

where the tops of the pipes are less than eighteen (18) inches under the surface of the ground; that the use of said strip of land by the Grantor shall not, in the opinion of the Grantee, interfere or conflict with the use of said strip of land by the Grantee for the purposes herein mentioned, and that no use shall be made of the said strip of land that would, in the opinion of the Grantee, injure, endanger or render inaccessible the sewer pipe line or their appurtenances.

It is further agreed: That in the event a building or other structure should be erected contiguous to said sewer pipe line, no claim for damages shall be made by the Grantor, his heirs or assigns, on account of any damage that might occur to such structure, building or contents thereof due to the operation or maintenance, or negligences of operation or maintenance, or said pipe lines or their appurtenances, or any accident or mishap that might occur therein or thereto.

It is further expressly understood that should the Grantee herein abandon its use of the line for any reason said right of way and line shall revert to the Grantor herein.

The property affected by this right of way is described as follows:

The center line of the right of way shall have the following courses and distances as shown on a plat prepared by C. O. Riddle, as the property of H. Hoke Smith, dated April, 1959, amended February 6, 1975, to show the right of way and according to said plat has the following metes and bounds, to-wit:

BEGINNING at a point at the Southwestern corner of property conveyed this date by the Grantor to the Grantee which point is 300 feet South from the Pelham Road and is 6 feet East from the common boundary of this tract and property now or formerly of Pension Plan and Trust of L & P Enterprises and; running thence S. 4-40 W. 353.2 feet to a point; running thence along a creek the following courses and distances, to-wit:
 S. 64-07 E. 177.9 feet; S. 22-15 E. 252 feet; S. 41-02 E. 271.7 feet;
 S. 50-33 E. 148.9 feet; S. 38-34 E. 177.1 feet; S. 44-25 E. 195.7 feet;
 S. 50-31 E. 293.3 feet; to an existing man hole of the Western Carolina Regional Sewer Authority.

