WHEREAS, on March 29, 1949, Anthony A. Rubino and Mary N. Rubino conveyed to W. E. Watts, as Trustee, certain property k known and designated as Lot No. 5 and the Western one-half of Lot No. 6 of Block D, according to a plat of Highland Terrace, recorded in the R. M. C. Office for Greenville County, S. C., in Plat Book "D" at page 238, said deed being entered of record in the R. M. C. Office for Greenville County, S. C., in Deed Volume 376 at page 513, and

WHEREAS, said deed recited in effect that W. E. Watts was to hold title to the aforementioned property as Trustee and give the Grantors a reasonable time to perfect the financing of their indebtedness to Daniel Construction Company, Inc., said deed reciting that-if the financing of said indebtedness was accomplished the property was to be reconveyed to the Grantors, and

WHEREAS, in a deed from W. E. Watts, as Trustee, to Anthony A. Rubino and Mary N. Rubino, dated April 11, 1949, and recorded in the R. M. C. Office for Greenville County, S. C., in Deed Volume 384 at page 485, it was recited in effect that the Grantees had paid a portion of the debt to Daniel Construction Company, Inc. and had arranged to finance the balance to the satisfaction of said company, and in consideration of the premises and Five (\$5.00) Dollars the aforementioned property was by said deed reconveyed to Anthony A. Rubino and Mary N. Rubino, and

WHEREAS, the last mentioned deed was made without written acknowledgment from Daniel Construction Company, Inc., that the Trustee, W. E. Watts, was authorized to make said reconveyance to Anthony A. Rubino and Mary N. Rubino, although in fact a satisfactory arrangement had been made by Anthony A. Rubino and Mary N. Rubino