

The said W. C. Smith, Jr., died intestate October 5, 1940, leaving as his sole heirs and distributees, Emily N. Smith, Daniel Baker Smith, H. M. Smith and Ashley Manning Smith. The said Emily N. Smith acquired the interest of Daniel Baker Smith and H. M. Smith in and to said property by deed dated August 26, 1947, recorded in Book 343, page 446, said R.M.C. Office. Ashley Manning Smith died testate in Harris County, Texas and under the terms of his Will (an exemplified copy of which is on file in the Probate Court of Greenville County, S. C.) The State National Bank of Houston, Texas, was named as Independent Executor thereof. The said State National Bank of Houston was subsequently merged into the First National Bank in Houston, Texas, and pursuant to order of the County Court of Harris County, Texas (an exemplified copy of which is on file in the Probate Court, Greenville County, S. C.) letters testamentary were granted and issued to said First National Bank in Houston. This deed is executed by said bank under and by virtue of the power granted in the Last Will and Testament of Ashley Manning Smith to convey the undivided one-fourth interest of the said Ashley Manning Smith in and to the above property.

Together with all and singular the Rights, Members, Hereditaments and Appurtenances to the said premises belonging or in anywise incident or appertaining.

TO HAVE AND TO HOLD all and singular the premises before mentioned unto the Grantee hereinabove named, and his Heirs and Assigns forever.

And First National Bank in Houston, as Independent Executor under the Will and of the Estate of Ashley Manning Smith, Deceased, and only as such, and insofar only, as said Estate can be legally bound, hereby binds itself, its successors and assigns, to WARRANT and FOREVER DEFEND all and singular the said premises unto JAMES T. WILBANKS, his heirs and assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof, by, through, or under Grantor, as such Executor, but not otherwise.

IN WITNESS WHEREOF, the said granting corporation has caused its corporate seal to be hereunto affixed and these presents to be subscribed by its duly authorized officers, on this the 5th day of October in the year