

STATE OF SOUTH CAROLINA)
)
COUNTY OF GREENVILLE)

IN THE COURT OF COMMON PLEAS

83-CP-23-532

Ex Parte:)
)
Milford D. Kelly and)
J. S. Mars,)
)
In re:)
)
Deed of Milford D. Kelly to West)
Georgia Road Corporation, dated)
March 31, 1982.)

PETITION

88. 10. 10 6/82
J. S. Mars

The Petitioners respectfully petition and show to the Court:

I.

That the Petitioner, Milford D. Kelly, is a resident of the County of Greenville, State of South Carolina, and was the record owner of a tract of land situate near the intersection of U. S. Highway No. 276 and West Georgia Road in Greenville County, South Carolina; that Milford D. Kelly entered into an agreement with the Petitioner, J. S. Mars, dated February 27, 1982, for the sale of the foregoing property to a corporate entity to be formed, of which the said J. S. Mars was to be an officer and a principal; that thereafter the Petitioner, J. S. Mars, retained counsel in Columbia, South Carolina to take all steps necessary to form a South Carolina corporation under the name of West Georgia Road Corporation.

II.

That on March 31, 1982, the transaction was closed and Milford D. Kelly executed and delivered to West Georgia Road Corporation a deed conveying the subject premises; that Milford D. Kelly received a portion of the purchase price in cash, together with a promissory note and purchase money mortgage securing the balance due; that at all relevant times the Petitioner, J. S. Mars, was informed, advised, and believed that West Georgia Road Corporation was duly organized and existing and that he was vested with full authority to enter the transaction and execute the appropriate documents. That the aforesaid deed was duly recorded in the RMC Office for Greenville County in Deed Book 1164, at page 821 on April 1, 1982.

