

EASEMENT

THIS INDENTURE, made this 8th day of Sept, 1961,
 by Elijah Hawthorne, hereinafter referred to as the Landowner,
 and The Greenville County Soil Conservation Dis-^{trict} hereinafter referred to as the Local Organization,

WITNESSETH THAT:

WHEREAS, the Secretary of Agriculture, United States Department of Agriculture, is authorized by the Watershed Protection and Flood Prevention Act to carry out a program of assistance to local organizations in planning and installing works of improvement for flood prevention or the conservation, development, utilization and disposal of water, and

WHEREAS, the Local Organization is cooperating in said program for the purpose of installing a project in the Huff Creek watershed, State of South Carolina, in connection with which it desires to secure certain rights in, over and upon the hereinafter described land of the Landowners,

THEREFORE, for and in consideration of One Dollar (\$1.00) and the benefits accruing to the Landowner from the installation of said project, and other good and valuable considerations, the receipt whereof is hereby acknowledged, the Landowner does hereby grant, bargain, sell, convey and release unto the Local Organization an easement in, over and upon the following described land situated in the County of Greenville, State of South Carolina, to-wit:

The 27.8 acres, more or less, covered by this easement, are located on the headwaters of Baker Creek and is a portion of the tract conveyed by John Chapman, et al, to Elijah Hawthorne by Deed and recorded in Book of Deeds, Vol. 572, Page 98, and Vol. 572, Page 114, located in R. M. C. office in Greenville County, South Carolina. A more detailed description of the acreage involved is shown in a sketch map designated as Flood Retarding Structure No. B-5, Huff Creek Watershed, Filed in Plat Book MM, Page 71, in the office of R. M. C. in Greenville County, South Carolina.

The Local Organization shall have the right, privilege and authority to overflow, flood, and store water impounded by the above proposed flood retarding structure.

The sketch map referred to above indicates the approximate area to be in the normal pool and the flood pool areas. The normal pool covered by this easement will cover approximately 7 acres. The flood pool covered by this easement will cover approximately 20.8 Acres.

Elijah Hawthorne will have the right, privilege and authority to fish, irrigate and use the normal pool for recreation purposes on the water that covers his land as he desires.

1. The Local Organization shall be responsible for operating, maintaining, and keeping in good repair the works of improvement herein described.
2. The Landowner reserves the right to use said land or any part thereof at any time and for any purpose, provided, such use does not interfere with the full enjoyment by the Local Organization of the easement herein conveyed.
3. This easement shall include the right of ingress and egress at any time over and upon said land and any adjoining land owned by the Landowner for construction, inspection and maintenance.
4. The easement herein conveyed shall be subject to any easements, rights-of-way, or mineral reservations or rights now outstanding in third persons.
5. The Landowner hereby releases the Local Organization from any and all claims from damages to the herein described lands or adjoining lands of the Landowner resulting from the installation of works of improvement herein described.