

COUNTY OF GREENVILLE

THIS INDENTURE, made and entered into by and between the SOUTHERN RAILWAY COMPANY, a corporation organized under the laws of the State of Virginia, its successors and assigns, hereinafter called "Railroad"; and THE COUNTY OF GREENVILLE, SOUTH CAROLINA, its successors and assigns, hereinafter called "County."

W I T N E S S E T H

WHEREAS, the County desires to obtain a right of way across the tracks of the Railroad, at the point hereinafter described, for the purpose of constructing and maintaining a public grade crossing; and,

WHEREAS, the Railroad is willing to grant the County said right of way, subject to the conditions hereinafter set forth;

NOW, THEREFORE, the parties hereto have agreed as follows:

1. The Railroad hereby grants unto the County, insofar as Railroad's title enables it to do so, the right to construct, maintain, and use a public road crossing, not exceeding fifty (50) feet in width, upon and across, at grade, the right of way or property and main tracks of Railroad running between Washington and Atlanta, at a point approximately 1629 feet east of Milepost 482, at Greenville, South Carolina, crossing being located substantially as shown in red upon print of drawing No. P-1, dated 5-2-68 (Rev.7-1-68), hereunto annexed and made a part of this agreement.

2. Railroad will, for the accommodation of and at the expense of County, perform all of the work of constructing or installing and maintaining the portion of the said road crossing located between the rails of said tracks and 10 feet on each side of the center lines thereof, a total distance of 33 feet; said area located as shown in yellow on annexed print. Immediately upon completion of said work, County will pay to Railroad the actual cost of all work performed by Railroad in connection with the construction and installation of said portion of said crossing. In addition, County will hereafter pay to Railroad promptly upon bill or bills rendered therefor by Railroad, the entire future cost and expense of maintaining said portion of said grade crossing as aforesaid; the cost of maintaining said grade crossing estimated to be \$175 per annum.

3. County will, at its own expense and without cost to Railroad, construct and maintain said crossing (except the portion to be constructed and maintained by Railroad as aforesaid), including all necessary drainage which may be prescribed by the Chief Engineer of Railroad, and in all respects in accordance with the requirements of Railroad looking to the safe and convenient operation and maintenance of its said line of railroad.

(Continued on next page)

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