

TITLE TO REAL ESTATE

STATE OF SOUTH CAROLINA,
COUNTIES OF Greenville and Laurens.

Whereas, B. S. Cox of Greenville County died many years ago leaving a will by the terms of which his property was to go to his widow for her life or widowhood. The will makes provision for the disposition of such property in case the widow (Mrs. Beuna Cox) should remarry, but it does not provide for any disposition upon the death of the widow.

As sole heirs at law the said B. S. Cox left surviving him, his widow, Mrs. Beuna Cox, and seven children, to-wit: Byrd Cox, J. T. Cox, Mrs. Vinnie Brockman, Mrs. Nemma Westmoreland, Mrs. Tennie O. Martin, Mrs. Donnie Quillen, and F. T. Cox, The said Byrd Cox died intestate and unmarried; Mrs. Brockman has died intestate leaving as her sole heirs her husband, T. W. Brockman, and a daughter, Mrs. Mayne Kelly; Mrs. Quillen has died intestate, leaving as her sole heirs her husband, Robert Quillen, and an adopted daughter, Mrs. Louise Foster; and the life tenant, Mrs. Beuna Cox has died intestate leaving the same heirs as her late husband, B. S. Cox.

There remains two tracts or lots of land (one in Greenville County and one in Laurens County) belonging to the estate of said B. S. Cox. The heirs of the estate desire to sell the lands. The executor is not authorized by the will to sell.

Now in order to facilitate the sale of said lands and enable the heirs to close the estate of B. S. Cox with as little expense as possible; it is desirable that the lands be conveyed to a trustee with certain specified powers:

Therefore be it known: That Mrs. Namma Westmoreland, Mrs. Tennie O. Martin, F. T. Cox, Mrs. Mayne Kelly, Robert Quillen and Mrs. Louise Foster of the State of South Carolina in consideration of One dollar to us in hand paid and the premises by F. T. Cox have granted, bargained, sold and released, and by these presents do grant, bargain, sell and release unto the said F. T. Cox as trustee all our right, title and interest in and to the following described lots or parcels of land:

"All that certain piece, parcel or lot of land in the town of Fountain Inn, County of Greenville and State of South Carolina, and being at the corner of Gullivan and Weston Streets, and being known and designated as lot No. 44 of the Cannon and West property and having dimensions of 90 feet by 100 feet and being known and designated as the B. S. Cox home place, and being one of the lots conveyed to the said B. S. Cox by J. R. Jones, J. A. Westmoreland and others by deed dated January 2, 1893, said deed being recorded in the office of the R. M. C. for Greenville County in Deed Book YY at page 771."

"Also all that other piece, parcel and tract of land lying and being situate near the town of Fountain Inn, in Laurens County, and being the same lot or parcel of land conveyed to B. S. Cox by John F. Bolt, Clerk of Court, on December 4, 1905 by a deed recorded in the Clerk of Court's office for Laurens County in Book 15 at page 270 and more specifically described as follows: Beginning at an iron pin on Patton's corner and running thence N. 20 3/4 E. 20.24 to an iron pin just north of north bank of road; thence N. 83 1/2 E. 2.73 to another iron pin on north bank of said road; thence S. 10-35 E. 26.00 to an iron pin; thence N. 67-30 W. 16.53 to the beginning corner, containing 20.27 acres, more or less."

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 said premises before mentioned unto the said F. T. Cox, his successors and assigns forever for the following purposes, to-wit:

- (1) To hold title to said property, rent the same and collect the rents and profits therefrom and make such incidental repairs as may be necessary.
- (2) To sell the said property or any portion thereof at either private or public sale and to convey the land by deeds in fee simple.
- (3) To collect the proceeds of any sale and to pay over to the heirs of the said B. S. Cox any rents and profits which he may have in hand and the proceeds of any sale which may be made according to the law for the distribution of intestate estates in the State of South Carolina.
- (4) That said sale or sales may be for cash or for part cash and the balance on mortgage of the conveyed premises. And should any such sale or sales be made on mortgage then the said trustee shall have authority to collect the said indebtedness and pay over the proceeds to the said heirs when collected.
- (5) The purchaser or purchasers at any such sale or sales shall not be required to see that the proceeds of such sale or sales are properly accounted for, such accountancy to be the sole duty of the trustee.
- (6) That should any part, parcel or portion of said lands not be sold within six months from this date then it shall be duty of the trustee to advertise what remains and sell the same at public auction.

And we do hereby bind ourselves and our heirs, executors and administrators to warrant and forever defend all and singular the said premises unto the said F. T. Cox as trustee,