

State of South Carolina, COURT OF COMMON PLEAS,
County of Greenville,

EX Parte:
B. E. Geer, H. P. McGee, Franklin Real
Estate and Investment Company and First
& Merchants National Bank of Richmond,
Virginia,

Petitioners. PETITION.

IN RE:
H. P. McGee, C. B. Martin and B. E.
Geer as Trustees.

Your Petitioners respectfully show to the Court:-

I.

That heretofore, to-wit, on April 8, 1927, your Petitioners, B. E. Geer, H. P. McGee,
and Franklin Real Estate and Investment Company, conveyed certain lands hereinafter describ-
ed to H. P. McGee, C. B. Martin and B. E. Geer, as Trustees:-

"(1) In trust to hold the legal title to said land with power to lease the same, make
necessary repairs to any buildings, to pay taxes, insurance and balance of proceeds to be
applied to payment of interest on indebtedness hereinafter referred to:

"(2) With power to subdivide said lands where deemed advisable and with power to sell
the said lands as a whole or in parcels at any time and on such terms as may be determined,
the proceeds of sale, or so much as may be necessary, to be applied to the payment of the
interest and principal on the obligation hereinafter set forth.

"(3) The title to said lands is to be held by said Trustees in trust as security for
the payment of a certain note or notes executed by H. P. McGee to B. E. Geer, aggregating
the sum of \$75,000.00 said notes to bear interest at the rate of 7% per annum, payable semi-
annually which notes will become due and payable five years after date, and if said notes
are not paid at that time, the Trustees shall sell said property, or so much as may be nec-
essary, applying the proceeds, or so much as may be necessary, to the payment of said in-
debtedness and interest.

"(4) After payment of the said debts the remainder, whether in lands or proceeds of
sale, shall be surrendered and delivered to H. P. McGee."

II.

That the First & Merchants National Bank of Richmond, Virginia, is the holder for
value in due course of said note and /or notes described in Section (3) of Paragraph I.

III.

That the property involved in this matter and covered by these trusts is described
as follows:-

(1) Lots Nos. 5 and 6 of subdivision known as "Providence", as shown on plat recorded
in Plat Book "A", at page 411; 8 acres known as Section 1 of Buist lands as shown on plat
recorded in Plat Book "C", at page 10; 1.54 acres on north Main Street Extension. All of
said property being more fully described in deed from Franklin Real Estate and Investment
Company to H. P. McGee, et al, as Trustees, recorded in the R. M. C. Office for Greenville
County in Deed Book 132, at page 25.

(2) Lots Nos. 11, 29, 12, and 28 and an undivided one-half interest in Lots Nos. 10
and 30 as shown on plat recorded in Plat Book "E", at page 146. Being more particularly
described in a deed from H. P. McGee to H. P. McGee, et al, as Trustees, recorded in the
R. M. C. Office for Greenville County in Volume 101 at page 439.

(3) 421 acres, more or less, on the South Saluda river known as Blythe Sheals; 47
acres, more or less, in Cleveland Township on the South fork of the Saluda river; 250 acres
more or less, in Cleveland Township lying on the South Saluda River. All of said land
being more particularly described in a deed from B. E. Geer to H. P. McGee, et al, as Trustees,
recorded in the R. M. C. Office for Greenville County in deed Book 60 at page 491.

(4) Certain property lying in Ward II of the City of Greenville known as the Jones
property, together with a triangular strip fronting on the Northwest side of Center Street,
being more particularly described in a deed from H. P. McGee to H. P. McGee, et al, as
Trustees, recorded in the R. M. C. Office for Greenville County in Volume 85 at page 599.

(5) 185 acres, more or less, in Pumpkin Town Township, Pickens County; 4 acres, more
or less, on the South side of the South Saluda River in Pickens County; 11 acres, more or
less, on the South Saluda River in Pickens County; being more particularly described in a
deed from B. E. Geer to H. P. McGee, et al, as Trustees, recorded in the R. M. C. Office for
Greenville County in Volume 111 at page 604, and in the office of the Clerk of Court for
Pickens County in Volume 111 at pages 651-652.

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