

State of South Carolina,
County of Greenville.

One L. M. Jones of the County and State aforesaid, died many years ago leaving a will which was duly admitted to probate and is now filed in the office of the Probate Court for Greenville County in Apartment (49, File 9.) By the terms of that will and the codicils thereto, the said L. M. Jones left all of his property to his widow, Martha C. Jones, for the term of her natural life and upon her death to his three nephews, James Allen McKinney, William Jefferson McKinney, and Thomas Franklin McKinney, with the proviso and upon the condition that "Neither of them nor their heirs shall sell their interest in said land within the term of ninety nine years, and in case either of them or their heirs should attempt to do so, then the interest of such legatee or heir shall be equally divided among the other residuary legatees under my will"; and with a further limitation reading as follows: "to have and to hold the same in severalty, to them and their respective heirs of their respective bodies, subject to conditions contained in the fifth clause (that just quoted); and in case either or any of them should die without issue, the interest of the one or ones so dying to go to the survivor or survivors."

At the time the said will was made, and at the time of the death of the said L. M. Jones, all three of the aforesaid legatees, that is--James Allen McKinney, William Jefferson McKinney, and Thomas Franklin McKinney--were minors and neither had a child or children.

The will further provides that upon the death of the life tenant the lands of the testator were to be divided by commissioners and each of the aforementioned three parties was to be put into possession of the tract of land set off to him. And after the death of the life tenant, the lands were so divided by commissioners and each of the said parties put into possession of a portion thereof.

Since the death of the said L. M. Jones, all three of the aforementioned legatees, that is --James Allen McKinney, William Jefferson McKinney, and Thomas Franklin McKinney-- have married and have had born unto them each a child or children.

The aforesaid James Allen McKinney is now dead, leaving as his sole heirs at law his widow, Mrs. Mattie McKinney, and his three children, to-wit: C. C. McKinney, Ira McKinney, and Mrs. Estelle McKinney Knight. The said William Jefferson McKinney is also dead, he having died leaving as his sole heirs at law his widow, Mrs. Rossie E. McKinney, and his six children to-wit:- R. B. McKinney, Eloise McKinney, Mrs. Ruth McKinney Smith, Edna Mae McKinney, Mrs. Virgil McKinney Coker, and W. Harold McKinney. But the said Thomas Franklin McKinney is still living, being now a widower and having one child, to-wit:- Janie McKinney.

The lands set off to James Allen McKinney by said Commissioners (hereinafter described) was owned and occupied by said James Allen until his death; and upon his death, his three children went into possession thereof and yet remain in such possession.

Some question has arisen as to what the rights of the various parties are under the will of the said L. M. Jones; and in order that each of the respective interests under the will may be owned in fee simple and without any limitation or reversionary rights or interests, we, the sole heirs and distributees of William Jefferson McKinney, deceased, and Thomas Franklin McKinney and his daughter, Janie McKinney, together with Mattie McKinney, widow of James Allen McKinney, each being of full legal age, in consideration of an exchange of deeds, do hereby convey all our right, title, and interest, now had, or hereafter to be acquired, in and to the property hereinafter described unto C. C. McKinney, Ira McKinney, and Mrs. Estelle McKinney Knight.

Know all men by these presents, that, we, Thomas Franklin McKinney, Janie McKinney, R. B. McKinney, Eloise McKinney, Mrs. Ruth McKinney Smith, Edna Mae McKinney, Virgil McKinney Coker, W. Harold McKinney, Rossie E. McKinney, and Mattie McKinney, in the State aforesaid in consideration of the sum of ten (\$10.00) Dollars and the premises to us in hand paid at and before the sealing of these presents by C. C. McKinney, Ira McKinney, and Mrs. Estelle McKinney Knight (the receipt whereof is hereby acknowledged), have granted, bargained, sold and released, and by these presents do grant, bargain, sell and release unto the said C. C. McKinney, Ira McKinney, and Estelle McKinney Knight all our right, title and interest, present or future, together with any claim or right which we may have in the nature of a reversionary interest by reason of the breach of any condition or proviso in the will of the said L. M. Jones, in and to the following described tract or parcel of land:

All that certain piece, parcel or tract of land lying and being situate on Gray's Branch near the town of Simpsonville in the Jonesville Community of the County and State aforesaid, containing 70 acres, more or less, according to survey made by W. W. Hendrix on October 10, 1898 and being the same tract of land set off to James Allen McKinney by the commissioners in a division of the property of L. M. Jones, deceased, and shown by courses and distances on a plat of such subdivision as follows: to-wit: Beginning at a stone on the extreme northwestern corner of said land at or near public road and running thence S. 84 $\frac{1}{2}$ E. 14.25 to a stake; thence S. 3 $\frac{1}{2}$ W. 46.45 to a stake; thence S. 83 $\frac{3}{4}$ W. 15.35 to a stake; thence N. 4 $\frac{1}{2}$ E. 49.56 to the beginning corner.

To have and to hold all and singular the Premises before mentioned unto the said C. C. McKinney, Ira McKinney, and Estelle McKinney Knight, their heirs and assigns forever.

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