

STATE OF SOUTH CAROLINA, }  
Greenville County. }

KNOW ALL MEN BY THESE PRESENTS, That We , J. H. Cannon and V. L. Cannon as Executors and Trustees under the Will of J. M. Cannon, deceased,

.....in the State aforesaid,  
.....in consideration of the sum of  
One Dollar- - - - - Dollars

to us .....in hand paid  
at and before the sealing of these presents by Hanna Jarvis Berry

(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  
Hanna Jarvis Berry, her Heirs and Assigns-

All that piece, parcel or lot of land lying, situate and being on the Laurens Road about 2 1/2 miles from the City of Greenville in Butler Township, Greenville County, S. C., and having the following metes and bounds to-wit:

BEGINNING at an iron pin in the middle of said Laurens Road near a sycamore tree, and running thence N. 35 E. 11.00 chs. to a rock; thence S. 64 1/2 E. 4.75 chs. to rock; thence S. 36 W. 13.56 chs. to a pin in the road; thence with said road N. 33 W. 4.75 chs. to the beginning point, containing 5.06 acres, more or less.

This is the same property that was conveyed to J. M. Cannon by deed of J. L. Drake dated December 3, 1932 recorded in the RMC Office for Greenville County, S. C. in Deed Book 114 at page 566. Thereafter J. M. Cannon died testate and under the terms of his will which is on file in the office of the Probate Court for Pickens County, S. C. in Apt. 275, File 5, he devised all of his real estate to his executors in trust giving them full power to sell and convey said property upon such terms as they may deem advisable. On August 20, 1938 the executors and trustees, J. H. Cannon and V. L. Cannon deemed it advisable to sell said property and did on that date join with the other heirs of J. M. Cannon in executing a deed to the purchaser, The Simmons Realty Company which is of record in the EMC Office for Greenville County, S. C. in Deed Book 182 at page 21, but the said Executors and Trustees failed and neglected to execute said deed in their official capacity. A question has now been raised as to the sufficiency of said deed made by the heirs of J. M. Cannon so as to convey the legal title to The Simmons Realty Company and the said The Simmons Realty Company thereafter sold and conveyed the property to Hanna Jarvis Berry by deed dated August 28, 1939, recorded in the RMC Office for Greenville County in Deed Book 213 at page 283 and now the said executors and trustees herein made this conveyance to the said Hanna Jarvis Berry, the present owner of the above described property pursuant to the power and authority conferred upon them by the will of J. M. Cannon, deceased, it being the intent of the grantors to vest any and all interest, right and title in the said Hanna Jarvis Berry which belonged to the said J. M. Cannon at the time of his death.