

STATE OF SOUTH CAROLINA,  
COUNTY OF GREENVILLE.

P R E A M B L E

WHEREAS, BY virtue of certain title deeds executed by Lila E. Earle and Fred H. Carr, recorded in the R. M. C. Office, County of Greenville, State of South Carolina in Volume 271 at Pages 192 and 196, respectively, the real property described below was conveyed to David B. Traxler, Trustee, for the benefit in equal shares of Ellen T. Arnold and Julia E. Traxler, and

WHEREAS, the name of Georgia T. Hodges was inadvertently omitted from the above mentioned title deeds as a beneficiary in equal share with Ellen T. Arnold and Julia E. Traxler, and

WHEREAS, David B. Traxler, Trustee, is incompetent through death on October 30, 1945 to serve as trustee, and

WHEREAS, in the absence of provisions otherwise in the instrument of trust, title vests by operation of law in the eldest son upon the death of the trustee. (Breedon v. Moore, 1909, 82 S. C. 534, 64 SE 604; Kirton v. Howard, 1926, 137 S. C. 11, 134 SE 859.), and

WHEREAS, David G. Traxler is the eldest son of David B. Traxler, Trustee, deceased, and

WHEREAS, the Executrix of the Estate of David B. Traxler, deceased, the eldest son of David B. Traxler, Trustee, deceased, and Ellen T. Arnold and Julia E. Traxler, beneficiaries, have, individually and collectively consented and agreed, as shown by their signatures hereunto subscribed, to:

(1) The inclusion of the name of Georgia T. Hodges as beneficiary in equal status, in a new conveyance, with Ellen T. Arnold and Julia E. Traxler, and

(2) The appointment of Julia E. Traxler as Trustee for the benefit of Ellen T. Arnold, Julia E. Traxler, and Georgia T. Hodges with the same powers and duties as were vested in David B. Traxler, Trustee, deceased.

IN WITNESS WHEREOF, we, the said Mary G. Traxler, Executrix of the Estate of David B. Traxler, deceased, David G. Traxler, eldest son of David B. Traxler, Trustee, deceased and Ellen T. Arnold and Julia E. Traxler beneficiaries do hereunto set our hands and seals this 7 day of February, 1946.

WITNESSES:

William B. Traxler  
Emily T. Purdun  
Eston L. Rodgers

W. D. Browning  
Emily T. Purdum

John Murphy  
Eston L. Rodgers  
W. D. Browning.

Mary G. Traxler

Mary G. Traxler, individually and as Executrix of the Estate of David B. Traxler, deceased.

David G. Traxler

David G. Traxler, Eldest Son, individually and as Trustee as above stated.

Ellen T. Arnold

Ellen T. Arnold, individually and as Beneficiary as above stated.

Julia E. Traxler

Julia E. Traxler, individually and as Beneficiary as above stated.

NOW THEREFORE KNOW ALL MEN BY THESE PRESENTS, THAT I, David G. Traxler, eldest son of David B. Traxler, Trustee, deceased, in accordance with the expressed consent and agreement of the interested parties, in the State aforesaid, in consideration of the sum of Ten Dollars and other valuable considerations Dollars to me in hand paid at and before the sealing of these presents by Julia E. Traxler, as Trustee for Ellen T. Arnold, Julia E. Traxler and Georgia T. Hodges as above stated (the receipt of which is hereby acknowledged), have granted, bargained, sold and released, and by these presents do grant, bargain, sell and release unto the said Julia E. Traxler, as Trustee for Ellen T. Arnold, Julia E. Traxler and Georgia T. Hodges as above stated all that piece, parcel or lot of land in Greenville Township, Greenville County, State of South Carolina in the Town of West Greenville, known as Lots Nos. 2, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22 and 23 as shown on Plat, Arnold Plat, prepared by Dalton and Neves, Engineers, December 1944 and recorded in the R. M. C. Office, County of Greenville, State of South Carolina, in Plat Book "0" at page 111.

The said premises are a portion of the premises conveyed to David B. Traxler,