

MORTGAGE OF REAL ESTATE

State of South Carolina
County of Greenville

Whereas, one D. P. Montgomery late of the County of Greenville, State of South Carolina, on September 5, 1938 executed and delivered to one W. P. Cantrell late of the County of Greenville, State of South Carolina, a mortgage in the amount of four hundred dollars covering the tract of land hereinafter described which mortgage was executed in the R. M. C. Office for Greenville County in mortgage book volume 275, page 306, and whereas the said D. P. Montgomery has subsequent to the execution of this mortgage departed this life intestate, and

Whereas, the said W. P. Cantrell, subsequent to the execution of said mortgage, has departed this life leaving in force and effect his last will and testament which was duly admitted to probate in the Probate Office, Greenville County, South Carolina, and is on file in said office in Apartment 448, file 22, and by the terms of said will said W. P. Cantrell, after making certain specific bequests, willed and devised the residue of his estate to the undersigned, Connie Maxwell Orphanage of Greenwood, South Carolina, and

Whereas, by the provisions of said will, C. G. Wyche, Attorney of Greenville, South Carolina, was named executor; that the said C. G. Wyche duly qualified as executor of said estate and has fully administered upon said estate and has been discharged as executor thereof; that the mortgage hereinabove referred to was not included as an asset of the W. P. Cantrell Estate nor is there any record of its assignment as required by law, nor have we any knowledge of such, otherwise, nor can said mortgage be located. The records of the Public Office in connection with the estate of the said W. P. Cantrell show that all special bequests and obligations have been paid and should any balance remain unpaid upon said mortgage, same would constitute as asset of the W. P. Cantrell Estate and passed under the residue clause of said will to the undersigned; that the undersigned does hereby disclaim any interest in or right to said mortgage or any balance that might remain unpaid thereon and accordingly, for value received, does hereby specifically as devisee under the will of the said W. P. Cantrell release from the lien of said mortgage the tract of land covered by said mortgage and more particularly described as follows, to-wit:

All that tract of land situate in O'Neal Township, Greenville County, South Carolina, on the McElhaney Road, containing thirty acres, more or less, adjoining lands of Arthur Neves, Tom Fowler, Dave Stiles, et al, and being the same tract of land conveyed to D. P. Montgomery by Emily Marchbanks by deed dated October 26, 1896, recorded in book CCC, page 404, in R. M. C. Office for Greenville County.

Furthermore, the undersigned does hereby represent and declare that it has not transferred or assigned said mortgage or the note it secures.

It is the intention of the undersigned that this instrument shall serve as a release of the tract of land hereinabove described from the lien of said mortgage and it is the intention of the undersigned that this release shall inure to the benefit of the heirs of the said D. P. Montgomery, Deceased, and to the purchaser or purchasers of said tract of land above described, their heirs, administrators, executors, and assigns.

This the 28th day of January, 1946.

In presence of:

John C. Murdoch

Bonnie Shields

Connie Maxwell Orphanage (L.S.)

By A. T. Jamison

Sup't. & Treas.

State of South Carolina
County of Greenwood

Personally appeared before me John C. Murdoch and made oath that he saw the within named Connie Maxwell Orphanage by A. T. Jamison, Superintendent and Treasurer, sign, seal and as its act and deed deliver, the within instrument for the uses and purposes therein mentioned, and that he with Bonnie Shields witnessed the execution thereof.

Sworn to before me this 28th
day of January 1946.

Emmie B. Carlay (SEAL)

N. P. S. C.

John C. Murdoch