

- (b) Receipt by Optionee of written confirmation of the adequacy and accessibility of all public utilities to the property as necessary to furnish electrical power, water and sewer for full development of the entire parcel under its present zoning. In this regard, the Optionor specifically warrants to Optionee that a twenty (20) inch water line is located at the intersection of Pelham Road and Old Boiling Springs Road and that an easement can be obtained at reasonable cost and without penalty to provide service to the property; and, that Brushy Creek and Rocky Creek trunk lines are available to the property and Optionee can obtain an easement at a reasonable cost, without penalty, to provide sewer access from those lines to the property.
- (c) All reasonable assistance by Optionor in obtaining appropriate easements to provide access from the property to public utilities, including water and sewer service, as described above.
- (d) Confirmation satisfactory to Optionee that there are no pending plans for construction of roads or highways on or upon the property which would affect its use, or for the taking of the property for any other public purpose.
- (e) Confirmation that the intended use of the property is consistent with all applicable environmental laws, rules and regulations, and that the flood plain is satisfactory for such use.
- (f) Optionor, during the term of this option, shall not cause or allow to be placed against or upon the property any further lien, encumbrance, easement or right of way other than outlined in this Paragraph (7).
- (8) In the event that the Optionee exercises the initial option herein provided but fails to consummate the purchase of all four (4) parcels, Optionee agrees that Optionor shall have the right to tap-on and utilize the water and sewer lines which the Optionee may have installed in the course and development of the parcels purchased by Optionee. As consideration for this privilege, Optionor shall pay to Optionee the amount of \$ \_\_\_\_\_ . All costs and expenses relating to extension of service lines to the adjacent tract retained by Optionor shall be at the sole expense of the Optionor, and the Optionor shall bear the costs of all tap-on fees charged by the public utilities. The Optionee shall provide, at no cost to Optionor, rights to use of easements that it may have acquired in order to obtain access to the public utilities.
- (9) It is understood and agreed that during the term of this option, the Optionee shall have the right to enter upon the subject property for the purpose of making surveys, engineering studies, test borings, or engaging in any other activities reasonably necessary to determine the suitability of the property for development by the Optionee.
- (10) In the event of exercise of the option herein granted, property taxes applicable to a parcel for the year in which such option is exercised shall be prorated between the parties as of the date of closing. Possession of the premises shall be delivered at closing. Optionor shall be responsible for furnishing at