

STATE OF SOUTH CAROLINA
COUNTY OF GREENVILLE

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RETAINING WALL AGREEMENT

THIS AGREEMENT Made this 30th day of October, 1976, between Fidelity Federal Savings & Loan Association, hereinafter referred to as "Fidelity", and George W. Thompson, hereinafter referred to as "Thompson".

WHEREAS, Fidelity is the owner of a lot of land situate on US Highway No. 276 in the town of Mauldin, being shown and designated on the Greenville County Block Book maps as M8.1-1-9; and Thompson is the owner of a lot of land situate on Sunset Drive in the town of Mauldin, adjacent and contiguous to the land of Fidelity being shown and designated on the Greenville County Block Book maps as M8.1-1-10;

WHEREAS, The parties desire to provide for a retaining wall to be built upon the boundary line between the above-mentioned parcels of land.

NOW, THEREFORE, In consideration of the sum of \$1.00 and for the promises contained herein, the parties hereto, for themselves and their respective heirs, Executors, Administrators, successors and assigns, agree as follows:

(1) Thompson hereby grants unto Fidelity permission to erect a retaining wall upon the boundary lines between the parcels described above in order to prevent erosion and maintain the existing natural topography of same. Thompson recognizes that said retaining wall will be constructed without the benefit of a survey and agrees that the said retaining wall may be constructed entirely upon his property and waives his rights to contest an encroachment thereon.

(2) The retaining wall, when erected, shall become and be a retaining wall in all respects.

(3) Fidelity, in the erection of the retaining wall, shall do as little damage as possible to the property of Thompson and shall make good all such damage to the reasonable satisfaction of Thompson.

(4) The wall and any extension or replacement thereof shall be in good, substantial and workmanlike manner.

(5) The cost of constructing the retaining wall and any necessary repairs or maintenance shall be borne by Fidelity and its respective successors and assigns; and further, when the retaining wall,

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