

ABSTRACT OF THE TITLE  
OF  
LOUISE PAYNE & ALBERT DAVIS  
TO

ALL that lot, piece and parcel of land, situate, lying and being East of the City of Columbia, near Camden Road in the County and State aforesaid, and containing one-fourth (1/4) acre, more or less, bounded North by lands of G. L. Dial, Richard Jones (or lots formerly belonging to him) and Singleton, on the South by Geo. L. Dial, on the East by an alleyway the property of Rebecca Jones and fronting thereon fifty-two feet two inches (52'2") and on the West by Peter Davis.

\* \* \* \* \*

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:



Geo. L. Dial	)	Deed - Fee simple, limited warranty.
	)	Dated February 14, 1878.
to	)	Recorded December 10, 1878.
	)	Consideration - \$100.00.
Richard Jones	)	Dower - Renounced.
	)	
L 578.	)	

Conveys all that piece of land in Richland County, State of South Carolina, fronting on the Camden Road fifty-two feet two inches (52'2") and running back in a Southerly direction two hundred eight feet eight inches (208'8"), bounded on the North by the Camden Road, on the South by Geo. L. Dial, on the East by an alley, the property of Geo. L. Dial and on the West by Richard Jones, also

One-fourth (1/4) of an acre of land South of the above lot, bounded on the North by the above lot, Richard Jones, Geo. L. Dial and Monroe Singleton on the South by Geo. L. Dial, on the East by an alley, the property of Geo. L. Dial and fronting thereon fifty-two feet two inches (52'2") and on the West by Peter Davis. And it is understood and agreed between said Geo. L. Dial and Richard Jones that the said alley is to be kept open for the free use of egress and ingress and the said Richard Jones, his heirs and assigns, shall never be deba~~ned~~<sup>xx</sup> the free use of the alley running the entire length of his lot on the East.

Proper as to execution and probate.

Richard Jones            )  
                          )  
                  to        )  
                          )  
Rebecca Jones            )  
                          )  
N 358.                    )

Deed - Fee simple, general warranty.  
Dated March 24, 1881.  
Recorded March 24, 1881.  
Consideration - \$5.00 and love and affection.  
Dower - Recites grantee is wife of grantor.

Conveys the three lots described in deeds of Geo. L. Dial to  
Richard Jones - Book L page 110 and Book L page 578, and includes right  
to use of alley way.

Proper as to execution and probate.

Rebecca Jones            ) Deed - Fee simple, general warranty.  
                          ) Dated June 9, 1883.  
          to                ) Recorded August 27, 1883.  
                          ) Consideration \$75.00.  
Green Jones               ) Dower - Grantor a woman.  
                          )  
O 635.                    )

Conveys All that lot, piece and parcel of land, situate, lying and being East of the City of Columbia, near Camden Road in the County and State aforesaid, and containing one-fourth (1/4) acre, more or less, bounded North by lands of G. L. Dial, Richard Jones (or lots formerly belonging to him) and Singleton, on the South by Geo. L. Dial, on the East by an alleyway the property of Rebecca Jones and fronting thereon fifty-two feet two inches (52'2") and on the West by Peter Davis. And it is understood and agreed between the said Rebecca Jones and Green Jones that the alley aforesaid is to be kept open for the free use of egress and ingress and the said Green Jones, his heirs and assigns, shall never be ~~debarred~~ the free use of the alley running the entire length of his lot on the East.

Proper as to execution and probate.

Green Jones ) Deed - Trust.  
 ) Dated June 21, 1897.  
 to ) Recorded June 22, 1897.  
 ) Consideration - \$25.00.  
 Rosa Jones, Trustee ) Dower - Recites grantee wife of grantor.  
 )  
 Z 543. )

Conveys same lot described in deed of Rebecca Jones to Green Jones, Book 0, page 635.

Recites: "In trust nevertheless and to and for the uses, intents and purposes hereinafter expressed and declared of and concerning the same, that is to say, In trust and to and for the use, benefit and behoof of this grantor Green Jones, and the sais Rosa Jones his wife, for and during the term of their joint lives and from and immediately after the death of that one of said grantors who shall die first, then in trust for the sole and separate use, benefit and behoof of the survivor of said life tenants, his or her heirs and assigns forever, free and discharged from all limitations whatsoever so that said survivor whether it be Green Jones or Rosa Jones shall immediately become possessed of all of said one-fourth (1/4) of an acre of land hereinbefore described in fee simple absolute to **him** or her, his or her heirs and assigns forever.

Proper as to execution and probate.

Estate of )  
Rosa Doby )  
)

Judge of Probate's Office.  
Box 379-Package 11104.

Petition of S. B. Wallace, named Executor-to prove Will dated May 8, 1931, alleges death of testator on May 2, 1931 and lists Mamie Cooper, Martha Thompson, Alice Ruff, Fabrel Paul, Albert Davis, Louise Payne and S. B. Wallace as legatees. Also shows real property to be 1 lot and 1 building at 1415 Dial Alley.

Inventory and Appraisement shows real property to be 1415 Dial Street, Columbia, as does the description of real property owned at death of testator.

Letters Testamentary issued to S. B. Wallace on May 8, 1931.

Notice of Albert Davis requiring Will and Codicil of Rosa Doby to be proved in due form of law dated May 8, 1931.

Order of Judge of Probate requiring Executor to file Petition to Examine witness-dated June 4, 1931.

Petition to prove Will in solem form addressed by Executor to above named parties and to Sike Robinson, Mamie W. Bynum and Lou W. Weaver-and service accepted by all parties except Mamie W. Bynum and Lou W. Weaver-dated June 8, 1931.

Affidavit and Order of Publication as to Mamie W. Bynum and Lou W. Weaver-dated June 13, 1931.

Affidavit of Printer and Affidavit of No Answer by petitions Attorney-dated September 2, 1931.

Answer of Albert Davis-dated June 29, 1931.

Decree of Probate Court-admitting Will and Codicil to Probate in due form of Law-dated February 12, 1932.

Notice of Intentions to Appeal to Circuit Court, dated February 18, 1932.

Order of Circuit Court recites that the issue of fact as to whether or not the Codicil (appeal directed only to this question) was or was not the Codicil of Rosa Doby and the jury answered that it was, thereby upholding the Validity of said Codicil. Orders verdict of Jury be confirmed and made the judgment of this Court, dated April 18, 1932.

Receipt of S. C. Tax Commission for "22.40., Inheritance Tax-dated May 7, 1936.

There appear to be no returns filed in Roll.

Appraisal showed personal property # \$3348.98 and real property \$800.00.

The Pertinent parts of the Will of Rosa Doby are:

1-Except as heretofore and hereinafter provided, that my house known as 1415 Dial Street, and all money and property go to my beloved husband, Joseph E. Doby.

2-For and in consideration of his faithful ministry and service, I leave to Rev. S. B. Wallace, one hundred (\$100.00) dollars.

3-For and in consideration of her faithful service, I leave to Mamie Cooper One Hundred (\$100.00) Dollars.

4-For and in consideration of her love and affection, I leave to Martha Thompson, One Hundred (\$100.00) Dollars.

5-For and in consideration of the love of a faithful friend, I leave to Alice Ruff, One Hundred (\$100.00) Dollars.

6-Incase my husband Joseph E. Doby should preceed me in death, I direct that the balance of my estate personal and otherwise shall go to Albert Davis.

7-Rev. S. B. Wallace is named executor without bond.

CODICIL TO WILL OF ROSA DOBY:

Whereas-I, Rosa Doby of Columbia, S. C., have made my last Will and Testaments in writing, bearing date November 20, 1929, disposing of all of my property in the manner therein indicated. Now, I do by this writing, which I hereby declare to be a Codicil to my said Will to be taken as a part thereof, that is to say:

1-Item four of said Will is reversed and, instead I will and give unto Martha Thompson my first cousin, all of my household furniture and personal effects and the rest and besides of all money that remain after the payment of the bequests made in my said will or this codicil.

2-I will and bequeath unto Fabrel P. Paul who has been very kind to me the sum of One Hundred (\$100.00) Dollars.

3-Item six of my said will is revoked and instead; I will lease and bequeath unto Albert Davis for life one-half interest in my house and lot situated at 1415 Dial Street, Columbia, S. C. and the other half interest to Louise Payne, Second Cousins. After the death of said Albert Davis, his interest is devised to the said Louise Payne, revoking hereby also Item 1 of my said Will.

Estate of )  
Joseph Doby. )

Judge of Probate's Office  
Box 375--Package 11049.

Will of Joseph Doby-dated November 20, 1929, leaves all of his property to his wife Rosa Doby with exception of two small bequests of One Hundred Dollars, each to Frabel Paul and S. B. Wallace. Provides that if his wife predecease him ~~the~~ the house at 1415 Dial Street shall go to Albert Davis.

Petition of S. B. Wallace, named executor, to prove Will dated February 25, 1931, recites death of Joseph Doby on February 17, 1931 and that Rosa Doby, Frabel Paul and S. B. Wallace are legatees.

Order Admitting will to probate dated February 25, 1931.

Letters Testamentary issued to Sam. B. Wallace on February 25, 1931, Appraisal shows \$110.66 cash in bank and no real property.

Return dated May 9, 1932-shows all debts and legacies paid.

Petition for final discharge dated April 8, 1932.

Letters Dismissory dated May 9, 1932.

Non-Taxable Certificate of S. C. Tax Commission dated February 26, 1931.

NOTE: This link is included to show that Joseph Doby predeceased Rosa Doby and there is therefore no conflict between the Will and Codicil of Rosa Doby as to the Disposition of the House and Lot on Dial Alley.

Louise Payne	)	Mortgage-
	)	Dated-January 3, 1939.
to	)	Recorded-January 3, 1939.
	)	Secures-\$400.00 Bond-payable
W. E. McNulty and	)	\$9.00 per month.
W. E. McNulty Jr-	)	Dower-Mortgagor a Woman.
as Executors of Estate	)	Covers-
of Ella M. Guimarin,	)	
deceased.	)	
	)	
HX 43.	)	

Same lot described in deed of Green Jones to  
Rosa Jones, Trustee-Deed Book "Z", page 543.

Proper as to Execution and Probate.

MORTGAGE

I find no mortgage of record affecting the title of this property except the mortgage set out in the body of this abstract.

\*\*\*\*\*

LIENS

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

\*\*\*\*\*

TAXES

State and County taxes for the years 1929 to 1938 inclusive, are marked paid of record.

City taxes for the years 1929 to 1938 inclusive, are marked paid of record.

\*\*\*\*\*

OPINION

I find no record of the death of Green Jones, but as Rosa Jones appears later in the chain of title as Rosa Jones Doby, wife of Jos. Doby, I believe we are safe in assuming that Green Jones predeceased her, therefore I am of opinion that Louise Payne is seized and possessed of a reasonably safe and marketable title to the property described in the caption of this abstract subject to the life interest of Albert Davis in one-half (1/2) of the said property, and subject to the lien of the mortgage set out in the body of this abstract,

*verified by appraiser*

Columbia, S. C.

April 8<sup>th</sup>, 1939

*Charles D. Neal*  
ATTORNEY AT LAW

The following affidavits are true copies of the original contained  
in abstract of title prepared by Pierre F. LaBorde, Esq., for W. E.  
McNulty, on December 31, 1938.

STATE OF SOUTH CAROLINA

AFFIDAVIT.

COUNTY OF RICHLAND

Personally appeared Louise Payne, who being duly sworn says that she has lived in and around Columbia, S.C. for a period of 45 years; that she knew the said Green Jones and that the said Green Jones died long before his wife Rosa Jones died; and also that Rosa Jones, widow of Green Jones, remarried one Joseph E. Doby and that she, the said Rosa Jones Doby did not die until the year 1931.

Sworn to before me this 31 December Louise Payne  
AD 1938.

Pierre F. LaBorde, (Seal.)

Pierre F. LaBorde  
Notary Public For South Carolina.

STATE OF SOUTH CAROLINA

AFFIDAVIT.

COUNTY OF RICHLAND.

Personally appeared Louise Payne who being duly sworn says that she knows of her own knowledge that Albert Davis is dead having died sometimes in the year 1934 or prior thereto.

Sworn to before me this 31 Dec. A. D.  
1938.

Pierre F. LaBorde....(Seal)

Pierre F. LaBorde (L.S)  
Notary Public for South Carolina.

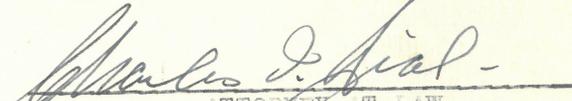
Louise Payne.

FINAL OPINION

This is to certify that the mortgage ~~or~~ mortgages, if any, set out in this abstract has or have been satisfied and cancelled of record, and that Louise Payne 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 "EQ" at page 177; 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.

Columbia, S. C.

September 8<sup>th</sup>, 1939.

  
ATTORNEY AT LAW

ABSTRACT OF TITLE

OF

LOUISE PAYNE  
and  
ALBERT DAVIS

TO

LOT NUMBER 22  
WHITE PROJECT

**PREPARED BY**

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