

ABSTRACT OF TITLE

OF

JOHN N. GRICE, JR.
(formerly Ellender A. Cook)

TO

LOT NUMBER 37

WHITE PROJECT

PREPARED BY

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

ABSTRACT OF TITLE

OF

JOHN N. GRICE, JR.

TO

All that piece, ~~parcel~~ or tract of land, situate, lying and being on the southwest corner of the intersection of the Old Camden Road or Taylor St. and House St. and bounded as follows: On the North by the Old Camden Road or Taylor St. whereon it measures forty one Feet (41') more or less, on the East by House St. and measuring thereon one hundred twenty seven feet (127') more or less, on the South by land now or formerly of Herbert Portee and measuring thereon forty one feet (41') more or less and on the West by property now or formerly of J. Jacobs and measuring thereon one hundred twenty seven feet (127') more or less and being the same premises conveyed to Ellender A. Cook by H. Jacobs by deed recorded in the office of the Clerk of Court for Richland County in Deed Book BV at page 384 on Jan. 22nd., 1919.

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:

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John C. B. Smith)
)
 to)
)
Geo. L. Dial)
)
J 346.)

Conveys all that tract, piece or parcel of land, situate, lying and being in the County of Richland, State aforesaid, containing seven acres and sixteenths of an acre, more or less, and bounded as follows, that is to say: on the North by the Camden Road, East by lands of Mrs. Wade Hampton, South by lands formerly of the Estate of Andrew Wallace, and West by lands formerly of the estate of Andrew Wallace.

Proper as to execution and probate.

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Robt. H. Brazell)	Deed - Fee simple, general warranty.
to)	Dated May 17, 1906.
)	Recorded May 21, 1906.
Lena B. Thornton)	Consideration - \$1600.00
)	Dower - Renounced.
AO 116.)	

Conveys all that lot of land, with improvements thereon, East of the City of Columbia, in the County of Richland, State aforesaid, ~~Situate~~ on the South side of the Camden Road and fronting thereon ninety-seven feet four inches (97'4") and running back in a Southerly direction one hundred seventy-two feet eight inches (172'8") and bounded North by the Camden Road; East by Hampton, being separated therefrom by an alley seven feet (7') in width; South by Popleau, and West by Minnie Campbell, Trustee, said premises being the Northern part of the lot of land conveyed to me by Geo. L. Dial by deed dated November 26, 1884, and recorded in Book T, page 552.

Proper as to execution and probate.

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Lena B. Thornton)	Deed - Fee simple, general warranty.
)	Dated October 1, 1906.
to)	Recorded October 3, 1906.
Hampton Jacobs)	Consideration - \$1400 and assumption of
)	\$1000 mortgage.
AO 417.)	Dower - Grantor a woman.

Conveys same lot described in deed of Robt. H. Brazell to Lena
B. Thornton, Book AO, page 116.

Proper as to execution and probate.

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Hampton Jacobs

to

Columbia Real Estate & Ins. Agency

BH 572.

) Deed - Fee simple, general warranty.
) Dated January 17, 1914.
) Recorded January 23, 1914.
) Consideration - \$5.00 and other
valuable consideration.
) Dower - Renounced.
)

Conveys Inter alia; same lot described in deed of Lena B. Thornton
to Hampton Jacobs, Book AO, page 417.

Proper as to execution, but witness did not sign probate.

H. Jacobs) Deed - Fee simple, general warranty.
) Dated January 22, 1919.
 to) Recorded January 23, 1919.
) Consideration - \$500.00.
 Ellender A. Cook) Dower - Renounced.
)
 BV 384.)

Conveys all that lot, piece or tract of land lying and being one and one-half (1-1/2) miles East of Columbia, on the old Camden Road, bounded as follows: On the East by lands of myself and a ten foot (10') alley-way and measuring thereon one hundred twenty-seven feet (127'), on the West by lands now or formerly of myself and measuring thereon one hundred twenty-seven feet (127'), on the North by the old Camden Road and measuring thereon forty-one feet (41'), on the South by lands of Herbert Portee and measuring thereon forty-one feet (41'), and being a portion of the lands conveyed to me by J. T. Conder about 1909.

Proper as to execution and probate.

Columbia Real Estate
and Insurance Agency

to

Hampton Jacobs
CI-432.

) MORTGAGE-
) Dated-January 17, 1914.
) Recorded-January 27, 1914.
) Secures-Bond \$800.00-payable 5 years
) from date.
) Dower-Mortgagor a Corporation.
) Covers-
)

Part of lot - forty-one (41') feet frontage
on Camden Road, described in deed of H. Jacobs to Ellender
A. Cook-Deed Book "BV", at page 384.

Proper as to Execution and Probate.

NOTE: This mortgage out of date, more than twenty (20) years
old.

Estate of

Ellender Ann Cook

) Box #473 - Package #12504
) Judge of Probate's Office.
)

Petition of Laura Shely Cook Heath - filed June 9, 1937 prays that Ransom Thomas Cook be appointed administrator C. T. A. of estate of Ellender Ann Cook who died testate on June 2, 1937 but whose named executor has renounced his right to qualify - which ~~renunciation~~ is in roll.

Order admitting will to probate in common form dated June 9th., 1937.

Letters of Administration C.T.A. issued to Ransom Thomas Cook on June 24th., 1937 and he posted Administration Bond in sum of \$2608.49.

Petition and Order to sell livestock - filed Aug. 4th., 1937.

Appraisal shows house and lot "on southern side of Taylor St. in City Limits."

Pertinent clause of Will: " Item 7. I will and devise to my executor hereinafter named the house and lot which I own on the old Camden Road to be sold by my executor at such time and on such terms and for such price as he may see fit and the proceeds from such sale, after paying the expenses thereof, shall be divided as follows:" - then goes on to divide proceeds among four legatees.

Description of Real Estate- filed June 24th., 1937 - shows lot on old Camden Road.

Non-taxable Certificate from Inheritance Tax Examiner - dated July 31st., 1937.

Return of Administrator C.T.A. - filed July 19th., 1938, shows receipt of \$1363.41 and balance in bank, after various disbursements, of \$767.38.

Ransom Thomas Cook as Administrator C.T.A.)
of Est. of Elender Ann Cook, deceased.

to

John N. Grice Jr.
EO 485.

Deed - Fee Simple, General
Warranty.

Dated - June 13th., 1939.

Recorded - June 14th., 1939.

Consideration - \$700.00

Dower - Unnecessary.

Conveys:

All that piece, parcel or tract of land, situate, lying and being on the southwest corner of the intersection of the Old Camden Road or Taylor St. and House St. and bounded as follows: On the North by the Old Camden Road or Taylor St. whereon it measures forty one Feet (41') more or less, on the East by House St. and measuring thereon one hundred twenty seven feet (127') more or less, on the South by land now or formerly of Herbert Portee and measuring thereon forty one feet (41') more or less and on the West by property now or formerly of J. Jacobs and measuring thereon one hundred twenty seven feet (127') more or less and being the same premises conveyed to Ellender A. Cook by H. Jacobs by deed recorded in the office of the Clerk of Court for Richland County in Deed Book BV at page 384 on Jan. 22nd., 1919.

Proper as to execution and probate.

MORTGAGES

I find no mortgages of record affecting the title to this property except the mortgage set out in the body of this abstract, and in my opinion it is out of date and barred by the statute. It is reported merely as information.

LIENS

I find no lis pendens, mechanic liens, judgments or Federal tax liens affecting the title of 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 are marked paid of record.

OPINION

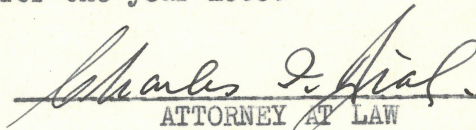
It will be noted that there is no conveyance of this property from the Columbia Real Estate Insurance Agency back to Hampton Jacobs, and a thorough search of the records fails to reveal how Hampton Jacobs re-acquired title to the property. However, from the records, it is apparent that Ellender A. Cook has held the property under color of title for a little more than 18 years, and her title has probably ripened into a fee simple title by adverse possession. Therefore subject to the missing link in the chain of title, I am of opinion that John N. Grice, Jr. is seized and possessed of a reasonably safe and marketable title to the property described in the caption of this abstract.

Columbia, S. C.
June 27, 1939

Charles I. Sharp
Attorney AT LAW

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 John N. Grice, Jr., 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 179; 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 9, _____, 1939.

The missing link in chain of title mentioned in opinion has been supplied by Quit Claim deed of John H. Bollin, Trustee, recorded Book EQ page 179 pursuant to order of U. S. Court recorded book ER page 81.