

South Carolina, in Book of Deeds 500 at Page 129; that it was intended that said lot on the Eastern side should be completely bounded by the right-of-way of the S. C. Highway Department, but through error said deed contained the following description:

All that piece, parcel or lot of land in Butler Township, in the City of Greenville, County of Greenville, State of S. C., situate on S. C. State Highway No. 291, and being known and designated as Lot No. 1 on a plat of the property of E. M. Sweat & Trammell made by J. Mac Richardson, Surveyor, April 5, 1951, and, according to said plat, having the following metes and bounds;

Beginning at an iron pin on the Western side of said Highway at a point 335 feet north of Jameson Road, and running thence with said Highway N. 22-04 E. 111.5 feet to an iron pin; thence N. 82-26 W. 109.7 feet to an iron pin; thence S. 78-48 W. 31 feet to an iron pin; thence S. 45-28 W. 72.8 feet to an iron pin on the line of Lot No. 2; thence with the joint line of Lots No. 1 and 2, S. 67-56 E. 160.4 feet to the point of beginning.

Further from the testimony it appears that on the 19th day of July, 1951, by deed recorded in the R. M. C. Office for Greenville County, South Carolina, in Book of Deeds 438 at Page 331 the defendant R. B. Culbertson, purchased from E. M. Sweat, now deceased, the same property hereinabove described, but through error, or mutual mistake, of the parties, the description in said deed was incorrect in that the East boundary of the said property should have been bounded entirely by the right-of-way of the S. C. Highway Department.

I find further that it was the true intention of the parties to the above deeds (Paragraph III and IV) in that they sought to convey the property which is correctly described as follows:

All that piece, parcel or lot of land in Butler Township in the City of Greenville, County of Greenville, State of South Carolina, situate on U. S. Highway No. 291 and having the following metes and bounds, to-wit:

Beginning at an iron pin on the right-of-way of South Carolina Department 335 feet North of Keith Drive (formerly Jameson Road) and running thence along the right-of-way of South Carolina Highway Department N. 22-04 E. 44.6 feet to iron pin; thence still with the line of South Carolina Highway Department S. 67-56 E. 25 feet to iron pin; thence with the line of South Carolina Highway Department, N. 22-04 E. 66.9 feet to iron pin; thence N. 68-22 W. 25.7 feet to iron pin; thence N. 82-26 W. 109.5 feet to iron pin; thence S. 78-48 W. 31 feet to iron pin; thence S. 45-28 W. 72.8 feet to iron pin; thence S. 67-56 E. 160.7 feet to iron pin at point of beginning.