

corporation existing under the laws of the State of South Carolina and having its principal place of business in Greenville County, South Carolina, is the owner of a contract to purchase Lot No. 8, Oak Drive, as aforesaid, from the Plaintiff, John W. Fortner, the owner thereof.

It further appears to this Court that on October 15, 1940, J. M. Fortner acquired a tract of land containing 55.49 acres, more or less, by deed from Lucy C. Woodside recorded in the RMC Office for this County and State in Deed Book 226, page 195, and subsequently subdivided said tract into Fortner Park by causing to be filed on the public records for Greenville County, S. C., the aforementioned plat made by J. C. Hill and recorded in the RMC Office for said County and State in Plat Book RR, page 76. The said plat showed a 30-foot dead-end street running from the Western side of Oak Drive and terminating at a stream which is the boundary line of Fortner Park, which 30-foot street crosses Block 2 of Fortner Park as shown on Plat Book RR, page 73, and Lot 8, Oak Drive, as shown on Plat Book PPP, page 95.

It further appears to this Court that John W. Fortner is the successor in title and remote grantee of J. M. Fortner in and to Lot 8, Oak Drive, by deeds recorded in the RMC Office for said County and State in Deed Book 604, page 322, and in Deed Book 304, page 425. These deeds make no reference to said street and the Plaintiff, John W. Fortner, now claims ownership in fee simple absolute of the strip of land where said street is shown on said plat...

It further appears to this Court based upon the case of Blue Ridge Realty Co. v. Williamson, 247 S.C. 112, 145 S. E. 2d, 922 (1965), that where the owner of a tract of land subdivides the same into lots and streets as shown on a recorded plat, both members of the general public and the remote grantees of the owner may have some right, title or interest in and to all streets shown

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