

-designated as lots No. 1, 2, and 3, on a plat made by Will D. Neves, dated February 7, 1912, showing three lots situate on Hampton Avenue and three lots situate on Pinkney Street between Mulberry Street and Frank Street and having, according to such plat, the following metes and bounds, to wit: Beginning at a stake on the north-east side of Hampton Avenue, on corner of lot of land now or formerly belonging to Charles Bull and running thence along said Hampton Avenue (formerly known as West Street) N. 32° 30' W. one hundred and ninety-four (194) feet to a stake on said Hampton Avenue; thence N. 58° E. one hundred and ninety-six (196) feet to a stake on the corner of lot No. 4; thence S. 33° 15' E. one hundred and ninety-three (193) feet and three (3) inches along line of lots No. 4, 5 and 6 on said plat to a stake on the corner of Lot No. 6; thence S. 57° 30' W. one hundred and ninety-nine (199) feet to the beginning corner; this being a portion of Lot No. 26 of the W.P. McBee farm, conveyed to the said Ann E. Marshall by the said J.L. Southern, sheriff, by deed bearing date the third day of January, 1876, and recorded in said office of the twenty-seventh day of June, 1876, in Book "HH" of deeds, at page 425;

And whereas the said Ann E. Marshall provided in her said last will and testament that the shares of her residuary estate allotted to her sons should be held in trust for them by her executors upon the trusts and limitations hereinafter set forth; and whereas the said J. Sproull Marshall consents that his undivided share in the property hereinafter described, formerly belonging to the said L.B. Marshall, shall be held by said executors upon the same trusts and limitations;

Now, therefore, know all men by these presents that we, the said John B. Marshall and William E. Beattie as executors of the last will and testament of Ann E. Marshall, deceased, and as executors of the last will and testament of L.B. Marshall, deceased, do hereby acknowledge and declare that we, the said John B. Marshall and William E. Beattie, as executors of the last will and testament of Ann E. Marshall, deceased, do hold the lands hereinabove described as trustees, under the said last will and testament of the said Ann E. Marshall, deceased, upon the following trusts and limitations, to-wit:

First, in trust to collect the rents, income and profits arising from said lands and after paying the taxes and all necessary repairs and improvements and defraying the costs and expenses of said trust, to pay the net income arising from such property to the said J. Sproull Marshall for and during the full term of his natural life;

Second, In trust, upon the death of the said J. Sproull Marshall, to distribute the corpus of said trust fund to and amongst his children if he shall leave any, share and share alike;

Third, In trust, if the said J. Sproull Marshall shall die leaving no child or children surviving him, then to distribute said property among the persons who may then be entitled thereto under the terms of the will of the said Ann E. Marshall, deceased;

Fourth, In trust, in the event that the said J. Sproull Marshall shall attempt in any way directly or indirectly to encumber said estate or to pledge the income thereof, or in the event that legal proceedings be instituted to divert the principal or income of the trust estate from the purposes herein set forth or to render the proceeds thereof liable for any debt or contract of the said J. Sproull Marshall, then to forthwith transfer such property attempted to be interfered with to the other children of the said Ann E. Marshall upon the terms and conditions set forth in her said last will and testament;

It being fully understood and agreed that we, the said John B. Marshall and William E. Beattie, executors of the said last will and testament of the said Ann E. Marshall, deceased, in our -

capacity as trustees under said last will and testament, hereby reserve to ourselves and our successors in the trust the full power to invest, sell and reinvest the said trust fund in such property, real or personal, as may in our discretion be for the best interest of said trust estate; It being also fully understood and agreed that neither we, the said executors and Trustees, nor our successor or successors in the trust or as such executors shall be liable for loss occurring through error of judgement or for any other cause except dishonesty or gross neglect. In witness whereof we do hereunto set our hands and seals on this the sixth (6th) day of May in the year of our Lord one thousand nine hundred and thirteen, and in the one hundred and thirty-seventh year of the Independence of the United States of America.

Signed, sealed and delivered in the presence of:
Hayne P. Glover,
Perry Beattie,

Jno. B. Marshall, (L.S.)
W.E. Beattie, (L.S.)
As executors of the last will and testament of Ann E. Marshall, deceased and as executors of the last will and testament of L.B. Marshall, deceased.

State of South Carolina,
County of Greenville.

Personally appeared before me Perry Beattie and made oath that he saw the within named John B. Marshall and William E. Beattie, as executors of Ann E. Marshall, deceased, and as executors of L.B. Marshall, deceased sign, seal and as their act and deed deliver the within written declaration of trust, and that he with Hayne P. Glover witnessed the execution thereof.

Sworn to before me this 6th, day of May, A.D. 1913.
Jno. T. Turner (L.S.)
Notary Public for South Carolina.

Perry Beattie

Recorded for May 6th, 1913.

(Release- no chgs.)

For Value received, I hereby release from the lien of mortgage held by me, the within described property.

In presence of: Mathis, Ga. May 15th, 1913.

J.P. Rosamond (Seal)

State of Georgia,
County of Rabun.

Personally appeared before me Floyd D. Bullock, and made oath that he saw the within named J.P. Rosamond sign, seal and as his act and deed deliver the within written deed, and that he with G.W. Darnell witnessed the execution thereof.

Sworn to before me this 17th, day of May A.D. 1913.

G.W. Darnell, J.P. (Seal)

Floyd D. Bullock

Rabun County, Ga.

(For the deed to the above Release, see deed book Volume 18, at page 381)

Recorded for May 31st, 1913.