

It further appearing from the verified Complaint that the Defendant claims a lien against said property adverse to Plaintiff based on a certain mortgage executed by the Plaintiff to the Defendant on August 11, 1961, which mortgage was recorded in Mortgage Book 865 at Page 440 in the R.M.C. Office for Greenville County, State of South Carolina.

It further appearing that the Defendant was to build the Plaintiff a shell home on the property in question as consideration for the said mortgage; that the Defendant failed to build such home; that no payment has been made on the mortgage since it was placed on record; and that no demand for payment has been made by the Defendant.

I find as a fact that this Court has jurisdiction over the parties and the subject matter of this action. I further find as a fact that the Plaintiff herein is the fee simple owner of the subject property as described in the Complaint; that the Defendant has failed to comply with the consideration of the said mortgage; that the Defendant is now in Default. Therefore, upon motion of Edwards and Wood, Attorneys for the Plaintiff,

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IT IS ORDERED, ADJUDGED AND DECREED that the mortgage from the Plaintiff to the Defendant herein as recorded in Mortgage Book 865 at Page 440 in the R.M.C. Office for Greenville County, State of South Carolina, is hereby declared null and void.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the Recorder of Mesnes Conveyances for the State and County aforesaid is hereby authorized to cancel said mortgage and mark it off the record.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the title to the subject property be and it is hereby vested in the Plaintiff free of any and all claims of any or all persons claiming any interest in said property by way of the above described mortgage.

IT IS SO ORDERED.

*C. Victor Pyle, Jr.*

Judge, Greenville County Court  
C. VICTOR PYLE, JR.  
GREENVILLE COUNTY COURT  
SPECIAL JUDGE

9-30, 1976

Greenville, South Carolina