

sufficient number of cross ties under the said rails to prevent the same from bending or kinking.

6. Railroad may, at its option, declare this agreement and all of the rights of Lessee hereunder, notwithstanding the term hereby created, or anything in this agreement to the contrary, to be terminated in any one or more of the following events, viz:

(a) if Lessee shall be in default in the payment of the annual rental herein reserved for 30 days after the same shall be due, or

(b) if Lessee shall violate any of the covenants of Lessee in this agreement contained, or

(c) if Lessee shall become insolvent or bankrupt, or the property of Lessee shall be placed in the hands of a receiver or trustee, or taken from the control of Lessee by operation of law or otherwise.

AND upon such declaration of termination by Railroad in a written notice to Lessee, or any one lawfully holding in place of Lessee, and at all events upon the termination of this agreement as hereinbefore provided, Lessee will forthwith return said rails, joints and tie plates to Railroad in good condition, ordinary wear and tear excepted, loaded upon cars on tracks of Railroad at Paris, South Carolina; or in default of such return of said rails, joints and tie plates by Lessee, Railroad may enter upon said rails, joints and tie plates, wheresoever the same may be, take physical possession thereof, and load the same upon cars and deliver on tracks of Railroad at said Paris, South Carolina, at the cost and expense of Lessee, and again possess and enjoy the said rails, joints and tie plates as of its own proper estate.

IN WITNESS WHEREOF, the parties hereto have caused these presents to be executed and their respective corporate seals to be hereunto affixed and attested by their respective officers thereunto duly authorized, as of the 23rd day of January, 1961. Done in duplicate, each part being an original.

Signed, sealed and delivered in presence of:

Jmz

B. Hodges
B. Dyer
Subscribing witnesses.

SOUTHERN RAILWAY COMPANY,

By *J. J. ...*
Vice President.

ATTEST: *R. L. ...*
Assistant Secretary.

Signed, sealed and delivered in presence of:

Angie W. Knox
Norma Jean ...
Subscribing witnesses.

CATAWBA TIMBER COMPANY,
By

H. ...
President.

L. S. ATTEST: *James ...*
Secretary.

12-21-60 JEL/c
45348

(Continued on Next Page)