

Subject to the conditions herein, it is understood and agreed that the easement herein granted shall be an easement appurtenant to that tract of 3.10 acres, more or less, conveyed to Binswanger & Co., Inc., by Charleston & Western Carolina Railway Company on the 10th day of July, 1953, and that such easement shall run with the land. This agreement shall inure to and be binding upon the parties hereto, their successors and assigns.

2. In Article First of said agreement dated July 6, 1953, the following words are eliminated; "and will not assign this agreement or any rights hereunder".

3. It is distinctly understood and agreed between the parties hereto that, except as above referred to, all terms and conditions of said agreement dated July 6, 1953, will remain in full force and effect.

IN WITNESS WHEREOF, The parties hereto have executed these presents in duplicate the day and year above written.

Witnesses for Licensor:

M. E. Smith
.....
J. L. Garbade
.....

CHARLESTON & WESTERN CAROLINA RAILWAY COMPANY,

By *C. McD. Davis*
.....
C. McD. DAVIS President

Attest:

By *W. M. Marable*
.....
Asst. Secretary (SEAL)
W. M. MARABLE

Witnesses for Licensee:

X *Eric P. Craft*
.....
X *.....*
.....

BINSWANGER & CO., INC.,

By *Paul Binswanger*
.....
President

Attest:

By *Joseph M. Richards*
.....
Secretary (SEAL)

Approved:

A. C. Root
.....
General Solicitor
W. M. Marable
.....
General Manager
C. S. Vicks
.....
Engineer Maint. of Way