

TITLE TO REAL ESTATE

WHEREAS, H. K. Townes, L. O. Patterson, F. T. Dargan and J. R. Ware were the owners of certain property near the City of Greenville, known as Cherokee Park, as shown by a plat recorded in the R. M. C. Office for Greenville County, South Carolina, in Plat Book A, at pages 114 and 115, and also in Plat Book C, at page 96; and

WHEREAS, the said H. K. Townes, L. O. Patterson, F. T. Dargan and J. R. Ware did on May 24, 1913, convey unto Mrs. Emma E. Sullivan several lots of land in said Cherokee Park, among them being Lots No. 1 and 2, as shown by deed recorded in the R. M. C. Office for Greenville County, South Carolina, in Volume 23, at page 266; and

WHEREAS, other lots of land were sold by the same grantors to other parties; and

WHEREAS, the said deed from H. K. Townes, L. O. Patterson, F. T. Dargan and J. R. Ware to the said Emma E. Sullivan did contain the following clause: "The grantee by accepting this deed hereby covenants that no building shall be erected on any part of said land costing less than Fifteen Hundred (\$1,500.00) Dollars, and that no part of said premises shall be occupied by any person of African descent. These conditions are material and have affected the price at which the land has been sold and are hereby declared conditions subsequent, and on violation of either of them the grantors, their heirs or assigns, may reenter and resume possession of said lands"; and

WHEREAS, other deeds from the above named grantors contained clauses identical with or similar to the above clause set forth; and

WHEREAS, the grantors above named intended to create by this clause certain restrictions for the benefit of adjoining land owners and never did intend to create a conditional limitation, the violation of which would operate a forfeiture or reversion of the property; and

WHEREAS, it is the desire of the above named grantors, their heirs and assigns, to correctly state the intent of the above mentioned clause applying to the property conveyed to Emma E. Sullivan and to other grantees of the property as shown by Plat Book A, pages 114 and 115, and Plat Book C, at page 96; and

WHEREAS, the above mentioned F. T. Dargan and J. R. Ware have since departed this life;

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS That we, the said H. K. Townes, L. O. Patterson, and the heirs at law of the said F. T. Dargan and the heirs at law of the said J. R. Ware do hereby declare that it was not intended by the said deed from H. K. Townes, L. O. Patterson, F. T. Dargan and J. R. Ware to Emma E. Sullivan, or to other grantees of this property, to create a conditional limitation upon said title, nor was it intended that the violation of said clause should work a forfeiture and/or cause a reversion of the property. In consideration of these premises and the sum of One (\$1.00) Dollar to us in hand paid (the receipt whereof is hereby acknowledged), we do hereby renounce, release and quitclaim unto the said Emma E. Sullivan, her heirs and assigns, and to all other grantees, their heirs, executors, administrators, successors and assigns, all right, title and reversionary interest in and to all of the several lots of land, among them being Lots No. 1 and 2 heretofore conveyed to Emma E. Sullivan, her heirs and assigns, and to other grantees, their heirs, executors, administrators, successors and assigns, forever, and do covenant and bind ourselves, our heirs and assigns, not to claim any reversionary right to any of said lots, among them being Lots No. 1 and 2, as shown by Plat Book C, page 96, in the R. M. C. Office for Greenville County, South Carolina, because of any past or future violation of said restrictions, provided that this release shall be without prejudice to any rights heretofore vested in the said Emma E. Sullivan, her heirs and assigns, and to other grantees, their heirs, executors, administrators, successors and assigns.

IN WITNESS whereof, we, have hereunto set our hands and seals, this 23rd day of December, 1941.

In the Presence of:

S. C. Fulmer
Mary Seyle.
J. A. McLeod
Minnie G. Smoot

H. K. Townes (L. S.)
L. O. Patterson (L. S.)
Mary Ware Vorus (L. S.)
Eliza D. Ware (L. S.)

State of South Carolina,
County of Darlington

Personally appeared before me Mary Ware Vorus and Eliza D. Ware who being duly sworn says they signed the above.

Sworn to before me this 27th Dec. 1941.

J. A. McLeod
N. P. for S. C.

State of South Carolina,
County of Greenville.

Personally appeared before me Mary Seyle who upon oath says that she saw the within