwardly from the center line of its main track aforesaid which covers and encumbers the said property hereinafore mentioned, and the said E. W. Montgomery Company desires to clear its title of the said encumbrance and has agreed with Southern Railway Company upon a divisional line between its said property and the right of way of said Railway Company;

NOW, THEREFORE, in consideration of the sum of FIVE DOLLARS (\$5) to it paid by the said E. W. MONTGOMERY COMPANY, and of other good and valuable considerations it thereunto moving, receipt of all of which is hereby acknowledged, SOUTHERN RAILWAY COMPANY, a corporation of the State of Virginia, has aliened, remised, released, relinquished and forever quitclaim, and by these presents does alien, remise, release, relinquish and forever quitclaim unto the said E. W. MONTGOMERY COMPANY,

ALL of the right, title and interest of Southern Railway Company in and to

All that part of the land heretofore conveyed to said E. W. Montgomery Company by the said E. Inman, Master, by deed dated October 27, 1933, and by the said Sunie Staton, by deed dated March 8, 1938, hereinbefore recited, which lies southeast of a line running parallel with and at all points forty (40) feet distant southeastwardly from the center line of said main track of Southern Railway Company, being a strip of land sixty (60) feet in width extending southwestwardly from the southwest line of the property conveyed to Greenville Bonded Warehouse Company by E. W. Montgomery Company by deed dated December 6th. 1933, recorded in the office of the Register of Mesne Conveyance for Greenville County, South Carolina, in Vol 116, page 526, December 9th. 1933, thence to the southwesterly limit of the land of said E. W. Montgomery Company at the dividing line between lots 14 and 15 in Block A. of said subdivision known as Melrose Heights.

TO HAVE AND TO HOLD the same unto the said E. W. MONTGOMERY COMPANY, its successors and assigns, forever.

IT IS UNDERSTOOD AND AGREED by and between the parties hereto:

(1) that Southern Railway Company is the owner of a right of way over the strip of land forty (40) feet in width lying next southeast of the center line of said main track clear and free of any claim of said E. W. Montgomery Company, and (2) that any fence, structure or other facility or improvement of said E. W. Montgomery Company, or any part thereof, which may now exist upon or extend beyond or northwestwardly from said line running parallel with and forty (40) feet distant southeastwardly from the center line of said main track (the said line being now the divisional line between the lands of the parties hereto) is and may remain as located and constructed, by agreement of the parties, and subject to the right of the Southern Railway Company to require removal thereof at any time hereafter as and when necessary for said Railway Company to use for its own purpose the right of way forty (40) feet in width or any part thereof so occupied.

IN WITNESS WHEREOF, Southern Railway Company has caused these presents to be executed, and its corporate seal to be hereunto affixed and attested, by its officers thereunto duly authorized, on this the 27th. day of April, in the year of Our Lord one thousand nine hundred and thirty-nine and in the one hundred and sixty-third year of the Sovereignty and Independence of the United States of America.

Signed, sealed and delivered
in presence of:

R. P. Nicholson
Charles G. Day
Subscribing witnesses.



SOUTHERN RAILWAY COMPANY,
By- John B. Hyde-
Vice President
L. S.
ATTEST:
Guy E. Mauldin
Asst. Secretary