

TITLE TO REAL ESTATE

The State of South Carolina,
County of Greenville.

Declaration and Bill of Trust

I, James Garrison, do hereby acknowledge that Robert C. Abercrombie furnished the money with which to pay the purchase price of the Super Highway Service Station, located on a corner of Bennett Street and the new Super Highway between Greenville and Spartanburg, in the City of Greenville, County and State aforesaid, and that title to said service station was taken in my name, although I had, and now have, no ownership interest therein, but the said Robert C. Abercrombie was, and still is, the real and beneficial owner thereof.

Now, Therefore, in consideration of the facts above recited, and of the sum of One Dollar to me in hand paid by the said Robert C. Abercrombie, the receipt whereof is hereby acknowledged, I do hereby hold the legal title to said service station in trust for the use and benefit of the said Robert C. Abercrombie, his personal representatives and assigns, with no duty to perform by reason hereof other than the use of reasonable care in preventing the loss or destruction thereof, and with no authority to sell, dispose of or encumber the same or any part thereof, and with no other power or authority in respect thereto other than what is reasonably necessary in the exercise of the duty above mentioned; the operation of said filling station, whether the same be me or some other person or corporation, must be chosen, and all terms and conditions of all agreements, with said operation and touching all other matters relating to said service station, must be made with the consent and approval of the said Robert C. Abercrombie, his personal representatives or assigns, and my operation and conduct of said service station heretofore has been, and any operation and conduct thereof in the future must be, under such an agreement and not by reason of my trusteeship herein mentioned.

That it is my further duty under this trusteeship, to account to the said Robert C. Abercrombie, his personal representatives and assigns, for any and all income or profit that may come into my hands as such trustee upon demand, without deduction for commissions and the like.

It is a further term and condition hereof, that either I, the said James Garrison, or the said Robert C. Abercrombie, his personal representatives or assigns, may at any time terminate this trust without previous notice, and I further agree to execute whatever papers that may be necessary, if any, to vest the legal title to the said trust property in the said Robert C. Abercrombie, his personal representatives or assigns, or in such other person as he or they may designate, even though such papers may be only necessary for purposes of public record.

It is a further term and condition hereof, that the said Robert C. Abercrombie, his personal representatives or assigns, and any person or persons whom he or they may designate, shall have the privilege of inspecting all equipment, inventory, records, accounts, bank books and statements, pay-rolls, and each and every other item which does now, or may hereafter, be covered by the terms of this trust; and further more, upon termination of this trust, the said James Garrison shall forthwith abdicate unto the said Robert C. Abercrombie, his personal representatives or assigns, or the person or persons whom he or they may designate, all rights of the owner of the legal title in and to said trust property, without charge for commissions, etc.

In witness whereof, I, the said James Garrison, have hereunto placed my signature and affixed my seal this 12th day of July, 1940.

Signed, sealed and delivered
in the presence of:

Charles Hunt
C. S. Bowen.

James Garrison (SEAL)
Individually and as Trustee for Robert C.
Abercrombie.

The State of South Carolina,
County of Greenville.

Personally appeared before me the undersigned deponent, who being first duly sworn, on oath says: that he saw the within named James Garrison sign, seal, and as his act and deed, deliver the foregoing instrument for the uses and purposes therein mentioned, and that he with C. S. Bowen subscribed their names as witnesses thereto.

Sworn to and subscribed before me this 12th day of July, 1940.

C. S. Bowen (SEAL)

Chas. Hunt.

Notary Public for South Carolina.

State of South Carolina,
County of Greenville,

I, Robert C. Abercrombie, do hereby, for value received, set over, transfer and assign unto William L. Hicks and Thomas A. Hicks the within Declaration and Bill of Trust this 20 day of December, 1940.

Robert C. Abercrombie

Witness: Godfrey Carter
Julius Bowens.