

Gallivan to Harold F. Gallivan, Sr., by deed dated July 5, 1935, and recorded in the R.M.C. Office for Greenville County, South Carolina, in Deed Book 176 at page 259, reference to which is hereby craved for a more complete description. Also Less However: (*continued below)

Tract No. 2: BEGINNING at a stake on the Northern side of the National Highway (Old U. S. Highway 29) where the said National Highway intersects with the Southern edge of the right of way of the Piedmont And Northern Railway Company and running thence with the Southern side of said right of way S. 66-07 W. 427 feet to a stake on said right of way at the corner of property now or formerly of M. H. Grubbs; thence with the line of the said Grubbs property S. 24-57 E. 323 feet, more or less, to a stake on the Northwestern side of said National Highway; thence with the Northwestern line of said National Highway 600 feet, more or less, to the beginning corner and containing 2.13 acres, more or less.

(T6-3-1)

This is the identical property conveyed to Harold F. Gallivan, Sr., et al by deed of J. F. Gallivan, dated July 5, 1935, and recorded in the R.M.C. Office for Greenville County, South Carolina, in Deed Book 176 at page 259. This deed contains certain limitations which have been construed by the Court of Common Pleas for the State of South Carolina, County of Greenville, in the case of Frank E. R. Siena, as Trustee and Attorney-in-Fact for James G. Bannon, et al v. Harold F. Gallivan, Jr., et al (See Judgment Roll No. J-4053 in the Office of the Probate Judge for Greenville County, South Carolina) as follows:

1. A primary life estate to Harold F. Gallivan, Sr.;
2. A secondary life estate to his children who survived him.

Harold F. Gallivan, Sr. died some time in August, 1937, survived by three children, the grantees herein. See Apartment 380 File 5 in the Office of the Probate Judge for Greenville County, South Carolina;

3. A remainder in fee which was held to violate the South Carolina Rule Against Perpetuities. The court held that the interest represented by this void remainder passed as a reversionary interest under the residuary clause of the grantor, J. F. Gallivan to his wife, Susan C. Gallivan; (see Apartment 344 File 14 in the Office of the Probate Judge for Greenville County, South Carolina) and subsequently passed under Item II of Susan C. Gallivan's Will as follows: One-half interest to James G. Bannon; one-sixth interest to Harold F. Gallivan, Jr.; one-sixth interest to James F. Gallivan; and one-sixth interest to Frances Gallivan Lineberger (see Apartment 599 File 51 in the Office of the Probate Judge for Greenville County, South Carolina).

(continued below)

TOGETHER with all and singular the Rights, Members, Hereditaments and Appurtenances to the said Premises belonging, or in anywise incident or appertaining.

TO HAVE AND TO HOLD all and singular the Premises before mentioned unto the said James F. Gallivan, Harold F. Gallivan, Jr. and Frances G. Lineberger,

their Heirs and Assigns forever.

(continued from above)

This deed is executed by James G. Bannon as the owner of a one-half undivided interest in the reversion in fee in the above described property in order to vest in the grantees herein full fee simple title to the premises hereinabove described. Frank E. R. Siena joins in signing of this deed as Trustee and Attorney-in-Fact for the said James G. Bannon. See Deed Book 707 at page 197 in the R.M.C. Office for Greenville County, South Carolina.

*Tract No. 1: (continued from above)

All that piece, parcel or portion of Tract No. 1 conveyed to C. S. Hammett, et al, as trustees of Greenville County School District No. 9-B by deeds recorded in the R.M.C. Office for Greenville County, South Carolina, in Deed Book 258 at pages 303 and 304.