

State of South Carolina

County of Greenville

Agreement

This agreement made and entered into this 19th day of December, 1929, by and between Mrs. Nellie H. Mackey, individually and as Executrix of the last will and testament of James F. Mackey, deceased (hereinafter designated as Party of the First Part) and Margaret M. Grimball, Charles E. Mackey, and Nellie M. Stall (hereinafter designated as Parties of the Second Part):

WITNESSETH:

Whereas the Party of the First Part heretofore took a certain tract of land under the last will and testament of James F. Mackey, deceased, with power to sell and convey the same, said land being situate and lying on Arlington Avenue, Sumner and Pendleton Streets in the City of Greenville, lying between Arlington Avenue and Pendleton Street, as is shown upon a plat thereof prepared by R. E. Dalton, Engineer, December, 1921, and recorded in the R. M. C. Office for Greenville County in Plat Book "F", at page 20; and

Whereas the Party of the First Part had a plat of said property prepared, which shows a ten (10) foot alley along the rear of lots Nos. 5, 6 and the lot sold to Charles E. Mackey and along the eastern side of Lot No. 7, on which plat said alley extended from Arlington Avenue to the Southern side of Lot No. 4 at a distance of One Hundred Seventy Eight (178) feet, more or less, and

Whereas subsequent to the making of said plat as recorded in Plat Book "F", at page 20, the Party of the First Part under the powers given to convey and transfer said property, individually and as Executrix of the will of James F. Mackey, deceased, conveyed Lot No. 5, as shown on said plat, to her daughter, Nellie M. Stall, lot No. 6, on the plat above referred to, to her daughter Margaret M. Grimball, and the lot at the Southeastern corner of the intersection of Arlington Avenue and Sumner Street, known as the Charles E. Mackey lot to her son, Charles E. Mackey, and thereafter conveyed by deeds to her daughters, Nellie M. Stall and Margaret M. Grimball, portions of lot No. 7 of said plat lying immediately in the rear of their respective lots Nos. 5 and 6, and the portion of said proposed alley lying in the rear of lots Nos. 5 and 6; and

Whereas it was never the intention of Nellie H. Mackey, individually and as Executrix of the last will and testament of James F. Mackey, deceased, to have said alley open and utilized, and said alley has never been open or utilized as a passageway by any of the parties hereto, and it being the desire of the said Party of the First Part and with the consent of the said Parties of the Second Part, being the respective owners of the land bordering on the said alley as shown on the plat above referred to, that said alley be closed.

Now, therefore, the Parties of the Second Part do hereby grant unto the Party of the First Part, to-wit: Nellie H. Mackey, individually and as Executrix of the last will and testament of James F. Mackey, deceased, her heirs, assigns, and successors in office, any and all rights that either or any of them may have to keep said alley open. It is, therefore, mutually covenanted and agreed by the parties hereto that the said alley, as shown upon the plat recorded in the R. M. C. Office for Greenville County in Plat Book "F", at page 20, shall be from henceforth closed.

Witness our hands and seals this, the day and year first above written.

In the Presence Of:

H. L. Lowery

J. A. Hendricks

Nellie H. Mackey (L.S.)

Executrix of the last will of James F. Mackey deceased.

Nellie H. Mackey (L.S.)

Party of the First Part.

Chas. E. Mackey (L.S.)

Nellie M. Stall (L.S.)

Margaret M. Grimball (L.S.)

Parties of the Second Part.

State of South Carolina

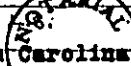
County of Greenville

Personally appeared before me H. L. Lowery and made oath that he saw the within named, Mrs. Nellie H. Mackey, individually and as Executrix of the last will and testament of James F. Mackey, deceased, Party of the First Part and Nellie M. Stall, Margaret M. Grimball, and Charles E. Mackey, Parties of the Second Part, sign, seal and as their act and deed deliver the foregoing agreement, and that he with J. A. Hendricks, witnessed the execution thereof. Sworn to and subscribed before me this 19th day of December A. D. 1929.

Mrs. Leilah E. Sanders

Notary Public for South Carolina

H. L. Lowery



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