STATE OF SOUTH CAROLINA)
)
COUNTY OF GREENVILLE)

IN THE COURT OF COMMON PLEAS

FILED
GREENVILLE CO. S.C.
JUL 17 4 46 PM '79
DONNIE S. TANKERSLEY
R.M.C.

JOHN W. NORWOOD, JR.,

Petitioner,

-vs-

BENJAMIN K. NORWOOD, JR.; CONYERS NORWOOD; and GEORGE NORWOOD FUNDERBURK, individually and as Successor Trustee under Deed of Trust of J. W. Norwood dated June 20, 1919 and as Executor under the Last Will and Testament of Frances Norwood Funderburk, deceased,

Respondents

ORDER

79 CP-23-1483

This matter comes before the Court upon the verified Petition of John W. Norwood, Jr. requesting the appointment of a substitute or successor trustee to administer the Trust created by the Deed of Trust of the Petitioner's father, J. W. Norwood, dated June 20, 1919 and recorded in the Greenville County R.M.C. Office in Book 47 at page 418. The Petitioner is the last surviving income beneficiary named in said Deed of Trust. The other three income beneficiaries were Laura C. Norwood who died in 1968 without issue; Oliver Norwood who died in 1948 leaving as his sole surviving issue Conyers Norwood one of the Respondents herein; and Benjamin K. Norwood who died in 1973 leaving as his sole surviving issue Benjamin K. Norwood, Jr., also one of the Respondents herein.

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According to the provisions of Item 6 of the aforesaid Deed of Trust, the pro-rata share of an income beneficiary is set aside at the time of his or her death and delivered free of Trust to his or her lineal descendants. Thus, the Petitioner, John W. Norwood, Jr., and the Respondents, Conyers Norwood and Benjamin K. Norwood, Jr., are the persons who have a present beneficial interest in the Trust or in the Trust corpus.

The original Trustee, Fannie C. Norwood, died on July 7, 1964 and by her Last Will and Testament and in accordance with Item 7 of the aforesaid Deed of Trust, she appointed Frances Norwood Funderburk as Successor Trustee. Frances Norwood Funderburk

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