VOL 982 PAGE 565

STATE OF SOUTH CAROLINA   )

                              :   A G R E E M E N T

COUNTY OF GREENVILLE   )

THIS AGREEMENT entered into this _27th_ day of August, 1973, by

and between MARTIN K. EBY CONSTRUCTION CO., INC. (hereinafter for convenience

called Eby) and ROCKY CREEK REALTY COMPANY, a partnership composed of Frank

B. Halter, C. R. Maxwell and T. C. Threatt (hereinafter for covenience called

Rocky Creek).

W I T N E S S E T H:

WHEREAS, the parties hereto own adjacent property located on the

northerly side of Pelham Road (S. C. Rd. No. 492) near the City of Greenville,

S. C., and

WHEREAS, the parties hereto desire to create a joint easement or

road right-of-way twenty-five (25) feet on each side of their common boundary

line as shown on plat attached hereto and made a part hereof marked Exhibit

"A", for the purposes of ingress and egress with said easement to be appur-

tenant to the respective tracts of land.

NOW, THEREFORE, for and in consideration of the sum of Five ($5.00)

Dollars to each in hand paid to the other (receipt whereof is hereby acknowl-

edged) and of the mutual covenants herein contained, the parties do hereby

agree as follows:

(1) An easement appurtenant as a road right-of-way is hereby created,

as delineated on Exhibit "A", for the purpose of ingress and egress to the

respective parcels or tracts of land for the exclusive benefit of the parties

hereto, their tenants, licensees and invitees.

(2) If that portion of the easement from the point marked B to the

point marked C on Exhibit "A" is not in fact put in use within ten (10) years

of the date of these presents, then this easement, as to that portion only,

shall terminate and thereafter be of no force and effect. The word "use"

shall mean continued as distinguished from casual use as a road right-of-way.

(3) Nothing herein contained shall be construed as creating any

rights in the general public to the use of this easement or road right-of-way.

(4) This Agreement shall inure to the benefit of and be binding