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ABSTRACT OF TITLE

OF

D.T.S.GATES, JR.

TO

Lot No. 7, White Section.

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James F. Dreher, Atty.,  
Columbia, S.C.

ABSTRACT OF TITLE

OF

D. T. S. GATES, JR

TO

*Goley claims  
11/4'*

All that piece, parcel or lot of land, situate, lying and being on the South side of the Camden Road, in the County of Richland, State of South Carolina, being rectangular in shape, measuring on its Northern and Southern sides 30 feet, more or less, and on its Eastern and Western sides 314 feet, more or less; being bounded on the North by the Camden Road; on the East by an eight foot alleyway separating this lot from the lot of Mrs. J.C.B. Smith's estate; on the South by lot of Sydney C. Goley and on the West by lot of Sydney C. Goley and lot of Georgia R. Smith.

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This abstract is prepared by James F. Dreher, Attorney, for the Columbia Housing Authority to which the above described property has been offered for purchase.

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Lot No. 7, White Section.

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I. William Wallace, as ) FSGW deed dated Dec. \_\_\_\_\_ 1869,  
Trustee, ) Recorded Dec. 6, 1880.  
 ) Deed Book "N", page 120.  
 -to- ) Properly executed, witnessed  
 ) and probated, no dower neces-  
 Peter Davis. ) sary. Consideration \$300.00.

Conveys: All those certain lots or parcels of land numbered respectively 4 and 5, on a plat of survey made for Dr. John Wallace by A. Y. Lee, December \_\_\_\_\_, 1869, the said lots measuring 264 feet on the Camden Road, which bounds them on the North; bounded on the East by land of Mrs. Stark and measuring thereon 412-1/2 feet; on the South by lots Nos. 8 and 9 on the said plat and measuring thereon 240 feet, and on the West by lots Nos. 3 and 6 and measuring thereon 464 feet.

II. Peter Davis ) FSGW deed dated Jan. 25, 1894,  
 ) Recorded Jan. 26, 1894,  
 -to- ) Deed Book "X", page 283.  
 ) Properly executed, witnessed and  
 Nathan Myers. ) probated. Dower properly renounced  
 ) by Jane Davis. Consideration \$250.00.

Conveys: All that piece, parcel or lot of land, situate, lying and being in the County of Richland, adjacent to the City of Columbia, in the State of South Carolina. Said lot is bounded as follows: Taking the point of land on the Camden Road as a starting point where Peter Davis' land adjoins R. W. Smith's land, thence running 104 feet on the Camden Road; thence running in a southerly direction 314 feet, more or less, until it reaches the land of John Turner, and thence the line runs westerly on the lands of said John Turner and of Mrs. Green 104 feet until it reaches the land of the said

R. W. Smith, thence the line runs in a Northerly direction on the lands of R. W. Smith until it reaches the point of departure on the Camden Road.

III. Peter Davis	)	FSGW deed dated May 15, 1894,
	)	Recorded July 9, 1894,
	)	Deed Book "X", page 390.
-to-	)	Properly executed, witnessed and
	)	probated. Dower properly renoun-
Nathan Myers.	)	ced by Jane Davis. Considera-
	)	tion \$250.00.

The deed recites: "This deed is substituted for a deed given by me January 25, 1894 and recorded in R.M.C. Book "X", page 283, and rectifies mistakes in width of lot."

Conveys: All that lot, piece or larcel of land with the improvements thereon, situate, lying and being in the said County and State, on the Camden Road about one mile east of the City of Columbia, said lot of tract of land being bounded as follows: Starting on the Camden Road at the point of intersection of the lands of R. W. Smith and said Peter Davis and runs thence in an easterly direction on the said Road 30 feet; thence the line runs 314 feet, more or less, in a South-easterly direction until it strikes the land of John Turner; thence the line runs in a westerly direction on the lands of said John Turner 39 feet until it strikes the land of said R. W. Smith; thence the line runs on the said Smith's land in a northerly direction 314 feet, more or less, until it strikes the point of original departure.

Also conveys a right-of-way over the eight foot alley bounding on the East of the said lot.

IV. Nathan Myers ) FSGW deed dated July 27, 1894,  
 ) Recorded July 27, 1894,  
 -to- ) Deed Book "X", page 399.  
 ) Properly executed, witnessed and  
 R. W. Smith. ) probated. Dower properly renoun-  
 ) ced by Sarah R. Myers.  
 ) Consideration \$250.00.

Conveys the property described in III. above.

V. Estate of ) Box 174,  
 ) Package 5309.  
 R. W. Smith. )

The will of R. W. Smith was admitted to probate in common form August 20th, 1906, and Letters Testamentary issued to Edward W. Smith on the same date. The will is properly executed and witnessed and bears date Nov. 16, 1903. By Item 2 all property, real and personal, is left to Testator's wife, Elizabeth Smith, for her natural life. Item 3 bequeaths the personal property, after the death of his wife, to testator's six children in equal shares. Item 4 provides: "After the death of my wife I give, devise and bequeath my real estate to my children in the following manner: \* \* \* To my daughter, Elizabeth C. Gates, I give, devise and bequeath in fee simple the lot of land East of my home place, which said lot is bounded on the North by the Camden Road, West by my home place and South by a vacant lot of mine."

NOTE: Under the above will, Elizabeth C. Gates acquired fee simple title in xxx remainder, subject to the life estate of Mrs. Elizabeth Smith, testator's wife. In a statement made in the office of Robinson & Robinson on May 24, 1933, Sydney C. Goley, a daughter of R. W. Smith, stated that her mother, Elizabeth Smith, had been dead at that time for seven years. An affidavit to this effect can be obtained.

VI. Elizabeth S. Gates	)	FSGW deed dated July 28, 1931,
	)	Recorded September 10, 1931,
-to-	)	Deed Book "DP", page 61.
	)	Properly executed, witnessed and
D.T.S.Gates, Jr.	)	probated. No dower necessary.
	)	Consideration \$100.00.

Conveys the property described in III. above with the following description of right-of-way: "Together with the right-of-way over an alleyway bounding on the East of the said described lands measuring 8 feet wide and running in a South-eastern direction 314 feet, more or less, on the East boundary of the said described lands. This said alleyway to be for the sole use of the said R. W. Smith and Peter Davis, their heirs and assigns, to be used as a right-of-way for them and their heirs upon the Camden Road 314 feet, more or less, down to the lands now or formerly owned by the said John Turner."

NOTE 1: Although this conveyance recites the right-of-way as being for the use of the heirs of R.W.Smith and Peter Davis without making the right appurtenant to the lots which bound the alley, it would, in the opinion of the abstractor, be sufficient if the right-of-way is conveyed by the present owners of the two adjacent tracts in the conveyance of the title to other property. The information of the abstractor is that the alley now runs all the way through the block and is used as a public alley.

NOTE 2: It will be noted that the description of the property contained in the conveyance of Elizabeth S. Gates to D. T. S. Gates, Jr., abstracted above as VI., varies from the description in the caption- the width of the Southern boundary being given in the deed as 39 feet rather than 30 feet, as stated in the caption. The description in the deed from Elizabeth S. Gates to D.T.S.Gates, Jr., was obviously taken from the description in the old deed of Nathan Myers to R. W. Smith, abstracted as IV. above. After the date of the deed of Myers to Smith, R. W. Smith conveyed to John C. B. Smith by deed dated Jan. 23, 1896, recorded in Deed Book "Y", page 259, a

small triangular strip of land for the evident purpose of straightening the lines between the adjacent lots and the lines of the alley between them. Thus the description in the caption is correct rather than the description in the conveyance from Elizabeth S. Gates to D. T. S. Gates, Jr. Proof that the owner of the Gates tract recognized this lies in the fact that the property is described in a mortgage given by Elizabeth Gates in May, 1929, recorded in Mortgage Book "FZ", page 275, as measuring 30 feet on its Northern and Southern sides, and 314 feet on its Eastern and Western sides.

#### ENCUMBRANCES

We find no mortgages, judgments, lis pendens, mechanics liens, or other liens, on or affecting the title to the property herein abstracted.

#### TAXES

All State, County and City taxes for the past ten years, through 1938, have been regularly paid on this property.

#### OPINION

So far as the records and indices of Richland County show, I am of opinion that D.T.S.Gates, Jr. has a good, fee simple, marketable title to the property herein abstracted.

  
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Attorney at Law.

June 10 1939.

SUPPLEMENTAL REPORT

The following link has been added to the chain of title included in the original abstract of the property of D.T.S.Gates, Jr.:

VII. D.T.S.Gates, Jr.,	) FSGW deed dated Aug.23, 1939,
	) Recorded August 24, 1939.
-to-	) Deed Book "EQ", page 174.
	) Properly executed, witnessed
The Housing Authority of the	) and probated. Dower properly
City of Columbia, S.C.	) renounced by Mrs. Annie Mae
	) Gates. Consideration \$5.00
	) and other valuable consider-
	) ation.

Conveys the property described in the caption.

SUPPLEMENTAL OPINION

So far as the records and indices of Richland County show, I am of opinion that the Housing Authority of the City of Columbia, S.C. has a good, fee simple, marketable title to the premises described in the caption of the original abstract.

James F. Decker  
Attorney at Law.

October 14 1939.

STATE OF SOUTH CAROLINA )  
                                          )  
COUNTY OF RICHLAND        )

Personally appeared before me Sydney C. Goley  
\_\_\_\_\_ who being first duly sworn, stated:

That he knew Mrs. Elizabeth Smith, the widow  
of R. W. Smith, and who held a life estate under the will  
of R. W. Smith in his property. That he knows of  
her own knowledge that the said Elizabeth Smith died  
in the year 1927  
1930.

Sydney C. Goley

Sworn to before me this the )  
9th day of June, 1939.        )

James F. Dehor (L.S.)  
Notary Public for S.C.

