

STATE OF SOUTH CAROLINA,
COUNTY OF GREENVILLE.

RECEIPT AND RELEASE.

WHEREAS heretofore to-wit on February 2, 1923 and on March 20, 1924, Benjamin F. Sims (sometimes spelled Symms) for value received, executed and delivered to Southern Power Company, agreements whereby he granted to said company rights-of-way upon and through his lands in Greenville County for the purpose of constructing and maintaining poles, wires, etc. and power lines across the same, said agreements having been recorded respectively in Vol. 79, at page 126 and Vol. 95 at page 74, R. M. C. Office for Greenville County, S. C.; and

WHEREAS subsequently by deed dated December 19, 1927 recorded in Vol. 141 at pages 478- 479, R. M. C. Office for Greenville County, Southern Power Company assigned all its rights, etc. in, to and under said agreements to Duke Power Company; and

WHEREAS Benjamin F. Sims departed this life October 17, 1928 leaving of full force and effect his last will and testament, duly admitted to Probate and now on file in the office of the Probate Court for Greenville County in Apartment 237, File 12; and

WHEREAS SUBSEQUENTLY on or about March 30, 1937, Cliff S. Sims purporting to act as Administrator of the estate of Benjamin F. Sims deceased, for value received, executed and delivered to Duke Power Company an agreement whereby he granted to said company the right, privilege and easement to enter upon the lands belonging to the estate of Benjamin F. Sims, and to construct and maintain poles, wires, etc. and power lines across the same, said agreement being recorded in Vol. 190, at page 319, R. M. C. Office for Greenville County.

Now, Therefore, we, the undersigned, being all the heirs at law and beneficiaries under the will of Benjamin F. Sims, deceased, do hereby acknowledge payment to us by Duke Power Company of the sum of Two Hundred Twenty-five and no/100 (\$225.00) Dollars at and before the sealing of these presents, in full settlement of the suit heretofore instituted in the Court of Common Pleas for Greenville County, by Susie Sims Smith as Executrix of the last will and testament of Benjamin F. Sims against Duke Power Company, and of any and all other claims of every kind and nature whatsoever which we or any of us us now have or may hereafter have, in any way connected with or growing out of the construction and/or maintenance of said poles, wires, lines, etc. in, upon and across the lands as aforesaid, in under and by virtue of said right-of-way agreements, and

In consideration of said payments we do hereby fully and forever acquit, release and discharge the said Duke Power Company, its successors and assigns from any and all claims of every kind and nature whatsoever which we or any of us now have or may hereafter have, in any way connected with or growing out of the granting of said rights-of-way, and the construction and/or maintenance of said poles, lines, wires, etc., and

We and each of us hereby expressly consent to, ratify, confirm and approve the right-of-way agreements executed and delivered by Benjamin F. Sims and Cliff S. Sims respectively as hereinabove set forth.

Witness our Hands and Seals this 10th day of November, 1942.

IN THE PRESENCE OF:

John C. Henry
E. A. Gilfillin
J. M. Gilfillin

Cliff Sims (L. S.)
Ed. Sims (L. S.)

STATE OF SOUTH CAROLINA,
COUNTY OF GREENVILLE.

PERSONALLY appeared before me E. A. Gilfillin who, being duly sworn says that he saw the within named Clifton Sims, and Edward Sims sign, seal and as their act and deed, deliver the foregoing written instrument, and that he with John C. Henry & J. M. Gilfillin witnessed the execution thereof.

SWORN TO before me this 10th day of November, 1942.

John C. Henry (L. S.)
Notary Public for South Carolina.

E. A. Gilfillin

