

ABSTRACT OF TITLE

OF

C. W. MURTIASHAW

TO

LOT NUMBER 46

WHITE PROJECT

PREPARED BY

CHARLES I. DIAL
ATTORNEY AT LAW
COLUMBIA, S. C.

1

ABSTRACT OF TITLE

OF

C. W. MURTIASHAW

TO

All that certain piece, parcel or tract of land, situate, lying and being in the City of Columbia, County of Richland, State of South Carolina, in that portion of the City of Columbia, known as Liberty Hill. Said lot or tract of land being bounded on North by land now or formerly of Perkins, East by land apportioned to John Holliway in deed hereafter referred to and now owned by Murtiashaw, South by land formerly of Miles Fair, now of Murtiashaw, and West by property unnamed on Plat. The above described lot contains approximately 18/100 of an acre, and is better known and designated as lot No. 2 of Parcel "A" as shown on Plat.

What plat is
the contained in
Judgment Roll #8827.

This abstract prepared by Charles I Dial, Attorney at Law, Columbia, S. C., for the Columbia Housing Authority, and covers the period of 50 years last past.

From the records of Richland County I find the chain of title to run as follows:

Wm. Wallace, Trustee

to

Anson Moore

F 98

) DEED-Fee Simple, Special Warranty.
) Dated-August 9, 1870.
) Recorded-August 13, 1870.
) Consideration: \$33.33.
) Dower-Unnecessary.
)
)
)

Conveys Southern $1/3$ of Lot No. 11, bounded North by that portion of said lot conveyed to London West, East by Starke's land, South by lot No. 13 conveyed to Nathan Robinson, and fronting $33-1/3$ feet on a lane which bounds it on the West.

Proper as to execution and probate.

W

Will of)
)
Anson Moore)
)
)
)

Box 93, Package 2306.
Judge of Probate Office.
Dated 1872.
Filed August 16, 1872.

I Will and Bequeath the house and lot now occupied by me, near the City of Columbia, bought from Col. Wm. Wallace, Trustee, to my beloved wife, Mary, together with all my personal property, for and during the term of her natural life, with remainder over to her two grandchildren John and Abby Hathway, share and share alike, the child or children of a deceased child to take among them the shares to which their parents would have been entitled if living, with this simple and only provide, that one half of the lot (which is a half acre) shall go to the children of my deceased sister Charlotte. This quarter of an acre does not include the part where the house stands."

Richard Johnson, Rebecca Goodwins,
and Mary Richardson,

Plaintiffs,

to

John Holliway, Fibby Holliway, Bratton,
Rachel Goodwin, Daniel Johnson, John
Johnson, Elais Johnson, and Sanford
Johnson,

Defendants.

SUIT IN PARTITION

JUDGMENT ROLL # 8827.

Summons and Complaint dated March 23, 1905.

Affidavit and Order of Publication dated March 25, 1905, as to last five
named Defendants. *who are defendants?*

Complaint alleges the Will of Anson Moore, the death of the life Tenant
in 1903 and that the Plaintiffs and Defendants are all tenants in common
and Prays for partition of property. *peffs + Last 5 depts are children
of Charlotte Johnson, deceased, the
Charlotte mentioned in
will of Anson Moore.*

Acceptance of Service by first two named Defendants. .

Affidavit as to Publication dated July 1, 1905.

Affidavit of Default as to last five named Defendants dated Julul,
1905.

Order of Reference dated July 1, 1905.

Answer of ^{first} two named Defendants dated June 19, 1905, joins in prayer
of Complaint and asks that all possible interested parties be made parties
to the action.

Master's Report dated July 14, 1905, finds that all interest parties have
been made parties to the action, that a survey has been made and recommends
sale of Tract "B", and finds that Tract "A" the Western part of the entire
Tract, is vested in John Holliway and Phoebe Holliway Bratton.

Decree of Partition dated July 21, 1905, orders sale of Tract "B", and
confirms Master's Report in all other respects.

Report of Master on Sales dated November 25, 1905, shows Sale of Tract
"B" (37/100 of an acre) to McH. McMannus and delivery of deed to him.

Order confirming Report on Sales Dated December 9, 1905.

John Holliway

and

Phoebe Holliway Bratton

AN 14

5-
) Partition Deed
) Dated October 7, 1905.
) Recorded March 14, 1906.
) Consideration-Mutual
) Dower- Unnecessary.
)
)
)

Conveys 18/100 of an acre being parcel No. 1
of Tract "A" conveyed to John Holliway, together with right
to use of well on parcel No. 2.

18/100 of an acre being parcel No. 2 of Tract
"A" conveyed to Phoebe Holliway Bratton.

Proper as to execution and probate.

Frank Bratton

to

Bessie H. Murtiashaw

DJ 318.

)DEED-Fee Simple, General Warranty.

)Dated- ,1930.

) Recorded April 18, 1930.

)Consideration: \$10.00.

)Dower Renounced.

) Conveys-

)

All that certain piece, parcel or tract of land, situate, lying and being in the City of Columbia, County of Richland, State of South Carolina, in that portion of the City of Columbia known as Liberty Hill. Said lot or tract of land being bounded North by land now or formerly of Perkins, East by land apportioned to John Holliway in deed hereafter referred to and now owned by Murtiashaw, South by land formerly of Miles Fair, now of Murtiashaw and West by property unnamed on Plat. The above described lot contains approximately 18/100 of an acre, and is better known and designated as lot No. 2 of Parcel "A" as shown on plat, said plat recorded in Book "A" page 178 and being the identical lot conveyed to Phoebe Holliway Bratton by deed recorded in Book "AN" at page 14.

"The grantor herein is the sole heir at law of Phoebe Holliway *very* - Bratton, who died intestate some years ago."

Proper as to execution and probate.

Bessie H. Murtiashaw

to

C. W. Murtiashaw

DP 519

) DEED-Fee Simple, General Warranty.
) Dated-December 9, 1931.
) Recorded-December 9, 1931.
) Consideration: \$1.00 and love and
) affection.
) Dower-Grantor a Woman.
) Conveys-
)

Same lot described in deed of Frank Bratton to Bessie
H. Murtiashaw, Deed Book"DJ" page 318.

Proper as to Execution and Probate.

MORTGAGES

I find no mortgages of record affecting the title to this property.

LIENS

I find no lis pendens, mechanic liens, judgments or Federal tax liens affecting the title to this property.

TAXES

State and County taxes for the years 1931 to 1938 inclusive, are marked paid of record. However, I am unable to locate this property on the tax books for the years 1929 and 1930.

City Taxes for the years 1931 to 1938 inclusive, are marked paid of record. However, I am unable to locate this property on the tax books for the years 1929 and 1930.

OPINION

I am of opinion that C. W. Murtiashaw is seized and possessed of a reasonably safe and marketable title to the property described in the caption of this abstract, subject however, to possible lien for taxes herein set forth and to the verification of the information contained in the recital in the deed of Frank Bratton to Bessie H. Murtiashaw.

Columbia, S. C.

April 10th, 1939.

Charles J. Diaz
ATTORNEY AT LAW

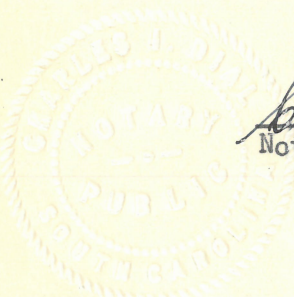
STATE OF SOUTH CAROLINA)
)
COUNTY OF RICHLAND) AFFIDAVIT

Personally appeared before me Evelyn Simpson who being
duly sworn, deposes and says that she knew Phoebe Holliway
Bratton who died some years ago leaving no husband and only
one child who was Frank Bratton, and who was her only heir
at law.

Evelyn Simpson

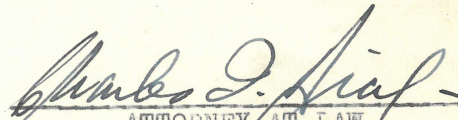
Sworn to and subscribed before
me this 10th day of August 1939.

Charles J. Huf.
Notary Public in and for S.C.



FINAL OPINION

This is to certify that the mortgage or mortgages, ~~sif~~ any, set out in this abstract has or have been satisfied and cancelled of record, and that C. W. Murtiashaw has executed and delivered a fee simple, general warranty deed to The Housing Authority of the City of Columbia, S. C., conveying the property described substantially as in the caption of this abstract and said deed is recorded in the Office of the Clerk of Court for Richland County, in Deed Book "DA" at page 257; that all taxes for the years 1929-1938 inclusive, are paid of record, and I am of opinion that The Housing Authority of the City of Columbia, S. C., is seized and possessed of a reasonably safe and marketable title to the said premises, subject only to the lien of all taxes for the year 1939.


ATTORNEY AT LAW

Columbia, S. C.

September , 1939.